



Planning and Environmental Services

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jared Rosengren, Contract Planner

DATE: October 5, 2006

SUBJECT: Planning and Zoning Permit Nos. 05-620-08 (General Plan Amendment), 05-570-03 (Zone Change), 05-500-24 (Special Use Permit for Planned Residential Group), and 05-300-26 (Tentative Subdivision Map for Tract No. 5659). Located at 5482 & 5536 Cypress Road.

1. **Recommendation:** That the Planning Commission adopt resolutions:
 - a) Recommending City Council approval of Planning and Zoning Permit No. 05-620-08, General Plan Amendment;
 - b) Recommending City Council approval of Planning and Zoning Permit No. 05-570-03, Zone Change
 - c) Approving Planning and Zoning Permit No. 05-500-24, a Special Use Permit for a Planned Residential Group, subject to certain findings and conditions; and
 - d) Recommending City Council approval of Planning and Zoning Permit No. 05-300-26, Tentative Subdivision Map for Tract 5659, subject to certain findings and conditions;

2. **Project Description and Applicant:** A request for development of 5.26-acres with 47 single-family, two-story, residential units in a private, gated community. The project site is located within the Cypress Neighborhood on the east side of Cypress Road (south of Pleasant Valley Road and north Hueneme Road).

A discretionary planning entitlement that approves the project is the Special Use Permit for a Planned Residential Group (PRG). A General Plan Amendment and Zone Change are also required. The Tentative Subdivision Map would create one lot and 47 residential units for condominium purposes. Filed by Paragon Communities, 8614 S. Saran Drive, Playa Del Rey, CA 90293.

3. **Existing Land Use:** The site is currently improved with one single-family home and several greenhouse structures used by Sasaki Plant Nursery.

4. **General Plan Policies and Land Use Designation Conformance:** The project site is designated as Residential Low and Residential Low-Medium in the 2020 General Plan. A General Plan Amendment is required, changing the portion of the project site that is currently designated Low Density Residential to Low-Medium Density Residential. The project density would result in approximately 9.2 units per acre, consistent with the Low-Medium Density designation that stipulates 8 to 12 units per acre. The General Plan specifies R-2 zoning for the Low-Medium Density Residential category.

2020 General Plan Analysis

The **Land Use Element** defines Low-Medium land use designation as "...single-family detached homes on lots of less than standard size (but not less than 3,500 square feet)." The project site is listed in Figure V-4 of the 2020 General Plan as an Infill Modification Area. These areas are intended to identify certain small and medium-sized vacant and underutilized parcels within established neighborhoods. It is the City's policy to encourage development of these areas prior to extensive development of larger vacant areas.

The **Circulation Element** contains policies related to construction of streets and sidewalks and minimizing conflicts between automobiles, bicycles and pedestrians. Cypress Road is not listed in Table VI-2 as a roadway in need of improvement. The **Open Space Element** states, "A number of new park facilities are planned which will remedy current deficiencies although some localized shortages may exist with full buildout of the City" (pg. VIII-33). The **Parks and Recreation Element** identifies the area directly north of the project site as a potential park site (Table XIII-3). In 2004, the City Council approved a 6-acre park to be developed as part of PZ 03-500-16.

The **Noise Element** encourages "... sound attenuation measures other than the traditional wall barrier... combination of berms and landscaping..." (pg. X-15). The method and types of construction and how they contribute to sound attenuation are addressed in the Mitigated Negative Declaration and are consistent with the proposed project.

The **Housing Element** does not list the project site as a potential affordable housing site in Figure 7 (pgs IV-4 and 5). Staff recommends that the project applicant be allowed to pay the affordable housing in-lieu fee rather than provide on-site affordable units.

5. **Environmental Determination:** The proposed development is subject to review in accordance with the California Environmental Quality Act (CEQA). An initial study was prepared to analyze potentially significant adverse environmental effects of the proposed project. Six areas of concern were identified as potentially being affected:
 - Air Quality
 - Cultural Resources
 - Transportation/Traffic
 - Land Use and Planning
 - Geology and Soils
 - Hazards and Hazardous Materials

On July 27, 2006, the applicant agreed to mitigation measures recommended by staff to address the identified adverse effects. The initial study and mitigation measures (ND 06-03) were made available for public review and comment, from August 4, 2006 through August 24, 2006.

Comments were received on the draft environmental document and most have been addressed as conditions of project approval. Therefore, staff recommends that Planning Commission adopt the Mitigated Negative Declaration (MND).

6. **Surrounding Zoning and Land Uses:**

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
North	CR	Park	Approved Park (6-acres)
South	R3-PD	Residential Low Medium	Residential/Ventura County Railway/ Flood Control Channel
East	R3-PD, M1-PD	Residential Medium Industrial Limited	Multi-Family Residential/Limited Industrial
West	R1 MH-PD	Residential Low Medium	Mobile Home Park/Single-Family Homes

7. **Analysis:**

- a) **General Discussion:** The proposed residential development will add to the City's housing stock. As the project site is within the City's Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Project area, the development shall be in conformance with the Community Development Commission's affordable housing requirements.
- b) **Relevant Project and Property History, Related Permits:** No original building permits for the existing structures were found, however permits for alterations to existing nursery structures were found as far back as 1965. The applicant is currently developing approved project (PZ 03-500-16), consisting of 156 single-family homes located west of Cypress Road and a 6-acre public park located directly north of the proposed project site.
- c) **Zoning Compliance:** The project is being processed as a Planned Residential Group (PRG) (Section 16-445(B) of the City Code). The PRG requires a Special Use Permit and allows the Planning Commission to consider variations to density, area, yards, height, parking, and fence Code requirements of the underlying zone when such actions are in accordance with the basic principles and intent of Chapter 16

(Zoning) of the City Code. The project involves the construction of attached and detached condominium units, where individual lots are not created for each residential unit. As such, those requirements specific to “lot” standards are not considered for this project.

The PRG requires the Planning Commission to make the following four findings, each followed by the corresponding reason why the finding can be made in the affirmative:

- (1) *A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area.*
The project site is currently an underutilized plant nursery with greenhouse and outdoor storage. Chemicals used inside the greenhouses have contaminated the soil surface of portions of the site. Cleanup of the site will be conducted as part of the proposed project. The project would result in 47 new homes. Project impacts on the surrounding area were analyzed by the Mitigated Negative Declaration and found to be either not significant, or mitigated to not significant.
- (2) *The residential use proposed is permitted within the zone.*
The project proposes changing the zoning to R-2, which would allow the proposed residential use.
- (3) *Building(s) will substantially conform with plot plans and elevations submitted in support of the special use permit.*
The project is approved with a condition that the actual building permit plans shall be the same as the approved plot plans and building elevations and they shall comply with all applicable development standards and guidelines (see table below).
- (4) *The applicant has demonstrated that population densities proposed are in conformance with existing and proposed public facilities, such as streets, sewers, water, schools, and parks.*
The proposed project will include development of new public streets and utilities designed to accommodate the project. Project impacts on public facilities, streets, water, schools, and parks were analyzed by the MND and found to be either not significant, or mitigated to not significant.

Applicable development standards and guidelines from the City Zoning Code have been compared with the proposed project based on the R-2 standards, as follows:

DEVELOPMENT STANDARD	REQUIRED	PROPOSED	COMPLIES?
Max. building height	2 stories, not to exceed 25 feet	Duplex = 25'10" max. Plan 2 = 24'10" max. Plan 3 = 25'11" max. Plan 4 = 25'3" max.	Under the planned residential group, applicant seeks modifications to the Code standards.
Min. lot area	3,500 SF per DU. No more than 6 units per building. No more than 1 SFD on lots < 50 feet avg. width or < 7000 SF.	47 units proposed on 5.26 acres = 4,875 SF per DU.	Yes.
Fences/hedges - front yard	Must be at least 50% open, and may not exceed 42 inches. Or if solid wall, then may not exceed 18 inches.	6 feet to 8 feet	Yes
Fences/hedges - side & rear yards	Not to exceed 7 feet in height.		
Parking spaces	2 garage spaces per unit	Garages for detached units measure 20' W x 19' D. Garages for attached units measure 19' W x 19' D.	Under the planned residential group, applicant seeks modifications to the Code standards.
Site landscaping	1 street tree required.	1 street tree/unit	Yes.

- d) **Site Design Analysis:** The project site is surrounded on all sides by existing residential uses. The project may be accessed from Cypress Road and an emergency access point is located from the future park. Details for the gated entryways have been provided and pedestrian access has been required and agreed to by the applicant (see MND).

The project site is a private gated community, proposing rectangular lots oriented to private streets. The project is accessed from Cypress Road and then loops around. Because the project proposes 32-foot wide, private streets, on-street parking is only available on one side of the street.

The project includes a 3,300 square foot recreational lot located directly north of Lot 14 and will include a barbeque/picnic area.

- e) **Circulation and Parking Analysis:** The residential component of the project consists of private roadways within the gated community. The 32-foot wide streets will have a 5-foot wide sidewalk adjacent to one side, with parking on one side only. The Street Naming Committee has approved a street name for this project (see Attachment D). All proposed housing units have a two-car garage and a driveway that allows for guest parking. Standard conditions are included in the resolution for payment of the County Traffic Impact Mitigation Fee to address impacts to the County roadways.
- f) **Building Design Analysis:** The 47-unit subdivision proposes four model plans, all two-story that range from 1,520 square feet to 1,863 square feet in size, as shown below:

	Size (sq. ft.)	Bedrooms	Baths
Duplex	1,700	4	3
Plan 2	1,507	3	2.5
Plan 3	1,695	3	2.5
Plan 4	1,864	4	2.5

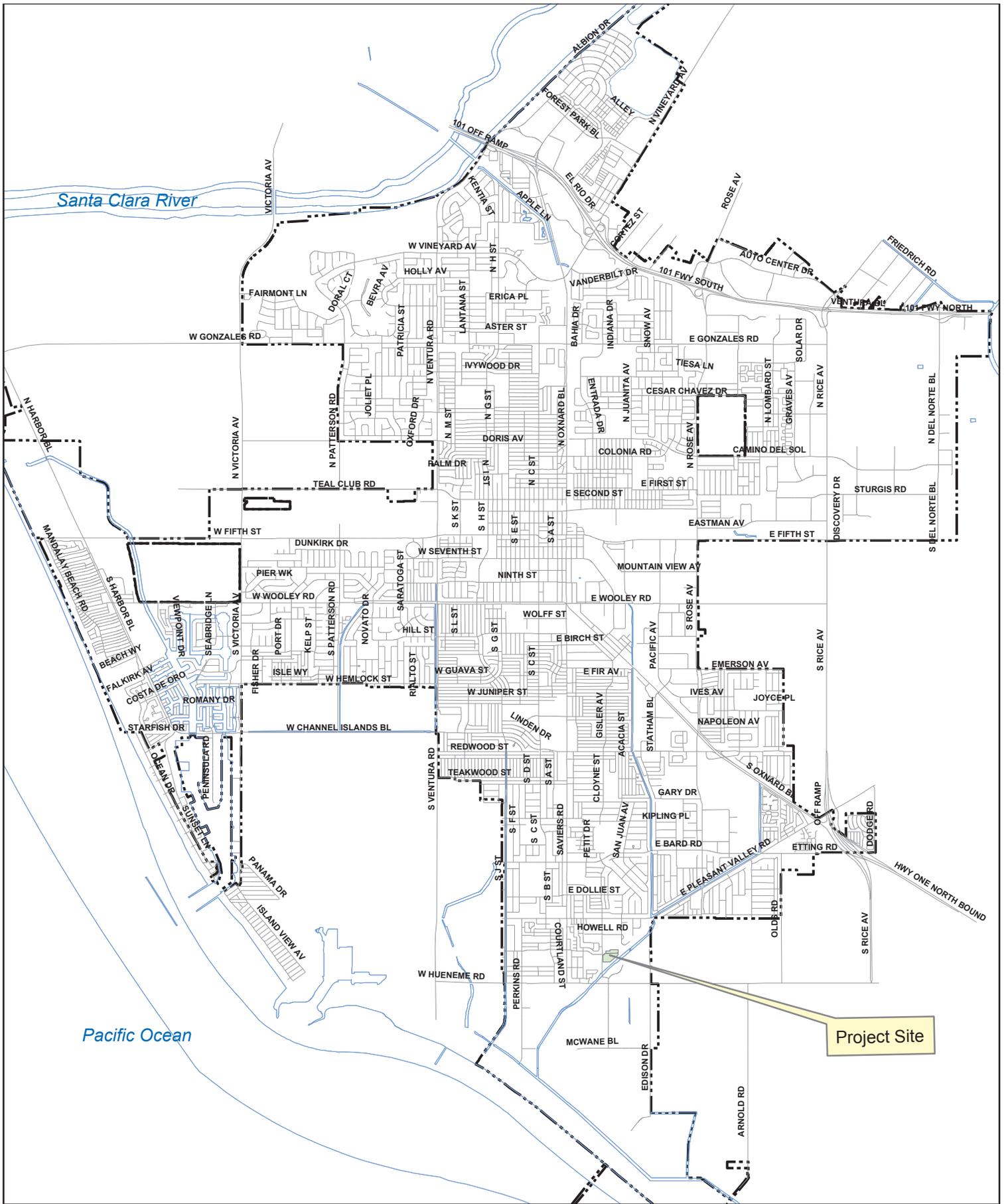
- g) There are three floor plans for the detached units, with three architectural design styles each, and there is one plan for the units in duplex configuration, with two architectural design styles to select from. The Duplex Plan (4 units) will provide 1,700 square feet of living area, each with three baths and up to four bedrooms. Plan 2 (6 units) will provide approximately 1,520 square feet of area for three bedrooms and 2 ½ baths. Plan 3 (13 units) will provide 1,695 square feet of area for three bedrooms and 2 ½ baths. Plan 4 (24 of these) will provide 1,863 square feet of area for 2 ½ baths and up to four bedrooms.

The unit mix consisting of seven color schemes, three architectural styles (Spanish, Colonial and Craftsman) and the ability to reverse floor plans results in approximately 168 potential combinations. A standard condition of approval for all residential development is to require architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment, trim and a variety of finishes to match the front facades. All lower level articulation shall be of durable material (e.g. GFRC quality). Conditions of approval will further require at least three types of driveway finishes and garage door styles. Planning Division staff will review the details of the enhancements at the time of building permit plan check. Residents will be given the choice of having air conditioning units that will located in the backyard of the new home.

- h) **Signs:** No signs are currently proposed for this development. Any future signs shall comply with the provisions of the City Code.

 - i) **Landscaping Code Compliance:** As proposed, the residential component includes adequate landscaping in accordance with the City's landscaping requirements. A Homeowners Association (HOA) is required to maintain common area landscaping and entrance gates. The project will join an assessment district for the maintenance of landscaping within the public right-of-way, as determined by the Superintendent of Parks.
8. **Development Advisory Committee (DAC) Consideration:** The DAC project review was conducted on February 8, 2006 and April 5, 2006. As revised, the DAC supports the proposed project with the recommended conditions (see Attachment E).
9. **Community Input:** On Monday June 19, 2006, the applicant presented the project at a community meeting. One neighbor signed-in at the meeting and considered the proposal, however had no concerns about any aspect of the project.
10. **Attachments:**
- A. Maps (Vicinity, General Plan, Zoning)
 - B. Reduced Project Plans
 - C. Mitigated Negative Declaration (MND 06-03) and comments received
 - D. Street Naming Committee Letter
 - E. Resolutions

Prepared by: <u>JR</u> JR
Approved by: <u>SM</u> SM



PZ 05-500-24, 05-300-26, 05-570-3

Location: 5482 & 5536 Cypress Rd.

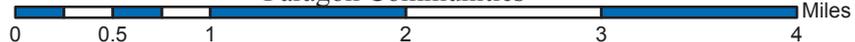
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Paragon Communities

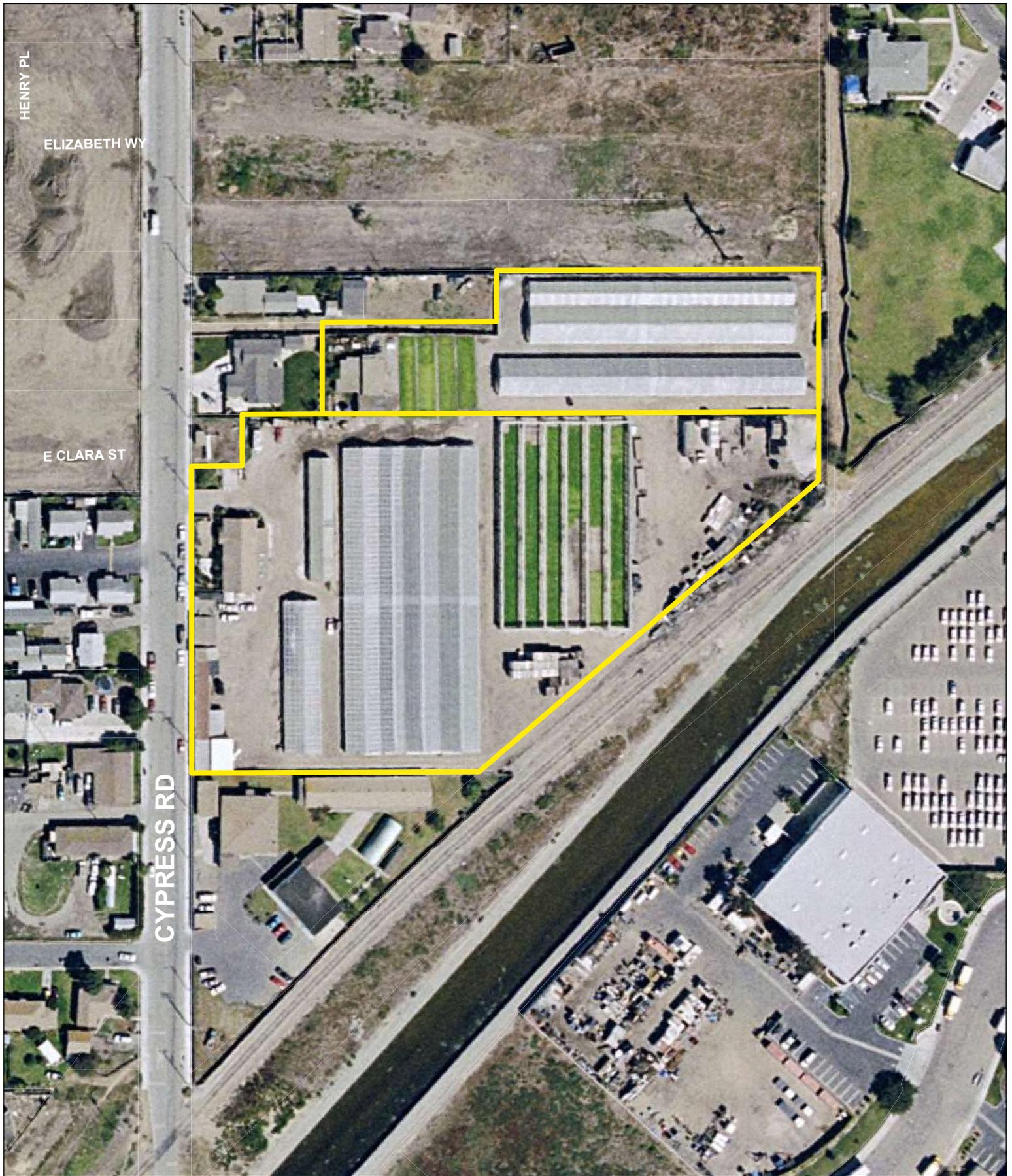
Vicinity Map



Planning & Environmental Services



August 30, 2006



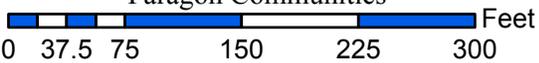
2005 Aerial

PZ 05-500-24 (SUP), PZ 05-570-03 (ZC)/ PZ 05-620-08 (GPA), PZ 05-30026 (TM)

Location: 5482 & 5536 Cypress Rd.

APN: 223004102, 222005218

Paragon Communities



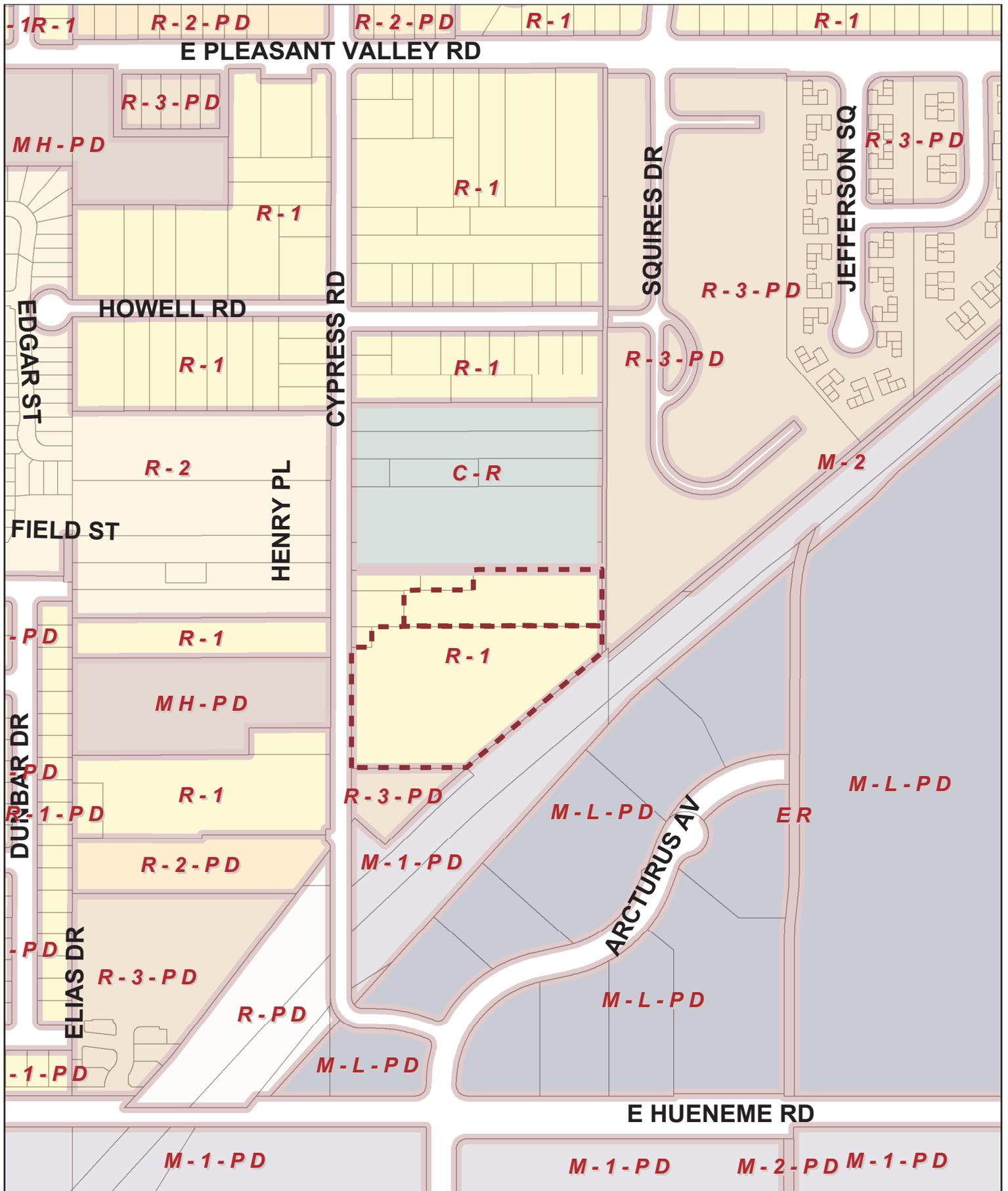
Aerial Map



April 5, 2006



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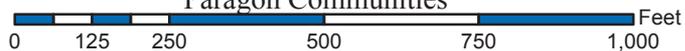


PZ 05-500-24, 05-300-26, 05-570-3

Location: 5482 & 5536 Cypress Rd.

APN: 222005218, 223004102

Paragon Communities



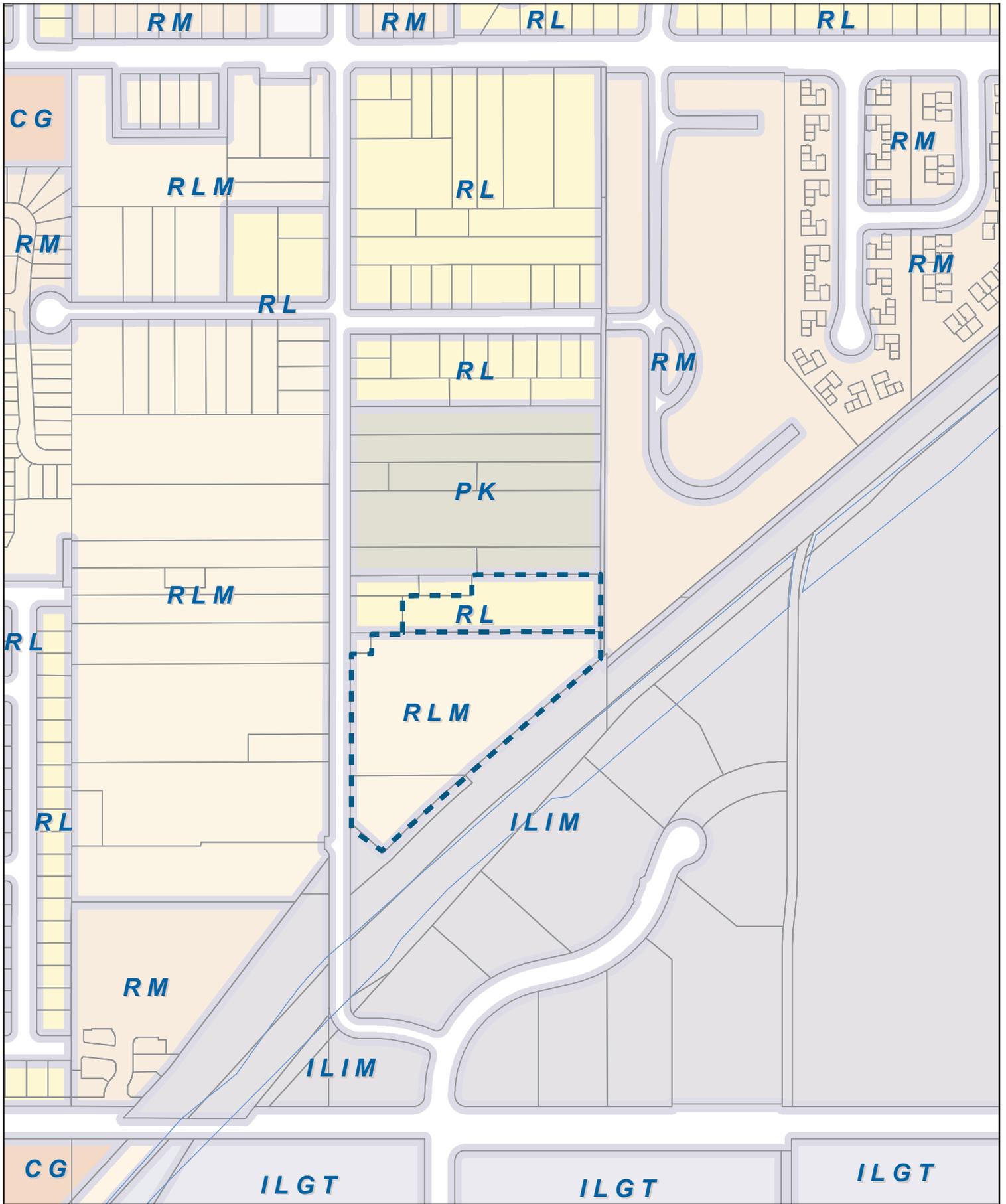
Zone Map



August 30, 2006



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PZ 05-500-24, 05-300-26, 05-570-3

Location: 5482 & 5536 Cypress Rd.

APN: 222005218, 223004102

Paragon Communities

2020 General Plan Map

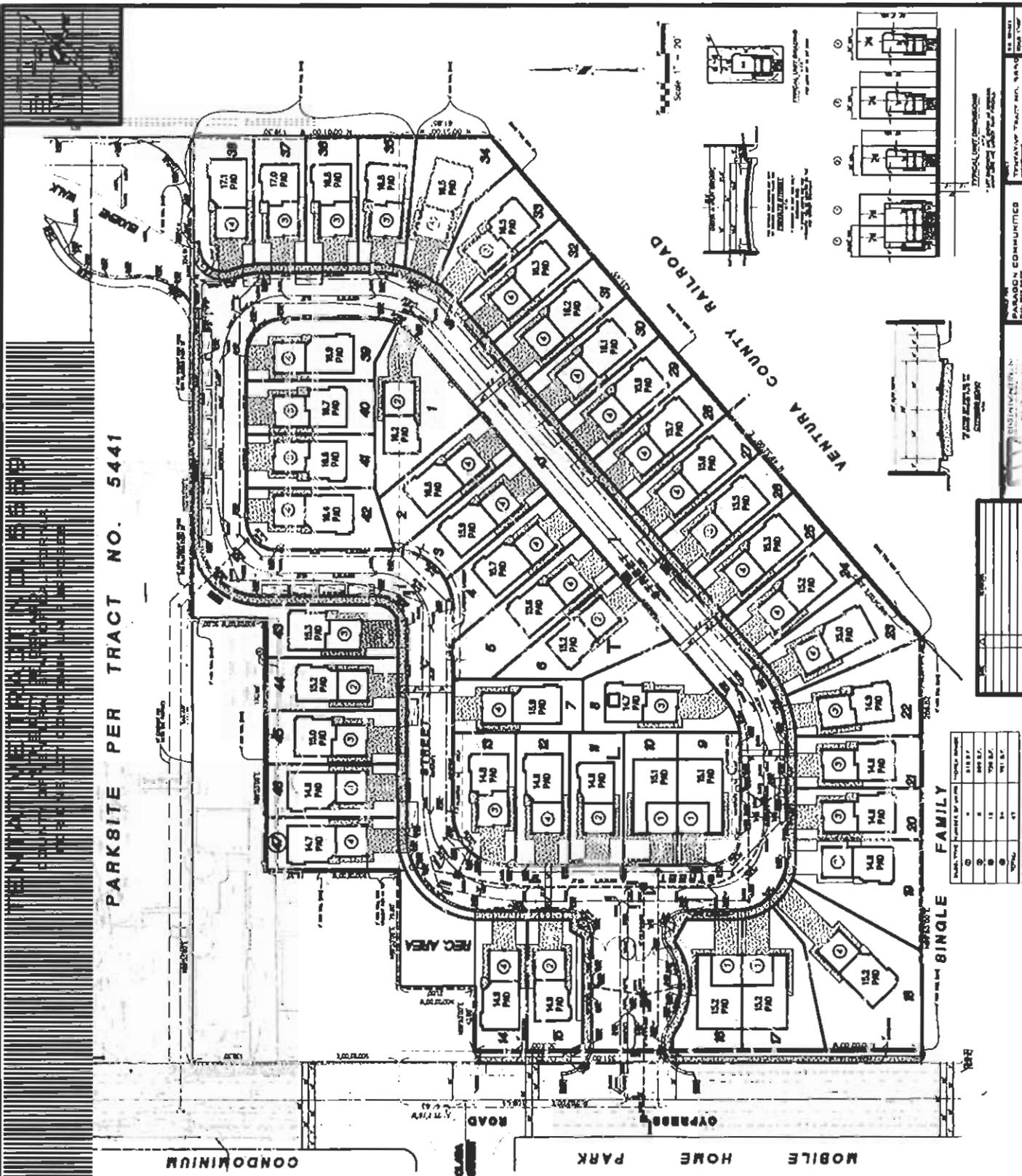


August 30, 2006



Planning & Environmental Services

PARKSITE PER TRACT NO. 5441



CONDOMINIUM

MOBILE HOME PARK

RECREATION AREA

STREETS: CYPRESS, PARK, HOME, MOBILE, FAMILY, SINGLE

SCALE: 1" = 70'

LEGEND:

- 1. MOBILE HOME UNIT
- 2. DRIVEWAY
- 3. SIDEWALK
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NOTES:

1. ALL MOBILE HOME UNITS SHALL BE CONFORMING TO THE 1975 HUD CODE.
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UNIT NO.	TYPE	AREA (SQ. FT.)	PERMITS
1	MOBILE HOME	400 S.F.	1
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43	MOBILE HOME	400 S.F.	1
44	MOBILE HOME	400 S.F.	1
TOTAL			44

PARADISE COMPUTERS
 1000 W. 10TH ST. SUITE 100
 OAKLAND, CA 94612
 (415) 764-1111

VENTURA COUNTY RAILROAD
 1000 W. 10TH ST. SUITE 100
 OAKLAND, CA 94612
 (415) 764-1111





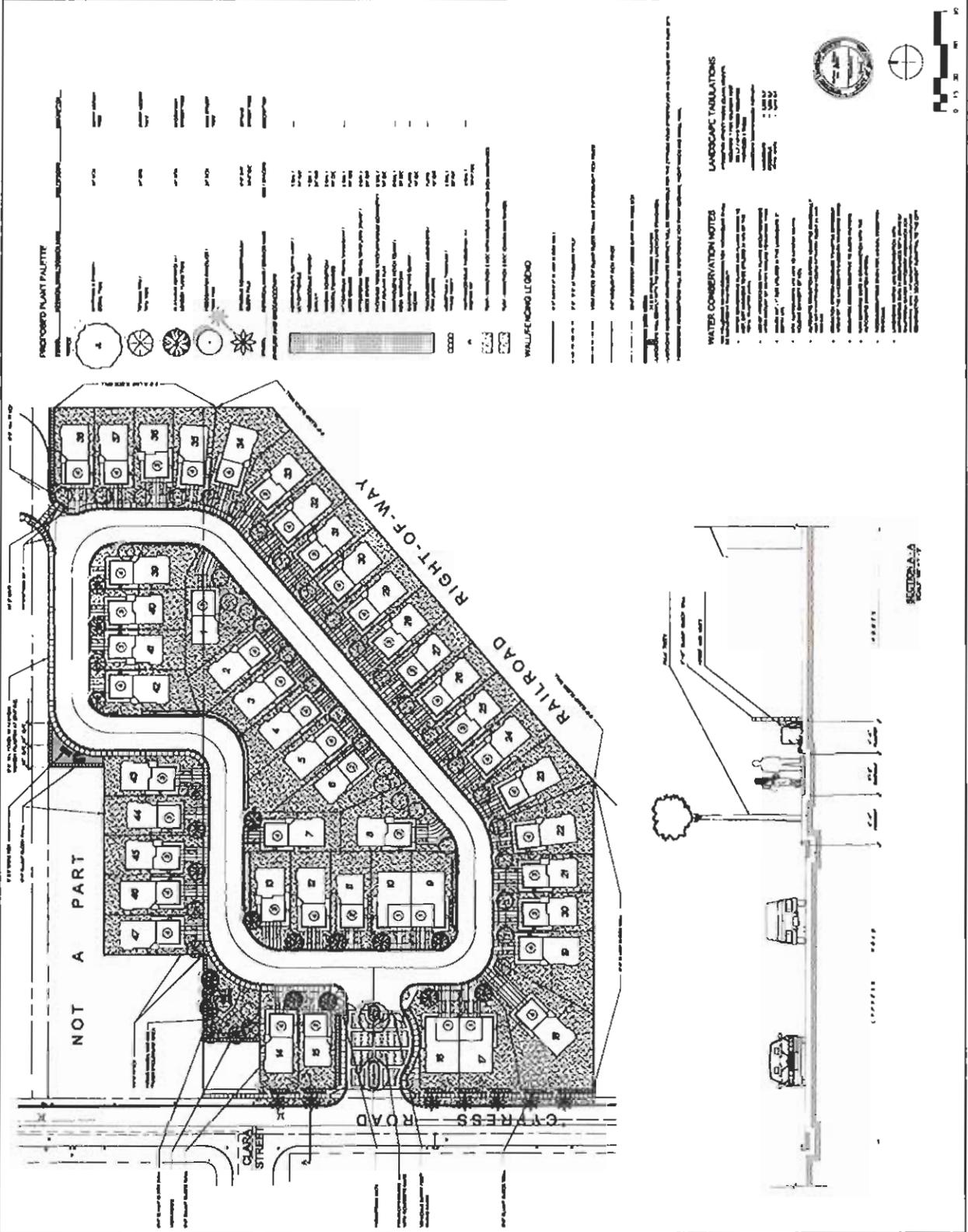
PARAGON COMMUNITIES
 P.O. BOX 6278
 FAYA DEL REY, CALIFORNIA 90296
 PH: (310) 301-0223

WEST WIND 2
 PRELIMINARY LANDSCAPE PLAN
 OXNARD, CALIFORNIA

PRELIMINARY LANDSCAPE PLAN

DATE	11/10/10
PROJECT	WEST WIND 2
LOCATION	OXNARD, CALIFORNIA
SCALE	AS SHOWN
DRAWN BY	...
CHECKED BY	...
APPROVED BY	...

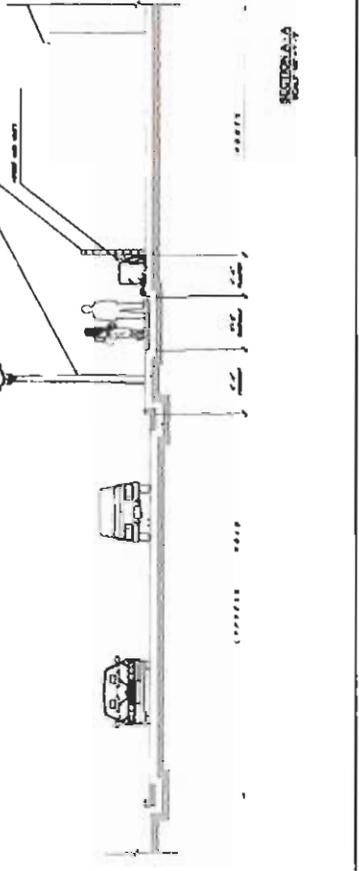
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PROPOSED PLANT PALETTE

SYMBOL	PLANT NAME	HEIGHT	SPACING
...

- WATER CONSERVATION NOTES
- 1. All irrigation systems shall be designed to meet the requirements of the California Water Conservation Act (CWC) and the California Water Conservation Regulations (CWR).
 - 2. All irrigation systems shall be designed to meet the requirements of the California Water Conservation Act (CWC) and the California Water Conservation Regulations (CWR).
 - 3. All irrigation systems shall be designed to meet the requirements of the California Water Conservation Act (CWC) and the California Water Conservation Regulations (CWR).
- LANDSCAPE FABRICATIONS
- 1. All landscape fabrications shall be designed to meet the requirements of the California Water Conservation Act (CWC) and the California Water Conservation Regulations (CWR).
 - 2. All landscape fabrications shall be designed to meet the requirements of the California Water Conservation Act (CWC) and the California Water Conservation Regulations (CWR).





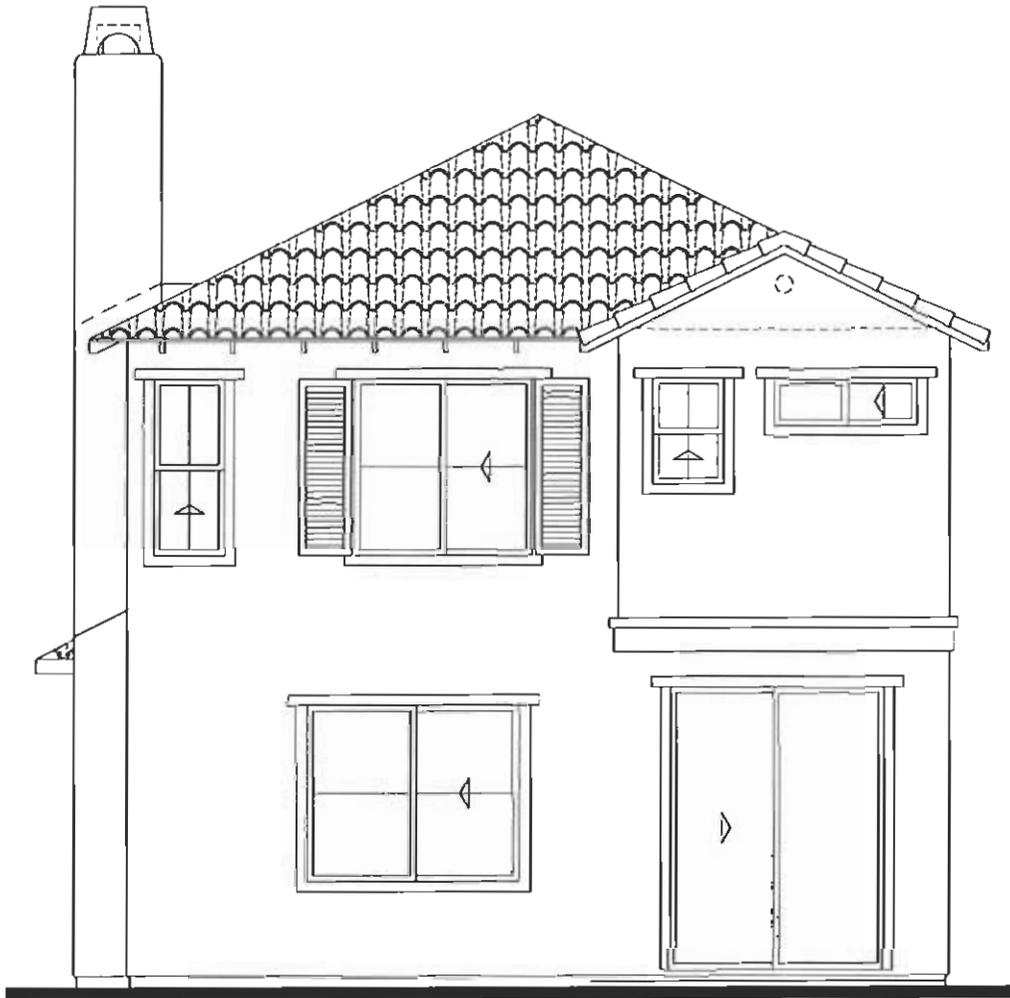
PLAN 2, FRONT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



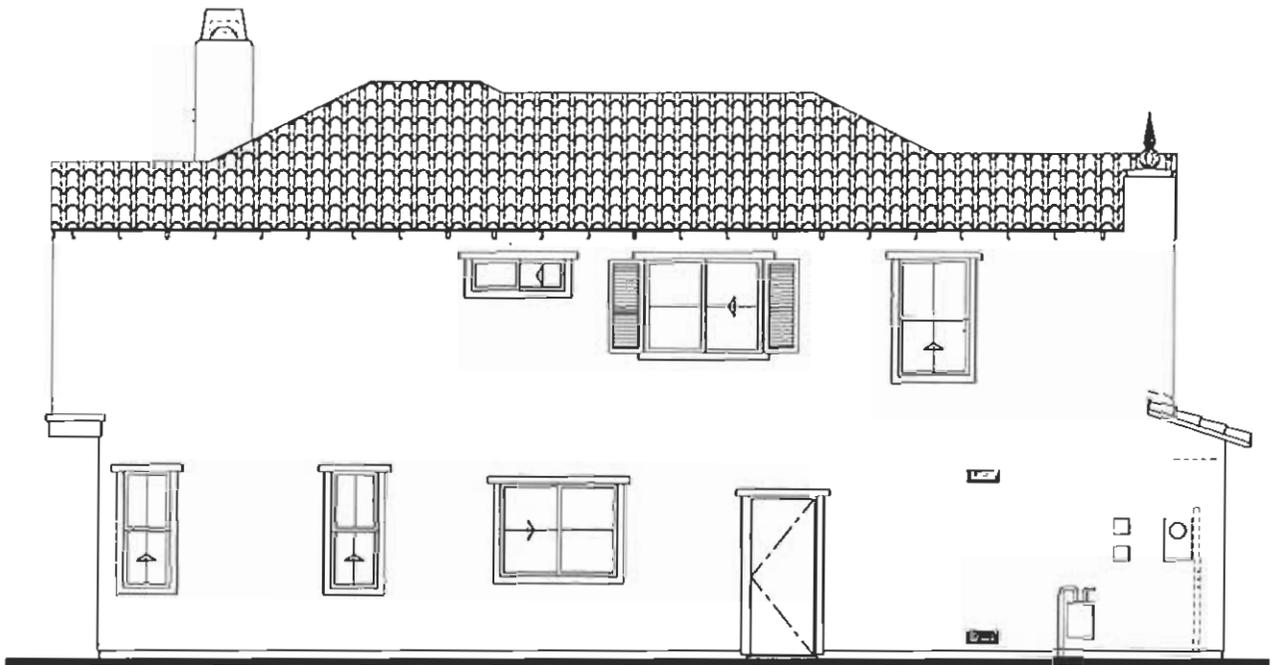
PLAN 2, REAR ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 2, LEFT ELEVATION 'A'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

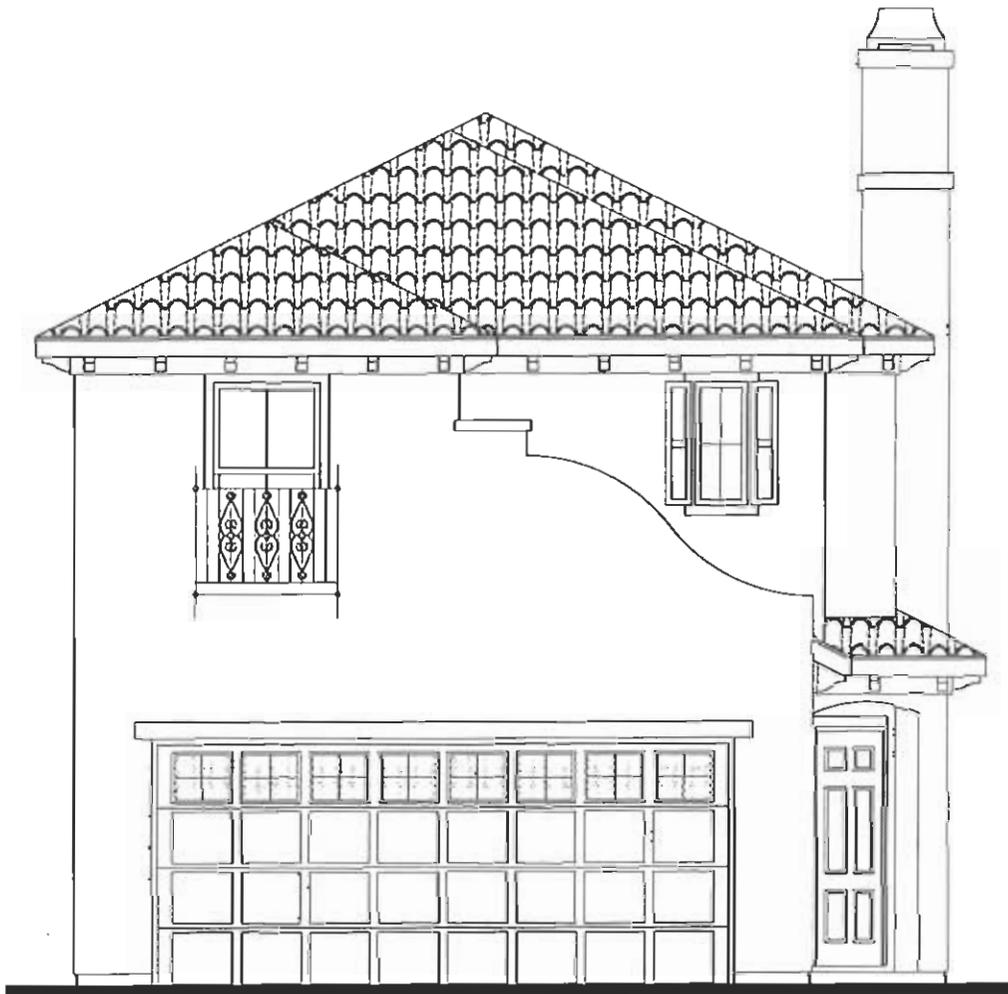
PARAGON COMMUNITIES



PLAN 2, RIGHT ELEVATION 'A'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 2, FRONT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



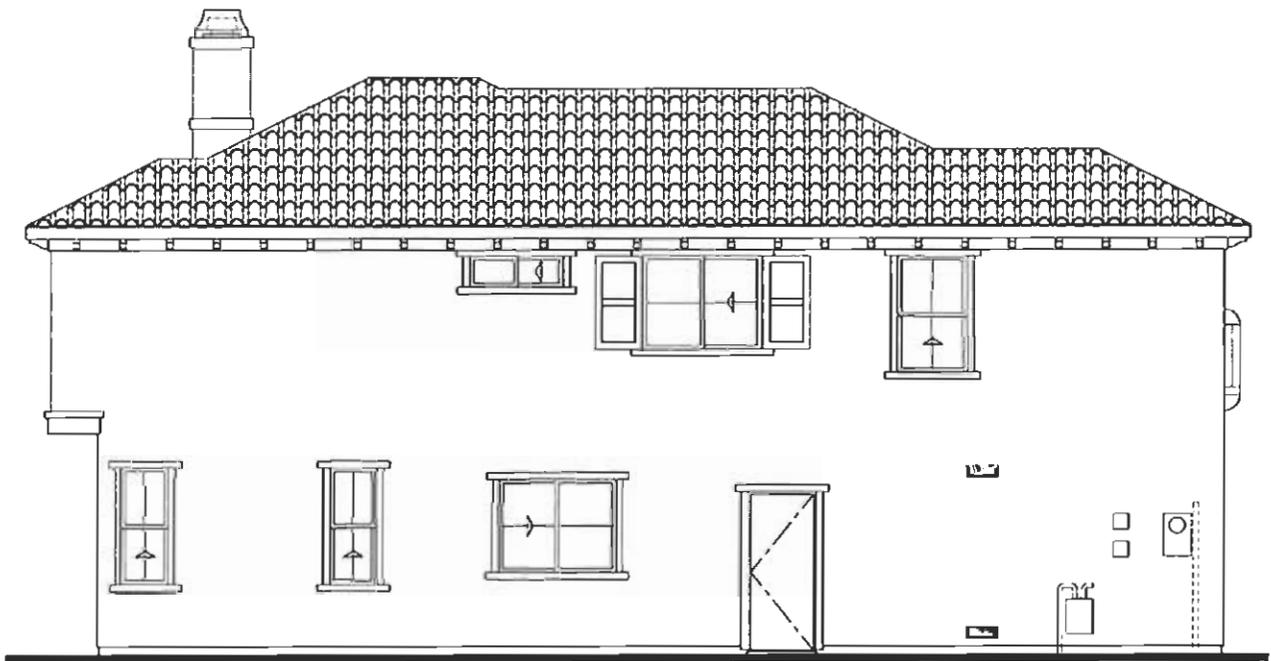
PLAN 2, REAR ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 2, LEFT ELEVATION 'B'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 2, RIGHT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 2, FRONT ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

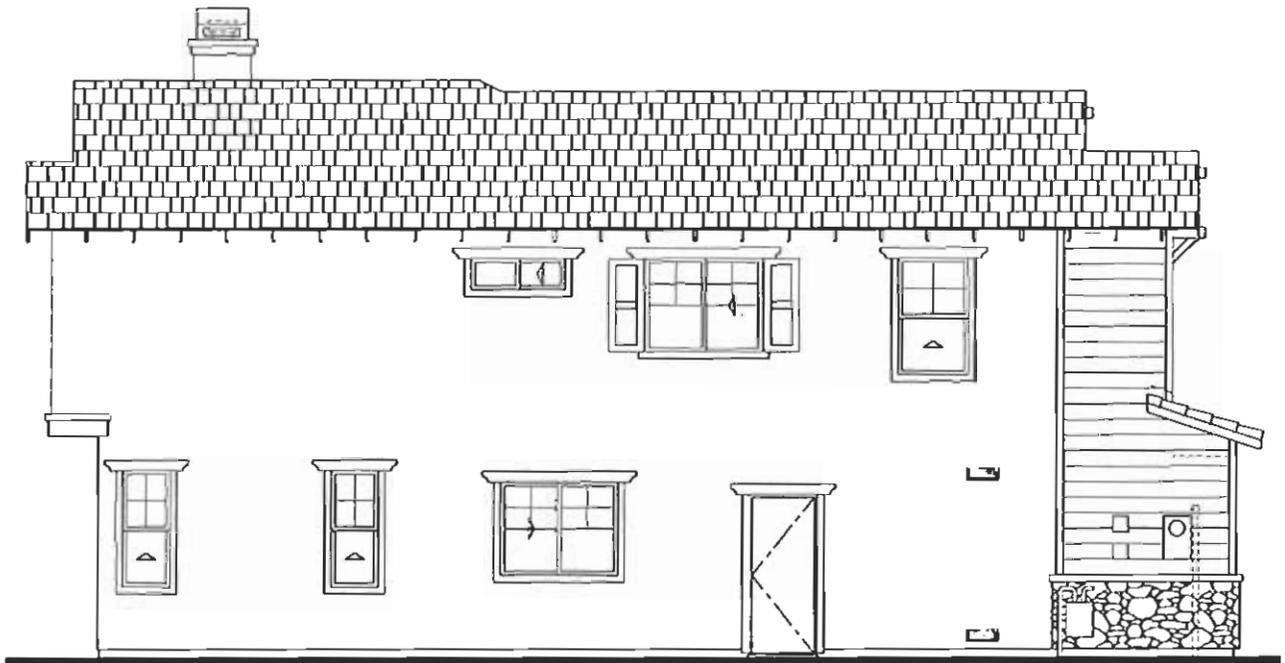
PARAGON COMMUNITIES



PLAN 2, REAR ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 2, LEFT ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



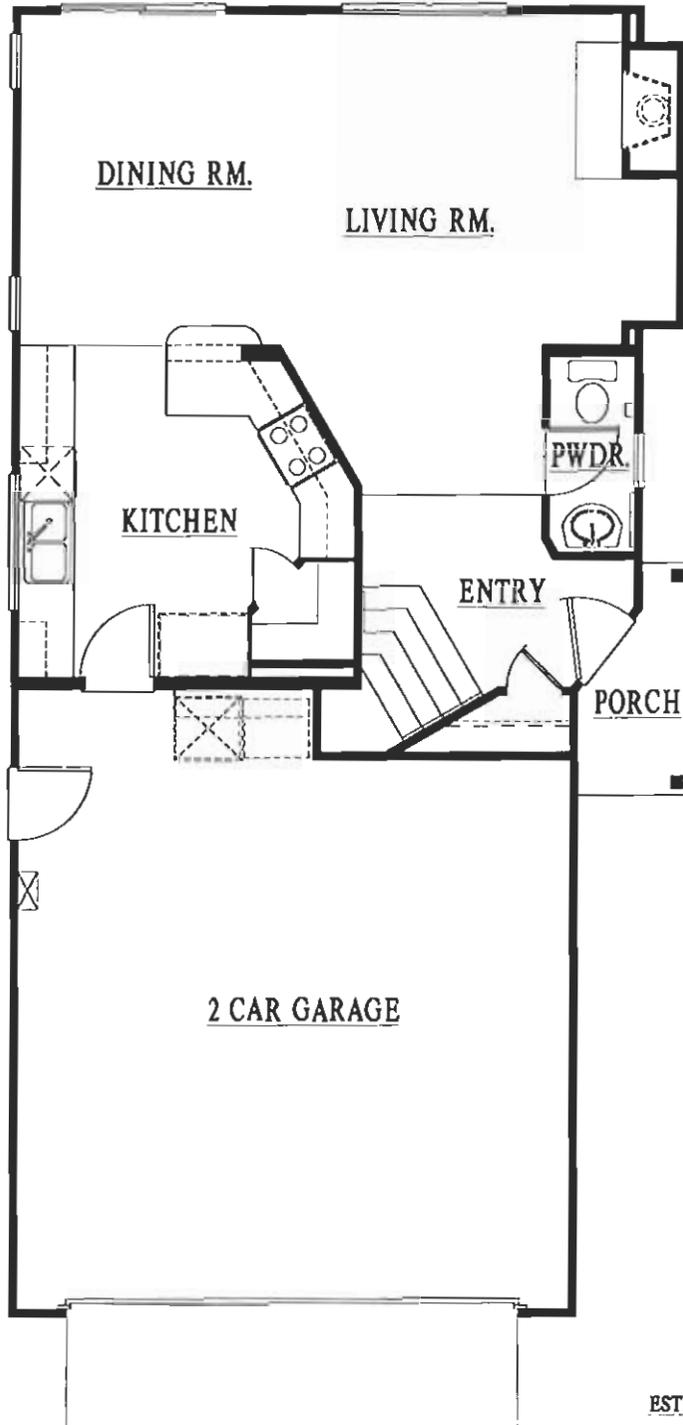
PLAN 2, RIGHT ELEVATION 'C'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



ESTIMATED SQUARE FOOTAGE: 1,507

PLAN 2, FIRST FLOOR PLAN

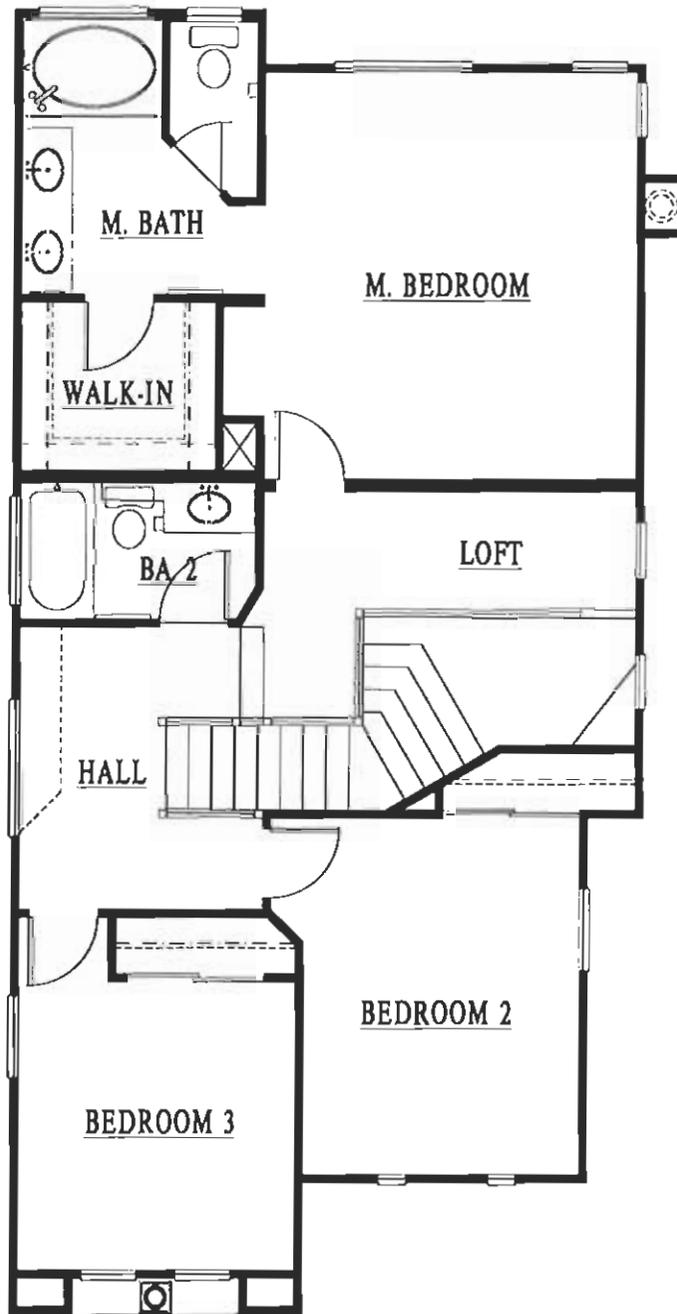
NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES

1 OF 2



PLAN 2, SECOND FLOOR PLAN

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

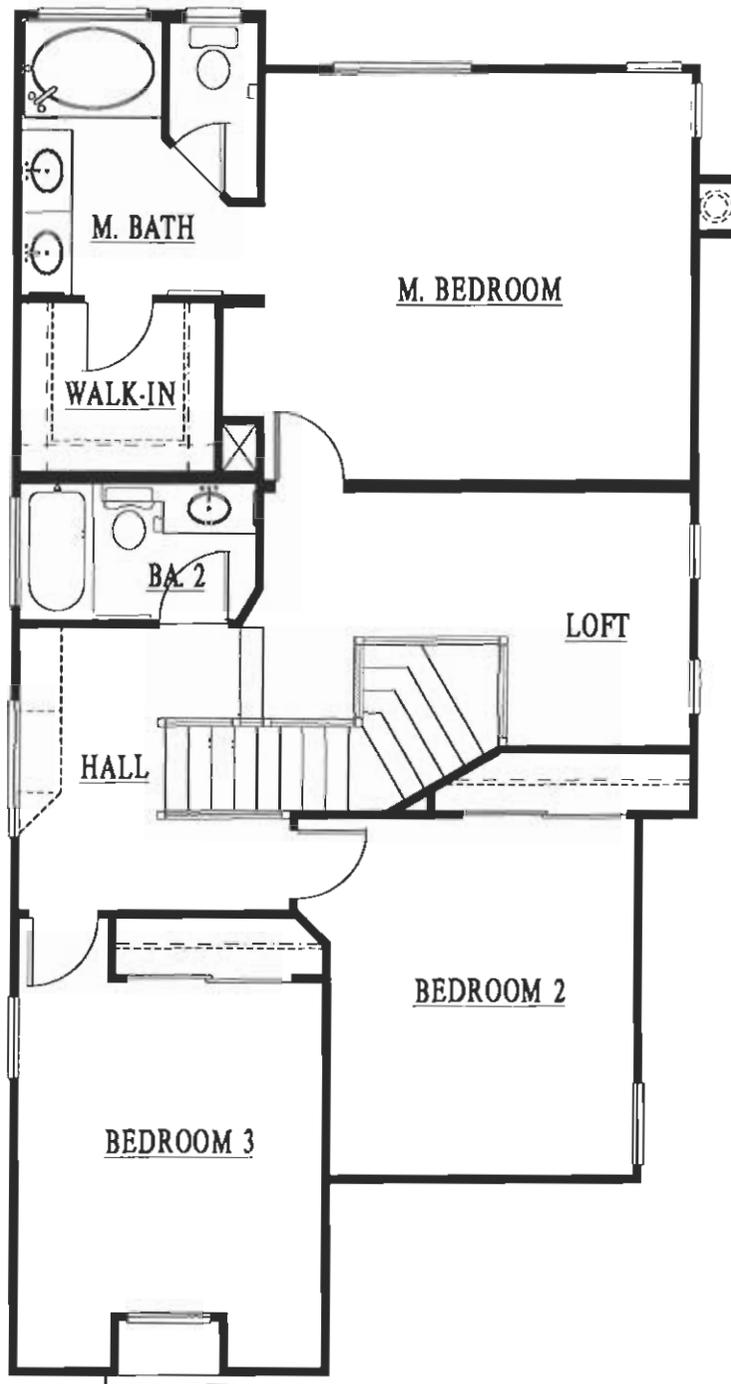
PARAGON COMMUNITIES



PLAN 3, FRONT ELEVATION 'B'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



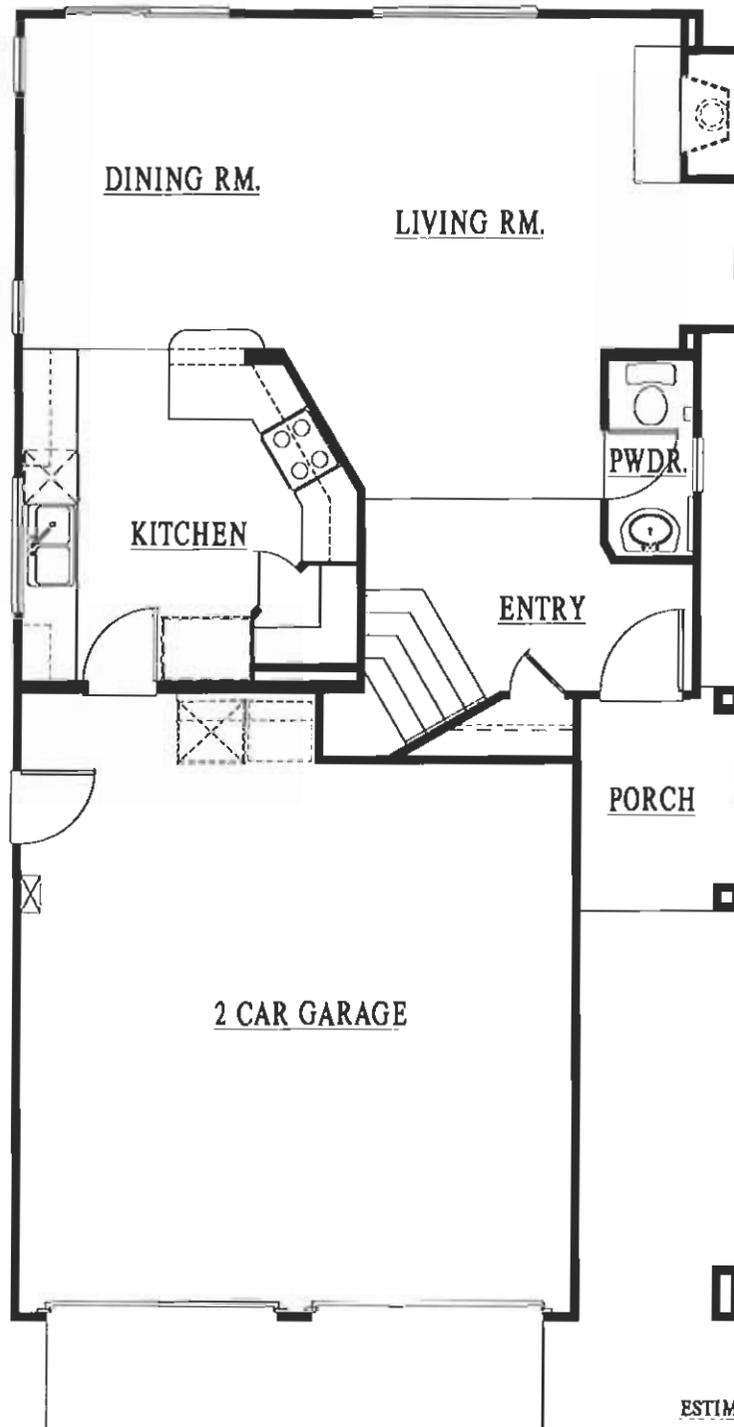
PLAN 3, SECOND FLOOR PLAN

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



ESTIMATED SQUARE FOOTAGE: 1,695

PLAN 3, FIRST FLOOR PLAN

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES

1 OF 2



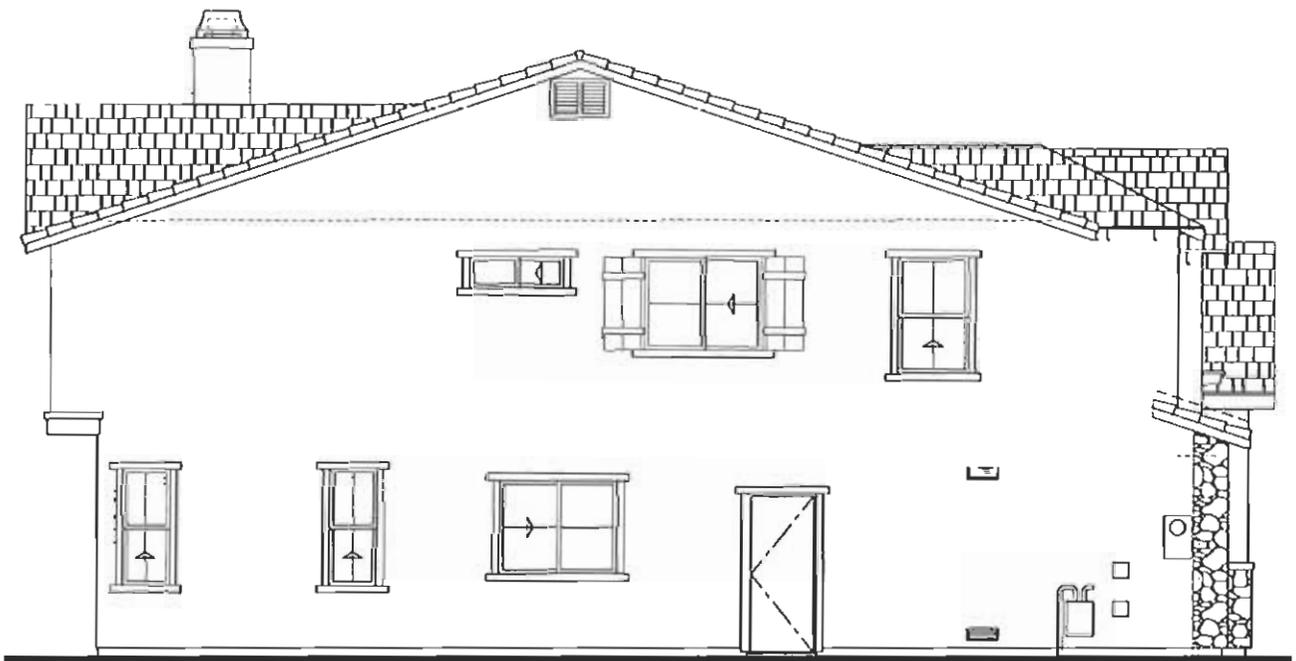
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NOT TO SCALE

WESTWIND

AUGUST 24, 2005

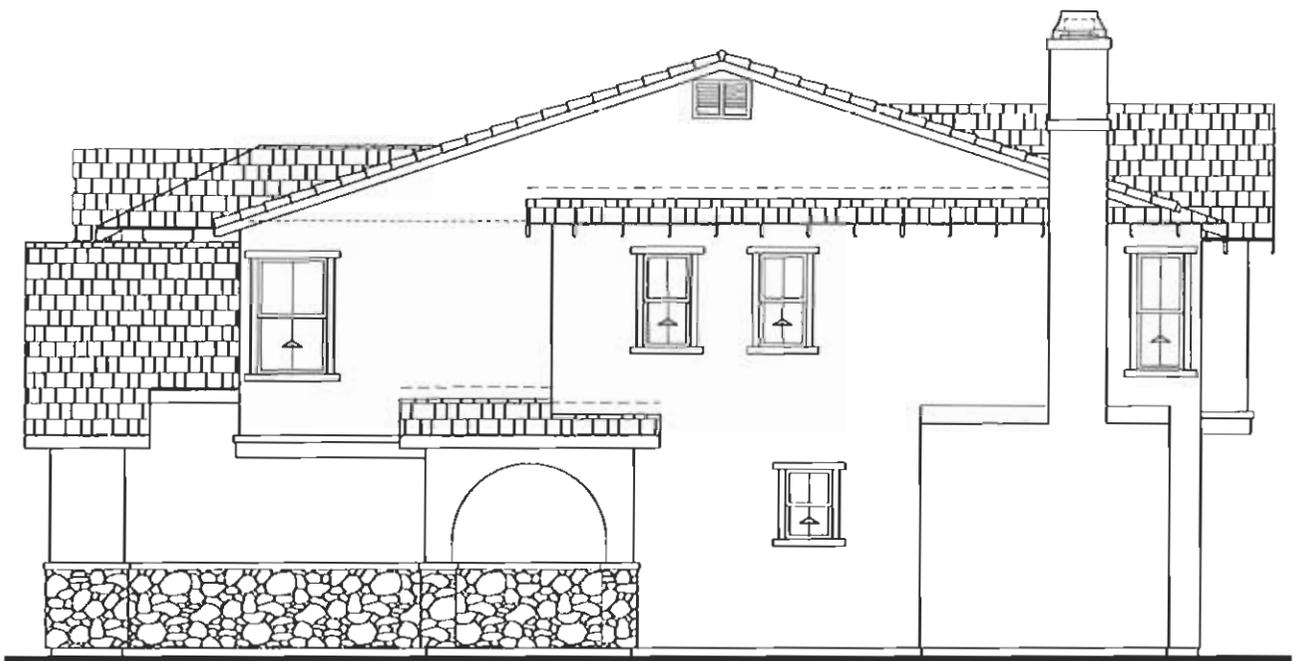
PARAGON COMMUNITIES



PLAN 3, LEFT ELEVATION 'B'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 3, RIGHT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 3, FRONT ELEVATION 'C'
NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



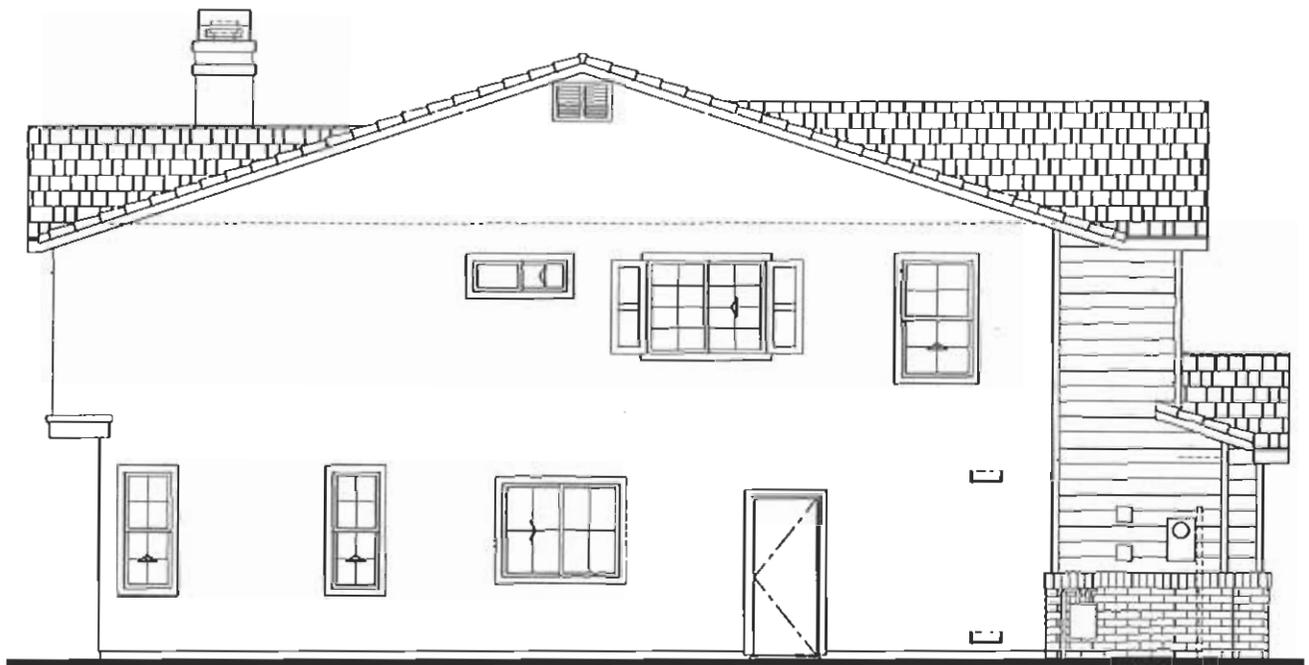
PLAN 3, REAR ELEVATION 'C'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 3, LEFT ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 3, RIGHT ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, FRONT ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



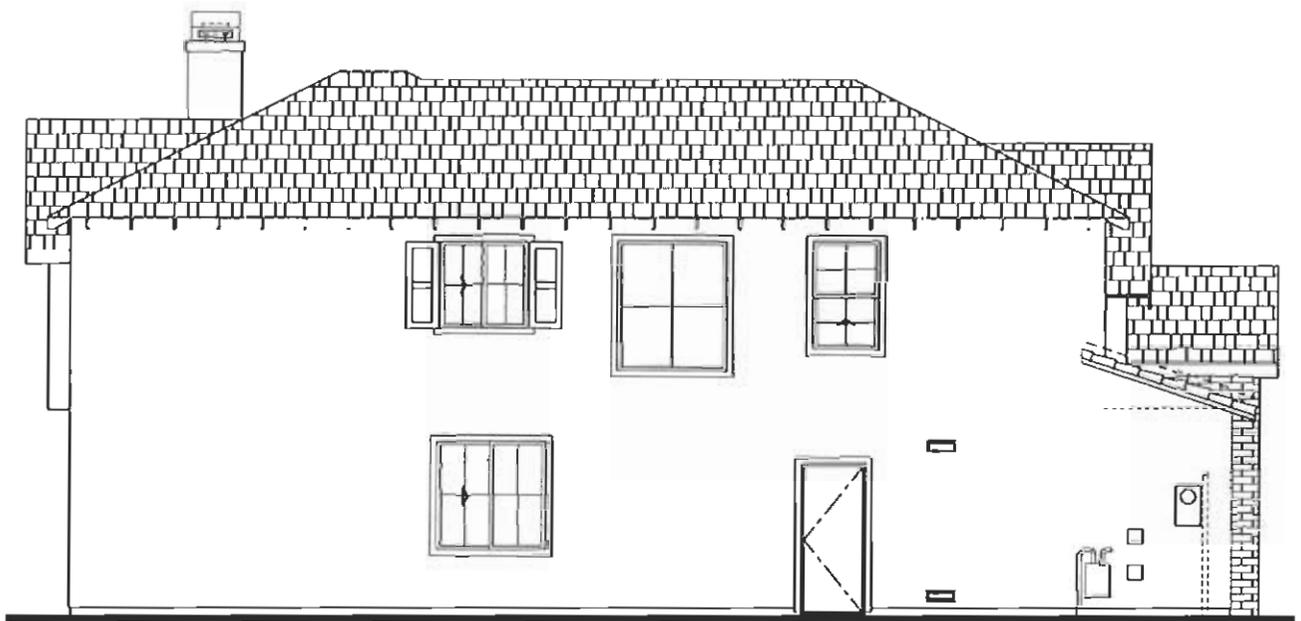
PLAN 4, REAR ELEVATION 'C'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, LEFT ELEVATION 'C'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, RIGHT ELEVATION 'C'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, FRONT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

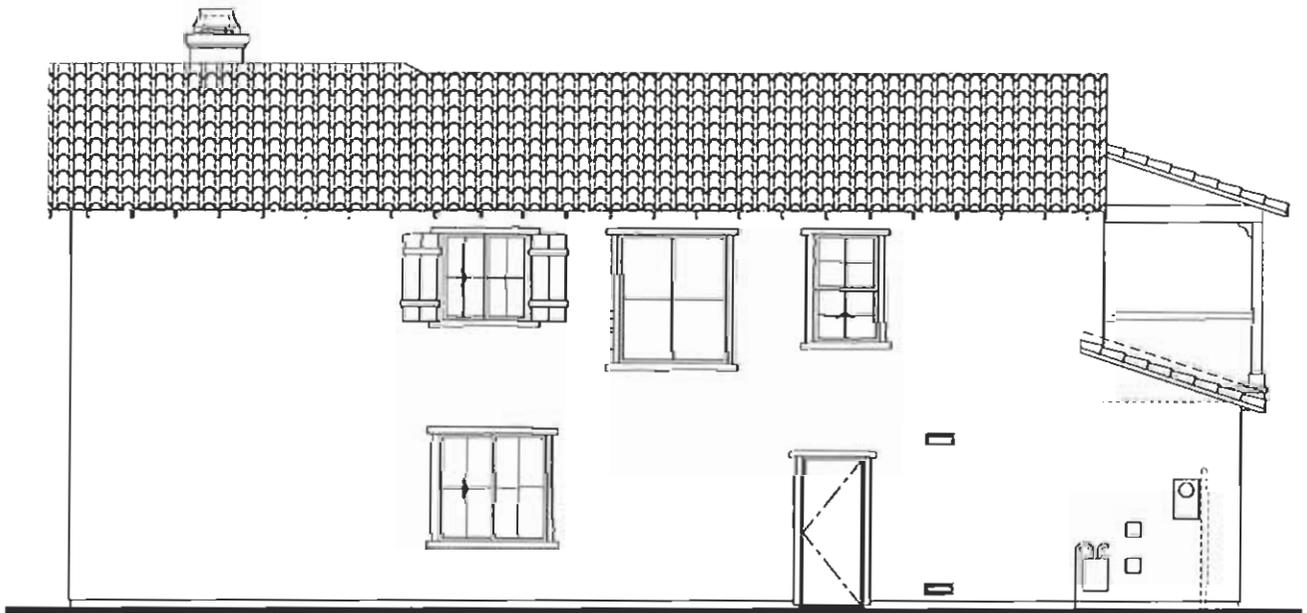
PARAGON COMMUNITIES



PLAN 4, REAR ELEVATION 'B'
NOT TO SCALE

WESTWIND
AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, LEFT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, RIGHT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES

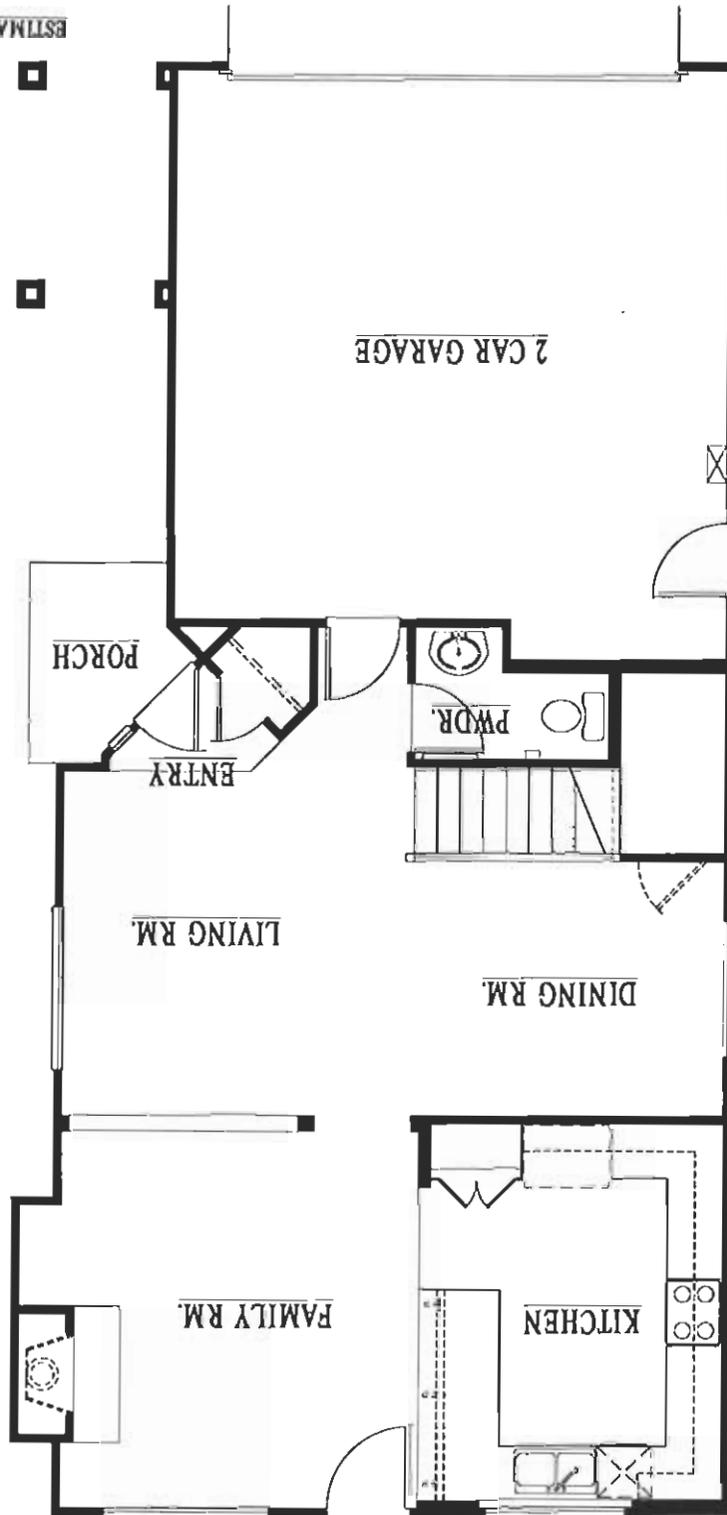
PARAGON COMMUNITIES

AUGUST 24, 2005

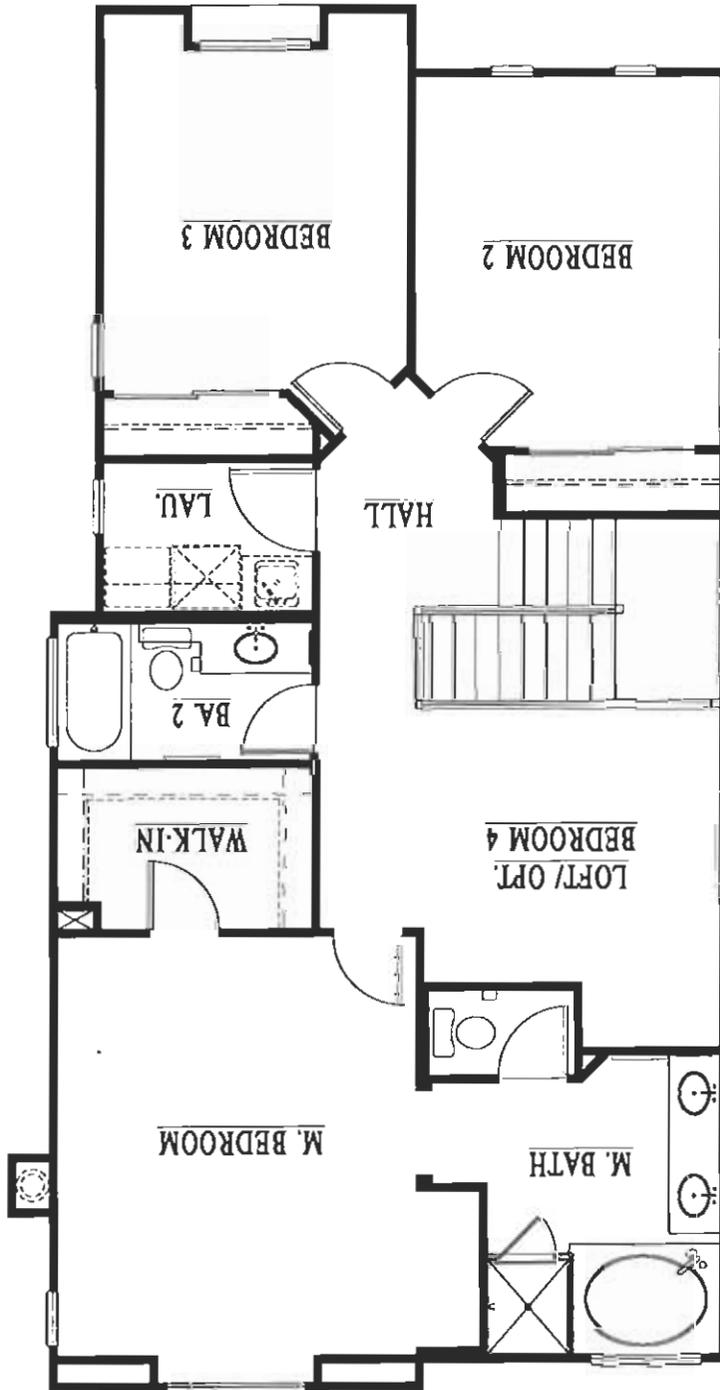
WESTWIND

PLAN 4, FIRST FLOOR PLAN

ESTIMATED SQUARE FOOTAGE: 1,864



PLAN 4, SECOND FLOOR PLAN





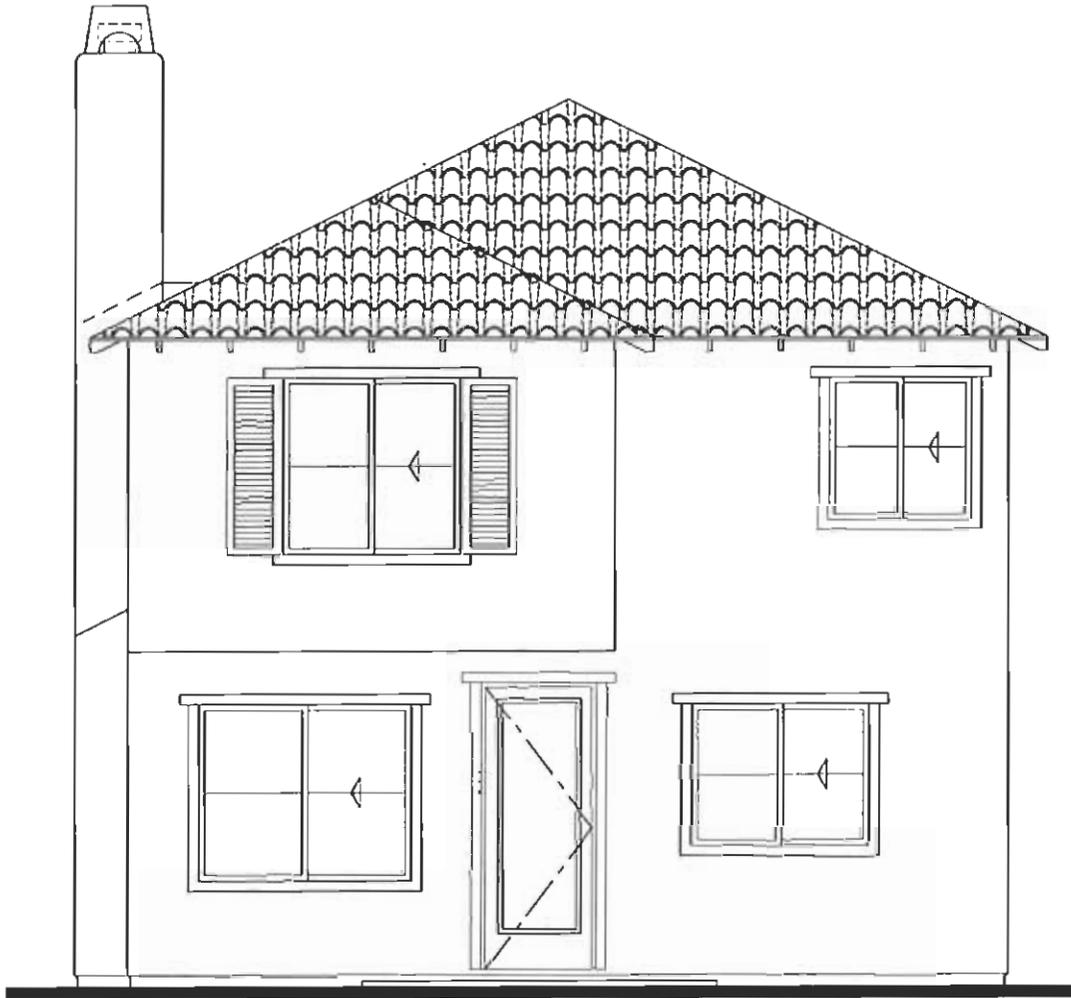
PLAN 4, FRONT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, REAR ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLAN 4, LEFT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



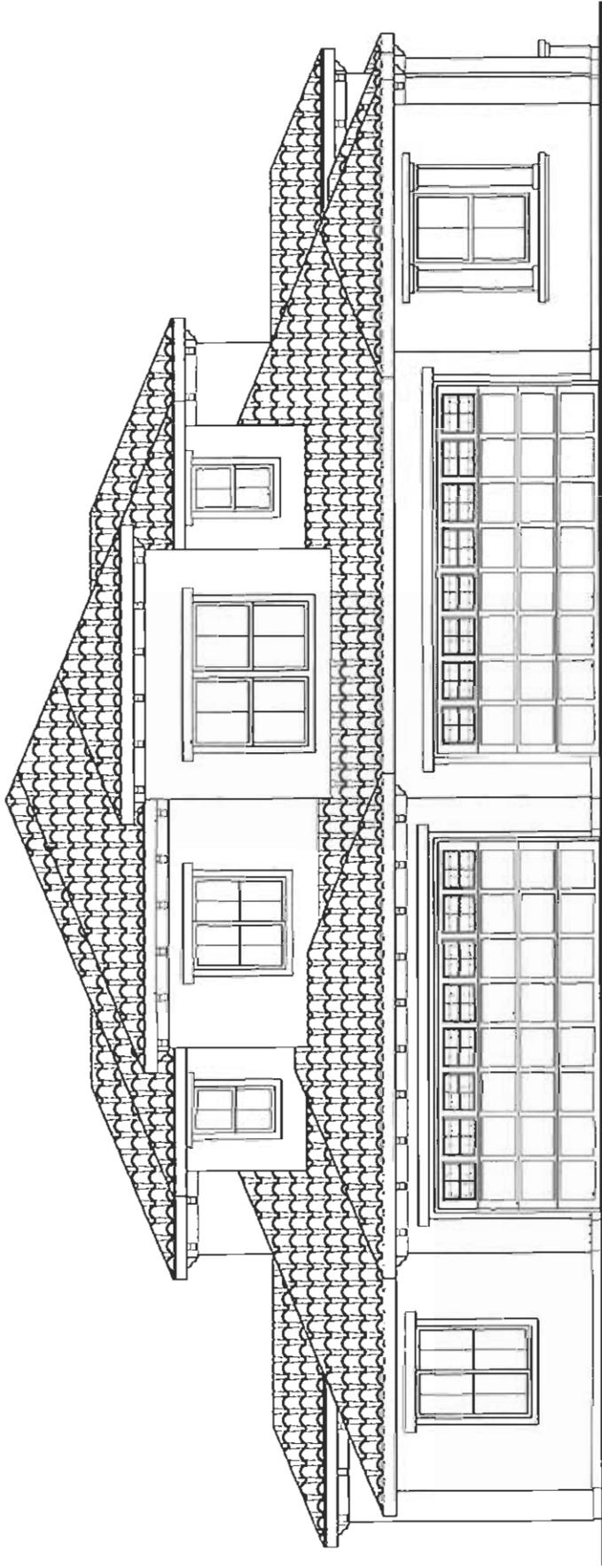
PLAN 4, RIGHT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



LEFT UNIT

RIGHT UNIT

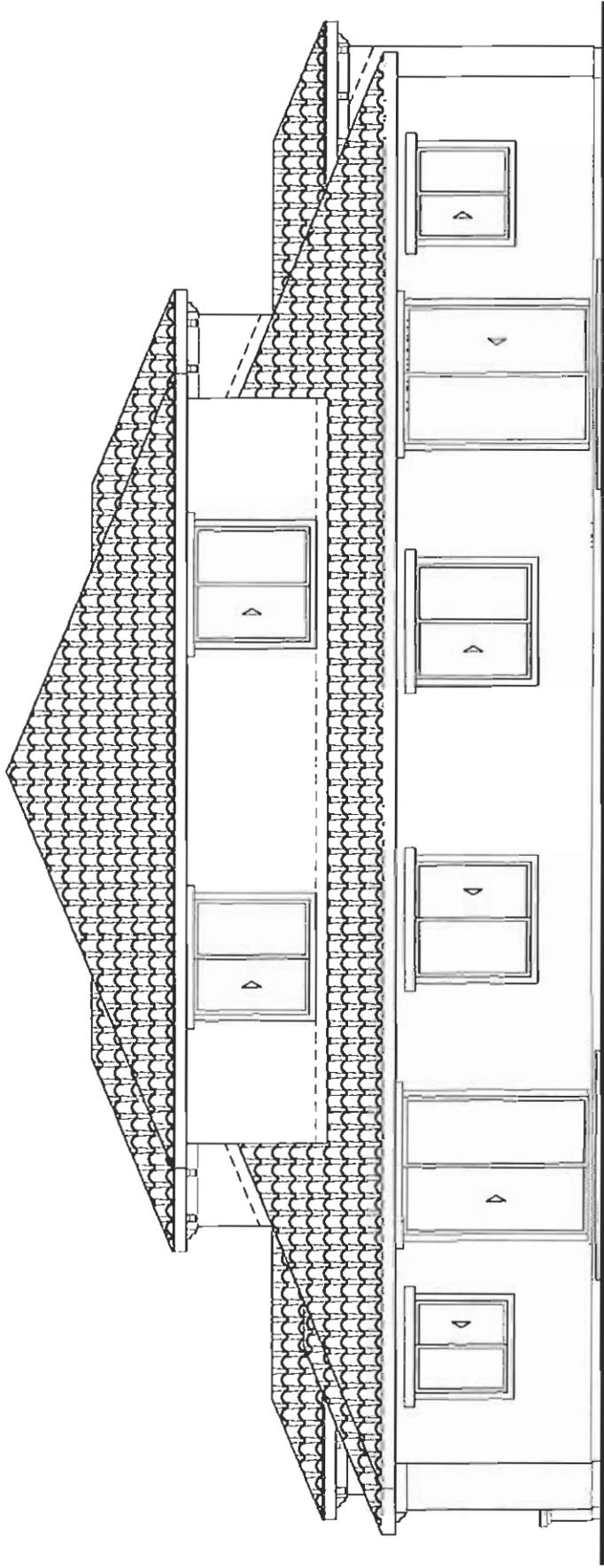
PLAN 1, FRONT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



LEFT UNIT

RIGHT UNIT

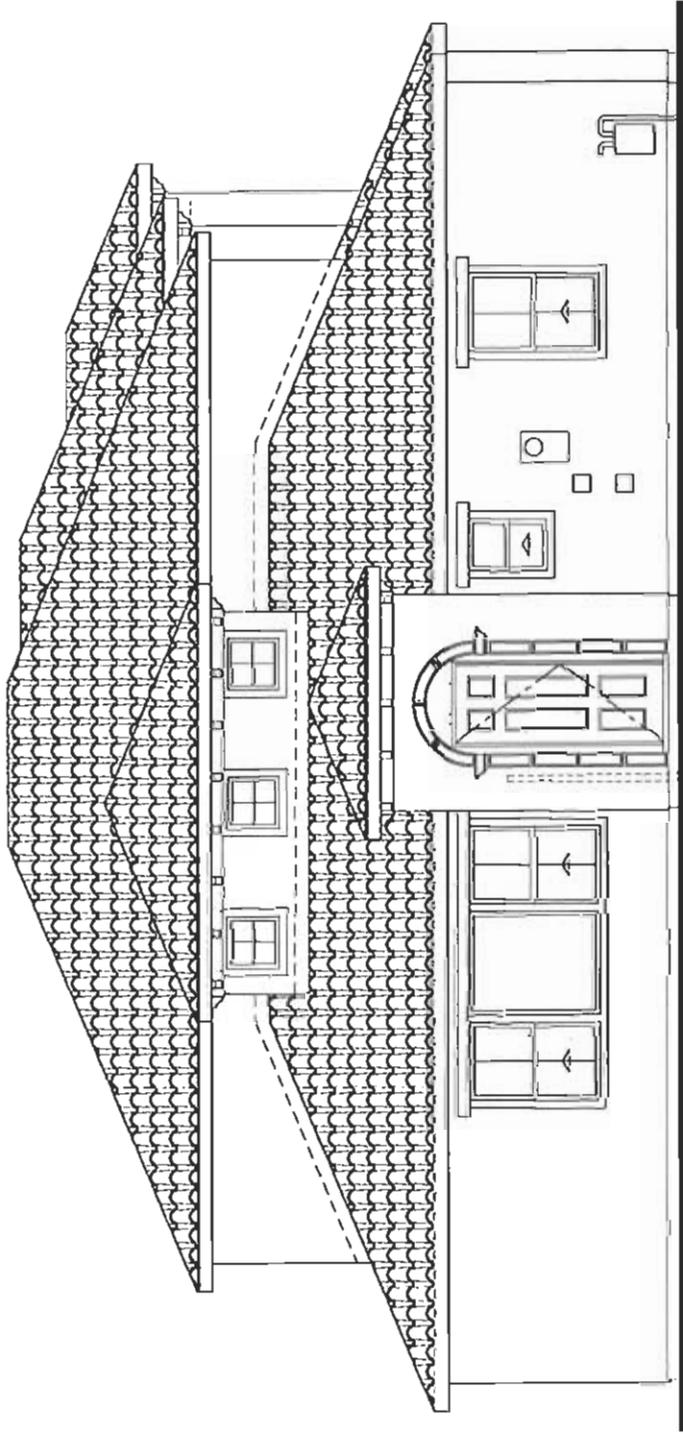
PLAN 1, REAR ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



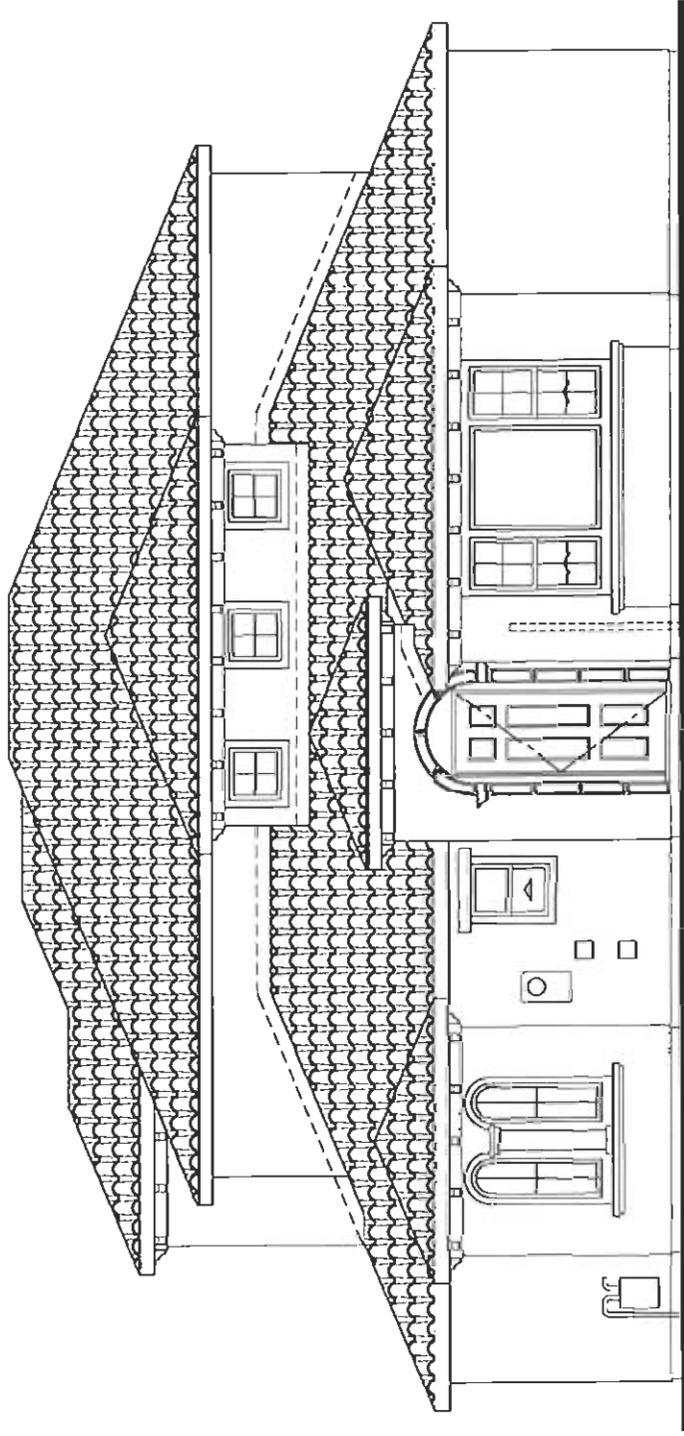
PLAN 1, LEFT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



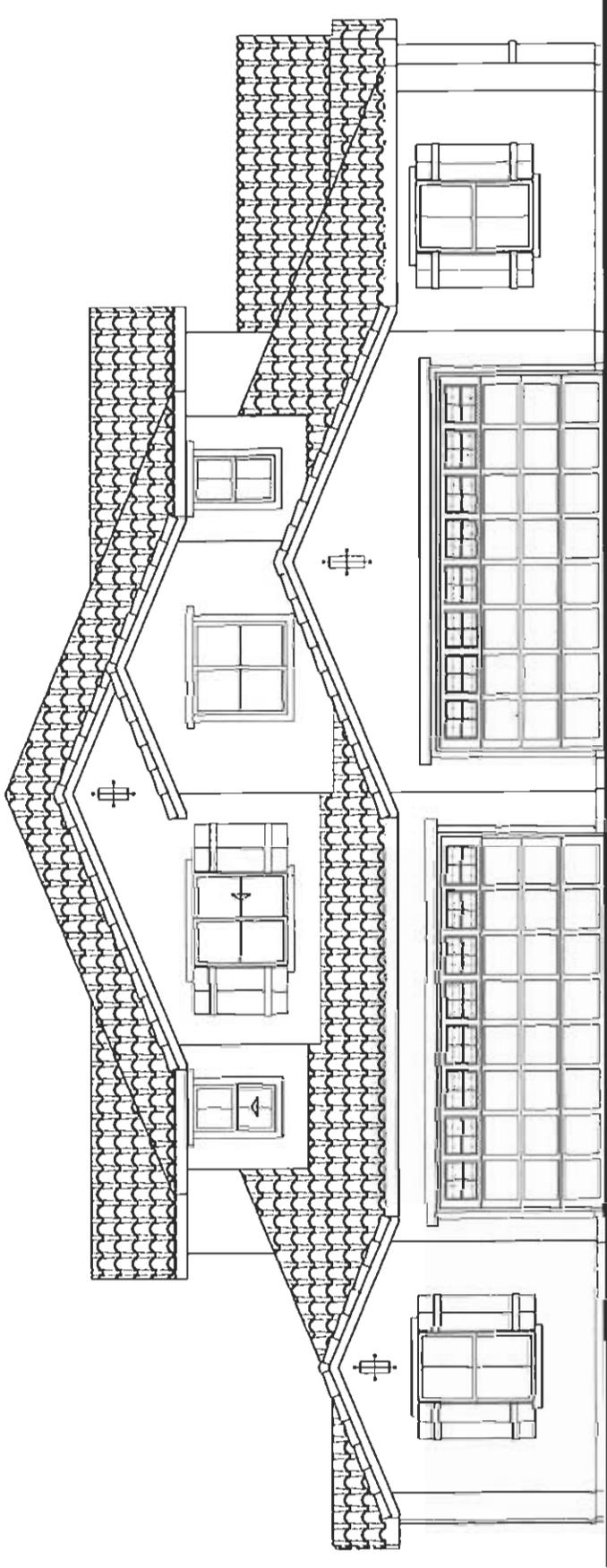
PLAN 1, RIGHT ELEVATION 'A'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



RIGHT UNIT

LEFT UNIT

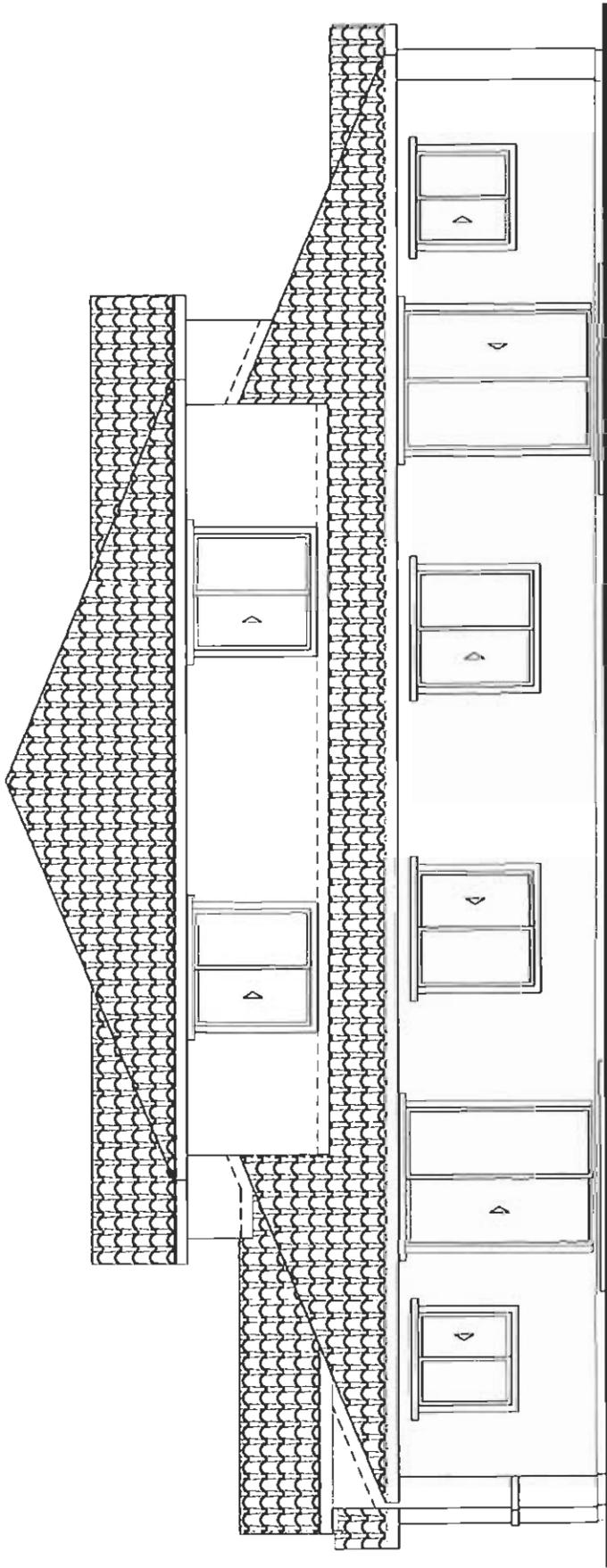
WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES

PLAN 1, FRONT ELEVATION 'B'

NOT TO SCALE



LEFT UNIT

RIGHT UNIT

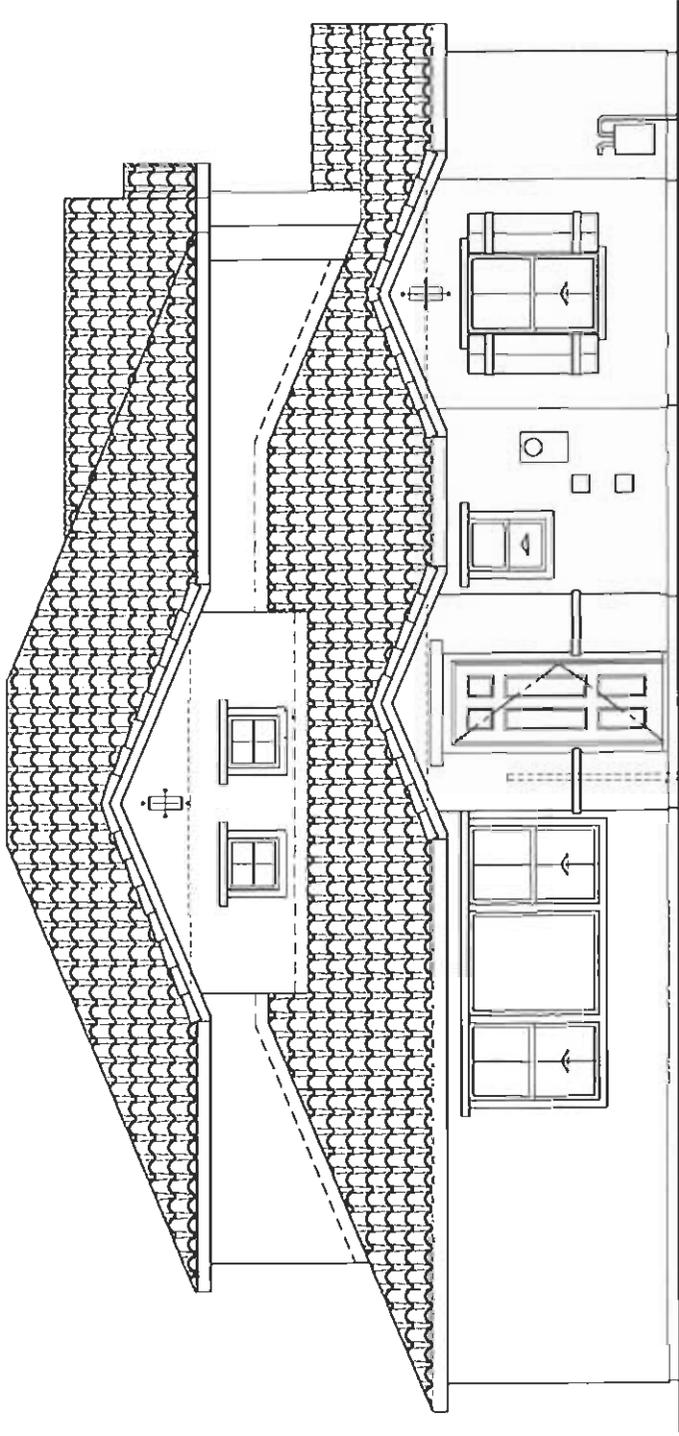
PLAN 1, REAR ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



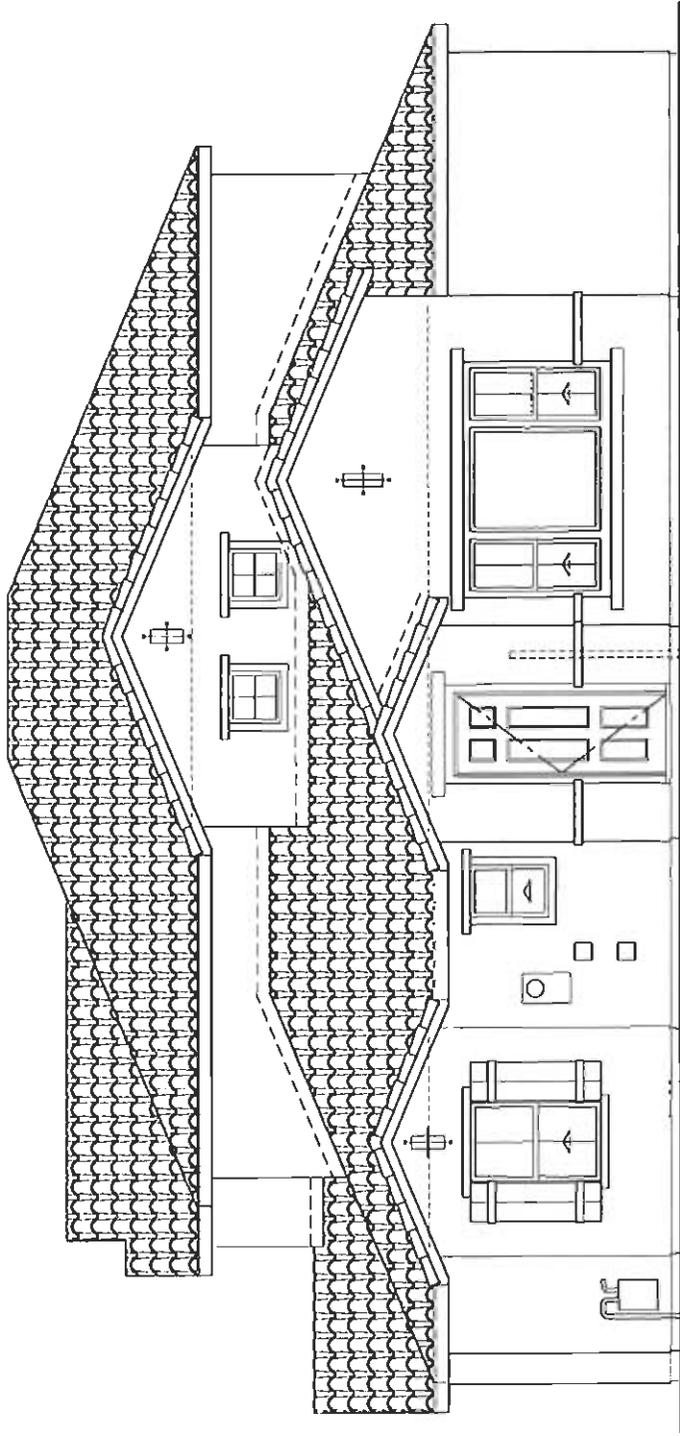
PLAN 1, LEFT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



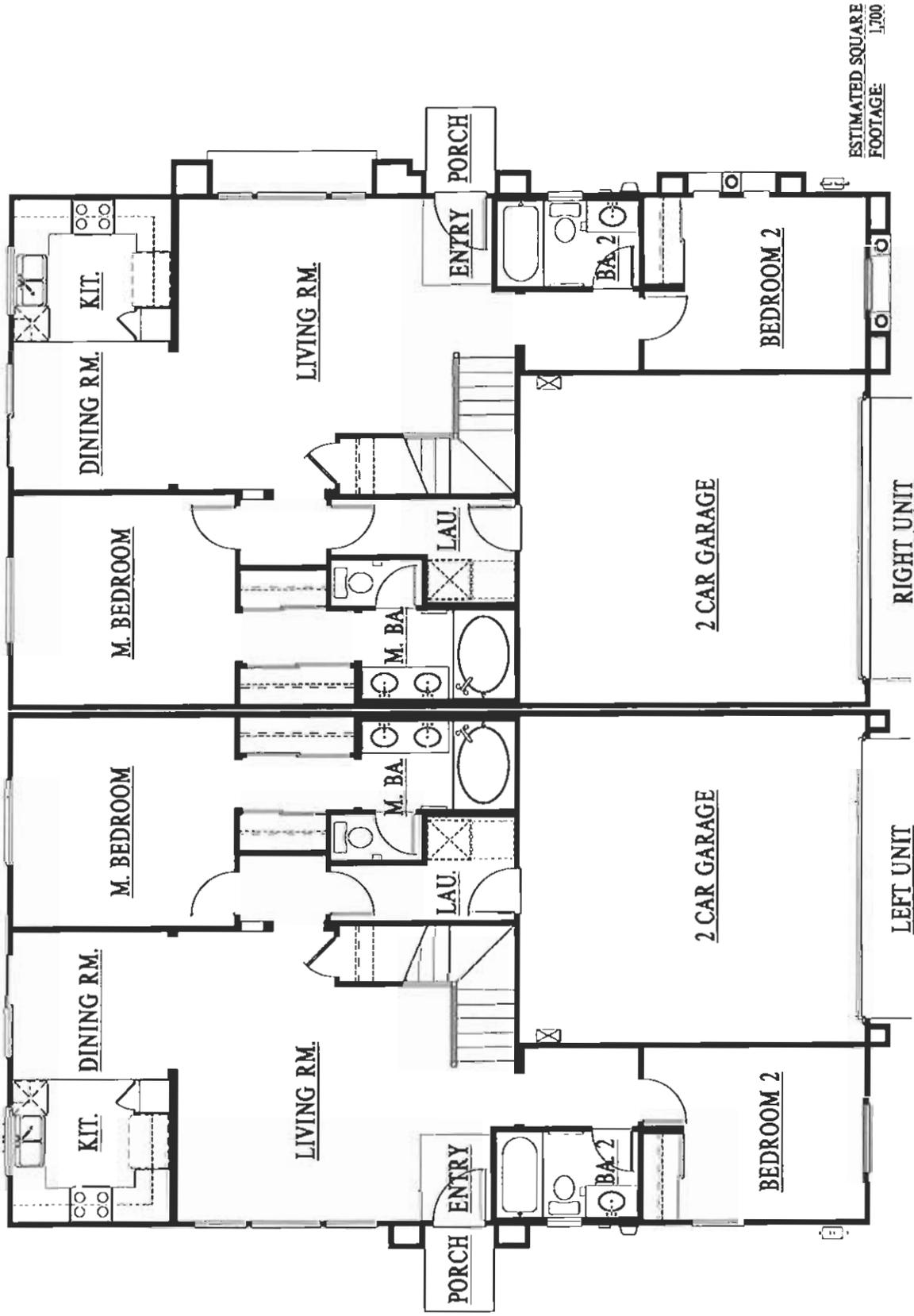
PLAN 1, RIGHT ELEVATION 'B'

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



ESTIMATED SQUARE FOOTAGE: 1,700

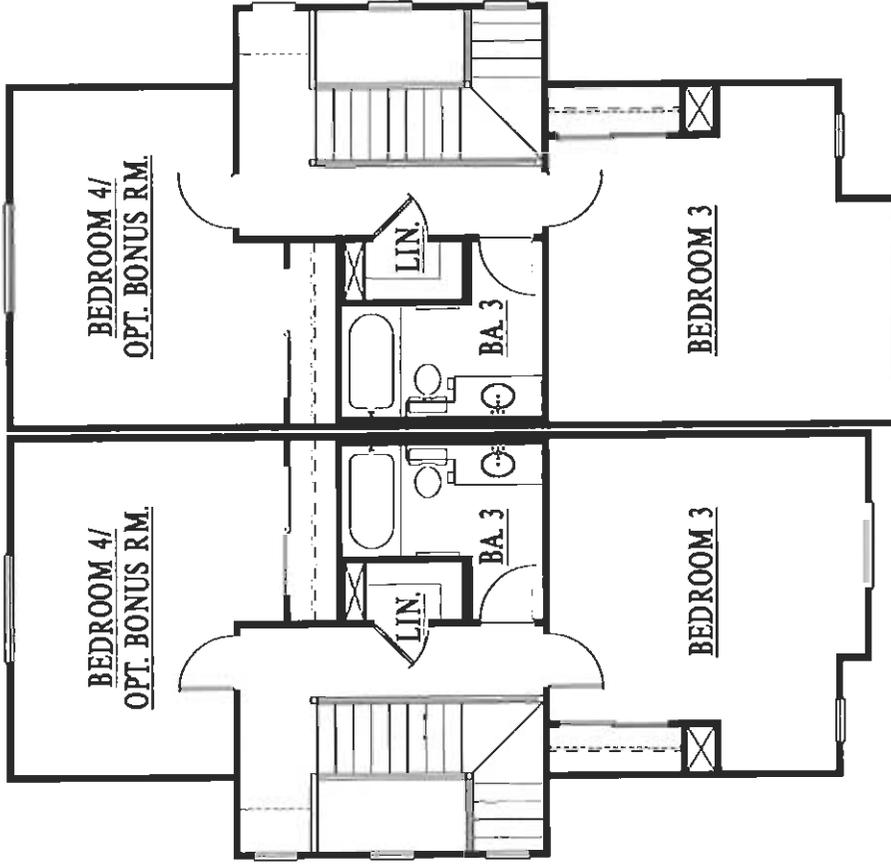
PLAN 1, FIRST FLOOR PLAN

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



RIGHT UNIT

LEFT UNIT

PLAN 1, SECOND FLOOR PLAN

NOT TO SCALE

WESTWIND

AUGUST 24, 2005

PARAGON COMMUNITIES



PLANNING & ENVIRONMENTAL SERVICES
305 WEST THIRD STREET
OXNARD, CALIFORNIA 93030

**NOTICE OF INTENT
TO ADOPT A MITIGATED NEGATIVE DECLARATION
MND 06-03**

The City of Oxnard Planning and Environmental Services Division has reviewed an application on the following proposed project:

PLANNING AND ZONING PERMIT NOS. PZ 05-500-24 (SUP), PZ 05-570-03 (Zone Change), PZ 05-620-08 (General Plan Amendment) and PZ 05-300-26 (TSM), a request for the construction of a planned residential group consisting of 47 detached condominium units on a 5.26 acre site within a gated community at 5482 and 5536 Cypress Road (APN 222-0-052-180 and 222-0-041-020) within the Cypress Neighborhood and involves redevelopment of the properties currently occupied by a single-family residence and a plant nursery. Filed by Paragon Communities, 8614 S. Saran Drive, Playa Del Rey, CA 90293.

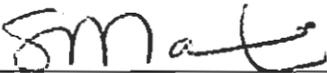
In accordance with Section 15070 of the California Code of Regulations, the Planning & Environmental Services Division of the City of Oxnard has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and that a mitigated negative declaration MND may be adopted.

The draft document may be reviewed online, from the City webpage at www.ci.oxnard.ca.us. Under "Government", select "City Departments" on the home page. Go to the "Planning & Environmental Services" page, under the Development Services Department listing. Then choose "Environmental Documents" to select and view the draft document.

Alternatively, the draft document is available for review at the Oxnard Planning & Environmental Services Division office, 305 W. Third Street (8:00 a.m. to 6:00 p.m., Monday through Thursday, and 8:00 a.m. to 5:00 p.m. on alternate Fridays), and at the Oxnard Public Library, 251 South "A" Street (9:00 a.m. to 8:00 p.m., Monday through Thursday, and 9:00 a.m. to 5:30 p.m. on Saturday and 1:00 p.m. to 5:00 p.m. on Sunday).

The public review period begins on August 4, 2006 and ends on August 24, 2006. All comments should be provided in writing and received before 5:00 p.m. on the last day of the review period. Inquiries should be directed to Jared Rosengren, Contract Planner, at (805) 385-8370 and written comments may be mailed or faxed (805/385-7417) to the City of Oxnard, Planning & Environmental Services Division, 305 W. Third Street, Oxnard, CA 93030.

7/27/06
Date


Susan L. Martin, AICP
Planning & Environmental Services Manager



PLANNING & ENVIRONMENTAL SERVICES
305 WEST THIRD STREET
OXNARD, CALIFORNIA 93030

MITIGATED NEGATIVE DECLARATION NO. 06-03

On the basis of an initial study, and in accordance with Section 15070 of the California Code of Regulations, the Planning and Environmental Services Division has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment:

PLANNING AND ZONING PERMIT NOS. PZ 05-500-24 (SUP), PZ 05-570-03 (Zone Change), PZ 05-620-08 (General Plan Amendment) and PZ 05-300-26 (TSM), a request for a planned residential group for construction of 47 detached condominium units on a 5.26-acre site within a gated community at 5482 and 5536 Cypress Road (APN 222-0-052-180 and 222-0-041-020) within the Cypress Neighborhood and involves redevelopment of the properties currently occupied by a single-family residence and a plant nursery. Filed by Paragon Communities, 8614 S. Saran Drive, Playa Del Rey, CA 90293

Attached is a copy of the initial study documenting the reasons to support the finding of no significant effect on the environment. Mitigation measures are included in the initial study to reduce the identified potential effects to a less than significant level:

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
Air Quality (Short-term)	Temporary Minor Impact	<p>C-1 Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.</p> <p>C-2 During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time.</p> <p>C-3 At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.</p> <p>C-4 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 penetrate sufficiently to minimize fugitive dust during grading activities.</p> <p>C-5 During construction, Developer shall control dust by the following activities:</p> <ul style="list-style-type: none"> • All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. • 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. <p>C-6 During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.</p> <p>C-7 During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard,</p>	Less Than Significant Impact	<p>At plancheck: Planning and Environmental Services</p> <p>Onsite: Development Services</p>

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>either onsite or offsite.</p>		
Air Quality (Long-term)	Potentially Significant	<p>C-8 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.</p> <p>C-9 Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (fDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance.</p>	Less Than Significant Impact	Planning and Environmental Services and Development Services
Cultural Resources	Potentially Significant	<p>E-1 Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include 1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and 2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to initiation of the Phase I activities.</p> <p>The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey.</p> <p>E-2 Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permits.</p>	Less Than Significant Impact	Prior to grading permit issuance: Planning and Environmental Services. Onsite: Development Services
Geology and Soils	Potentially Significant	<p>F-1 Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible</p>	Less Than Significant Impact	Development Services

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		<p>soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.</p>		
Hazards and Hazardous Materials	Potentially Significant	<p>G-1 Developer shall immediately enter into an agreement for regulatory oversight on the voluntary cleanup efforts. This agreement may be with either the Ventura County Environmental Health Division (EHD) Voluntary Cleanup Program, or with the State Department of Toxic Substance Control (DTSC). A copy of the written agreement shall be provided to the Planning and Environmental Services Manager prior to final City approvals on the planning entitlements.</p> <p>G-2 Developer shall submit documentation from an oversight agency that the onsite remediation activities were conducted in a manner consistent with the standard practices, and that the site is determined to be suitable for the intended uses proposed (i.e. residential and park). Such documentation shall be submitted to the satisfaction of the Planning and Environmental Services Manager prior to issuance of any building permits.</p>	Less Than Significant Impact	Planning and Environmental Services
Hydrology and Water Quality	Potentially Significant	<p>H-1 Developer shall install at least one stormdrain along Pleasant Valley Road to alleviate and not further aggravate the existing flooding issues at the Pleasant Valley mobile home park, located north and adjacent to the subject site. Such stormdrain shall be of a size and location to be determined by the Development Services Division, and based on a study provided by the Developer. Developer shall submit such study to the Development Services Division prior to submittal of public improvement plans to the City.</p>	Less Than Significant Impact	Development Services
Land Use and Planning	Potentially Significant	<p>I-1 Developer shall install decorative open fencing, such as wrought iron, along a portion of the Howell Road cul-de-sac. Developer shall submit such fencing details as part of the fence/wall plan for the project for approval by the Planning and Environmental Services Manager prior to issuance of the building permit.</p> <p>I-2 Developer shall include pedestrian access gates at each of the vehicular entries and at the Howell Road cul-de-sac. Developer shall submit the gate details as part of the fence/wall plan for the project for approval by the Planning and Environmental Services Manager prior to issuance of the building permit.</p>	Less Than Significant Impact	Planning and Environmental Services
Population and Housing	Potentially Significant	<p>L-1 Developer shall continue to actively pursue relocation of the families who have valid claims for relocation, in accordance with the plan submitted by the Developer. As directed by the Housing Director, Developer shall continue to schedule and conduct the community meetings until all such families have been successfully relocated.</p>	Less Than Significant Impact	Planning and Environmental Services & Housing

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
Transportation and Traffic	Potentially Significant	O-1 Developer shall install, on all vehicular access entry gates, adequate radio frequency to allow prompt access by public safety personnel. Such equipment shall be included on the construction plans and shall be to the satisfaction of the Police Chief and/or the Fire Chief, as appropriate. Developer shall ensure that the established Homeowners Association shall maintain such equipment in good working order at all times.	Less Than Significant Impact	Planning and Environmental Services
Utilities and Service Systems	Potentially Significant	P-1 Prior to recordation of the parcel map, Developer shall provide proof that to the Development Services Division that all portions of the property within the map have been annexed into the Calleguas Municipal Water District.	Less Than Significant Impact	Planning and Environmental Services

- Attachments:
- A. Initial Study/MND 06-03
 - B. Vicinity Map
 - C. Reduced Project Plans
 - D. Applicant's Agreement to Mitigation Measures



Planning & Environmental Services Division
305 West Third Street
Oxnard, CA 93030
805/385-7858
FAX 805/385-7417

**INITIAL STUDY
NEGATIVE DECLARATION 06-03**

**WESTWINDS II/PARAGON COMMUNITIES
PZ 05-620-08 (GENERAL PLAN AMENDMENT)
PZ 05-570-03 (ZONE CHANGE)
PZ 05-500-24 (SPECIAL USE PERMIT)
PZ 05-300-26 (TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5659)**

5482 & 5536 Cypress Rd
August 4, 2006

Introduction

This *Initial Study* has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA)* of 1970, as amended, and the *CEQA Guidelines* as revised. *Section 15063(c)* of the *CEQA Guidelines* indicates that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e., the City of Oxnard) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
3. Assist the preparation of an EIR, if one is required, by:
 - Focusing the EIR on the effects determined to be significant;
 - Identifying the effects determined not to be significant;
 - Explaining the reasons why potentially significant effects would not be significant; and
 - Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project's environmental effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used for the project.

The City of Oxnard *Threshold Guidelines - Initial Study Assessment* (February 1995) was used along with other pertinent information for preparing the *Initial Study* for this project.

The purpose of the *Threshold Guidelines* is to inform the public, project applicants, consultants and City staff of the threshold criteria and standard methodology used in determining whether or not a project (individually or cumulatively) could have a significant effect on the environment. Furthermore, the *Threshold Guidelines* provide instructions for completing the *Initial Study* and determining the type of environmental document required for individual projects.

Determining the significance of environmental impacts is a critical and often controversial aspect of the environmental review process. It is critical because a determination of significance may require that the project be substantially altered, or that mitigation measures be readily employed to avoid the impact or reduce it below the level of significance. If the impact cannot be reduced or avoided, an Environmental Impact Report (EIR) must be prepared. An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. The preparation of an EIR can be a costly and time-consuming process.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a subject that is not clearly defined by the law. The State CEQA *Guidelines* define the term "significant impact on the environment" as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there is no iron-clad definition of what constitutes a substantial change because the significance of an activity may vary according to location.

To help clarify and standardize decision-making in the environmental review process, Oxnard has developed thresholds of environmental significance. Thresholds are measures of environmental change that are quantitative for subjects like noise, air quality, and traffic; and qualitative for subjects like aesthetics, land use compatibility, and biology. These thresholds are used in the absence of other empirical data to define the significance of impacts. For some projects, however, special studies and/or the professional judgment of City staff may enter into the decision-making process. Therefore, Oxnard's thresholds are intended to serve as guidelines, and to augment existing CEQA provisions governing the definition of significance.

The City's environmental thresholds will be periodically updated as new information becomes available, or as standards regarding acceptable levels of environmental change are reevaluated. For example, the air quality thresholds adopted by Oxnard were established through State and Federal legislation. These standards, and the methodology used to compute them, may change over time. When this occurs, the City will evaluate the data and, if necessary, modify the thresholds to reflect improved awareness.

When other agencies have jurisdiction over a given site, the project proponent will have to meet the design, mitigation, and monitoring requirements imposed by those agencies, as well as any additional requirements established by the City of Oxnard.

CITY OF OXNARD

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Westwinds II, Tract Number 5659
2. Lead Agency Name and Address: City of Oxnard, Planning & Environmental Services Division, 305 West Third Street, Oxnard, CA 93030
3. Contact Person and Phone Number: Jared Rosengren, Contract Planner (805) 385-8370
4. Project Location: 5.26-acre site located at 5482 & 5536 Cypress Road, south of Pleasant Valley Road and north of Hueneme Road (APNs 222-0-052-180, 222-0-041-020)
5. Project Applicant Name and Address: Paragon Communities, 8614 S. Saran Drive, Playa Del Rey, CA 90293
6. General Plan Designation: Low Density Residential (3-7 dwelling units per acre).
7. Zoning: R-1 (Single-Family Residential)
8. Description of Project: Request for a special use permit (PZ 05-500-24) for a planned residential group (RPG) for construction of 47 detached, single-family units for condominium purposes (Tentative Subdivision Map Number 5659) within a gated community. The 5.26-acre site is located within the Cypress Neighborhood on the east side of Cypress Road (south of Pleasant Valley Road and north Hueneme Road) and is currently occupied by a single-family residence and a plant nursery.

The applicant request an amendment to the City's General Plan (PZ 05-620-08) land use map on the portion of the subject property currently designated Residential Low (RL) to Residential Low Medium (RLM). The applicant also request a zone change (PZ 05-570-03) on the subject properties, from Single Family (R-1) to Multiple Family (R-2) to bring the zoning into conformance with the requested General Plan Amendment. The subject properties are located within the Historic Enhancement and Revitalization of Oxnard (HERO) Redevelopment Project area.

9. Surrounding Land Uses and Setting: The proposed project includes property currently and previously occupied by agricultural uses associated with nursery businesses. The subject site has a single-family home and greenhouses for agricultural products. The site is surrounded by a proposed city park to the north, and a new single-family development (Westwinds I) to the west. To the south is a labor camp, the Ventura County Railway and a flood control channel. Pesticides and other contaminants associated with the nursery uses have been identified to a depth of approximately 1.5 feet below ground surface.
10. Other agencies whose approval is required (e.g., permits, financing approval, or participating agreement): City of Oxnard Community Development Commission, Ventura County Air Pollution Control District, Calleguas Municipal Water District, Ventura County Environmental Health Division and/or State Department of Toxic Substance Control.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ Signature	_____ Date
Jared Rosengren	Contract Planner
_____ Print Name	_____ Title

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used—Identify and state where they are available for review.
 - b. Impacts Adequately Addressed—Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures—For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

A. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (2020 General Plan, VIII - Open Space/ Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (2020 General Plan, VIII - Open Space/ Conservation Element; XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area? (2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

- 1-3) The project site is not located along a designated scenic vista or corridor and is not designated as scenic or historic, as determined by the City Of Oxnard 2020 General Plan. The existing visual character of the site and its surroundings consist primarily of residential uses, including single-family homes, a proposed park, and a gated condominium development. The proposed project creates new housing and landscaping consistent with existing residential development in the area. **Therefore, no adverse visual impacts are expected to result from the proposed development.**
- 4) Construction of the proposed development will introduce new light and glare to the existing site. The 5.26-acre site, currently occupied by greenhouses and one single-family residence is being replaced with a total of 47 single-family detached structures and related streets. Additional lighting at nighttime is anticipated to consist of typical low-wattage exterior lighting for the proposed subdivision. Such lighting will be similar to that generated by the surrounding residential uses. As part of the conditions of approval for this project, onsite lighting shall be required to comply with the city's requirements regarding land use compatibly, reduction of light spillover and visual screening of outdoor storage materials. **Therefore, with the inclusion of standard conditions of approval, the impacts to light and glare are expected to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

B. AGRICULTURAL RESOURCES*

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.

Discussion:

1-3) According to the 2020 General Plan (Figure VIII-4), the soils at the project site are identified as Class II soil, which consists of poorly drained loamy sands and silty clay loams. According to the California Department of Conservation (CDC), the project site is not considered Prime Farmland, or Farmland of Statewide Importance. The CDC has mapped this area as Urban and Built-Up Land. Most of the agricultural land in the Oxnard area is located outside the City limits and Sphere of Influence (ref. General Plan Figure VIII-6). This is due to the conversion of the majority of lands within the Oxnard City boundary to urban uses, removing these prime soils from active agricultural production. The project site is located in an urbanized area and is not zoned for agricultural use. **Therefore, no significant adverse impacts to agricultural resources are anticipated.**

Mitigation: No mitigation measures are required or proposed.

C. AIR QUALITY*

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Expose sensitive receptors to substantial pollutant concentrations? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Create objectionable odors affecting a substantial number of people? (<i>FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

* Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Discussion:

1-5) The subject site is not considered to be in conflict with the Air Quality Management Plan because of the AQMP's anticipation of infill development and the difference between the number of residential units and the number allowed as a result of the proposed General Plan Amendment (plus 9 units) is insignificant. The project is not likely to create any objectionable odors on an ongoing basis.

Short-term impacts: Short-term impacts to air quality will likely result from grading and other construction activities associated with the project, such as earth-moving and heavy equipment vehicle operations. According to the Ventura County Air Pollution Control District (APCD), any combustion equipment onsite, which is rated at 50 horsepower or greater, must have either an APCD Permit to Operate (PTO), or be registered with the California Air Resources Board's (CARB) Portable Equipment Registration Program (PERP). Examples of such equipment include portable electrical generators and portable air compressors. The applicant is responsible for contacting the APCD to verify compliance with any APCD permitting needs. The proposed project could potentially expose construction workers to pollutants and excessive amounts of air-borne matter. Standard conditions of project approval, as recommended by the APCD, will be included to

minimize such emissions and maximize dust suppression onsite. **With the inclusion of the mitigation measures, impacts to short-term air quality would be reduced to less than significant.**

Long-term impacts: Anticipated long-term impacts of the proposed project will be attributed to the increased traffic associated with 47 new single-family dwelling units in this area. It is also necessary to subtract the existing greenhouses and single-family residence onsite impacts to arrive at the net impacts.

The City's adopted threshold for Reactive Organic Compound (ROC) and Nitrogen Oxide (NOx) emissions is 25 pounds per day (ppd). Project-specific emissions have been calculated using the URBEMIS 2002 Version 8.7 computer modeling program for Target Year 2006. It is determined that the proposed residential project (47 units) will generate 370 average daily trips and 7.75 ppd NOx. The existing residential unit onsite generate approximately average 10 daily trips and 0.20 ppd NOx. The data from the existing units are subtracted from that of the proposed development, resulting in 360 average daily trips and 7.55 ppd NOx.

The net project emissions do not exceed the significance threshold by ppd NOx. **Therefore, no significant adverse impacts to long-term air quality are anticipated.**

Mitigation: The following mitigation measures shall apply:

Monitoring: Planning staff will verify that all dust control measures (C-1 through C-8) are included on the grading plans. The Building Official, or designees, will monitor all applicable measures in the filed unit construction is completed.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to air quality issues.

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-6) The City Of Oxnard's 2020 General Plan and 2020 General Plan EIR do not identify an species of plants or animals which are considered to be endangered, threatened, or sensitive on or adjacent to the subject property. Additionally, no wildlife corridors have been identified in the area. The subject site is not located near any riparian habitat area, dune area, or coastal beaches and wetlands. **Therefore, no adverse impacts to biological resources are expected.**

Mitigation: No mitigation measures are required or proposed.

E. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Disturb any human remains, including those interred outside of formal cemeteries? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

1-4) The property is disturbed from previous agricultural activity. Neither the City of Oxnard 2020 General Plan nor the 2030 General Plan Update Background Report identify any cultural or historic resources on the subject property. However, the City lies entirely on the Oxnard Plain and is part of the greater southern California cultural area, which has had a long habitation, dating back thousands of years, and includes occupation by the Chumash and influence from the Spanish/Mexican culture. Within the Ormond Beach area, several archaeological sites have been identified. One site, located along both sides of Huenehme Road, had a sparse scattering of shell and detritus and is thought to be the remains of an ethnographic village. Previous studies have indicated that potential historic sites may occur along Huenehme Road. Due to the proximity to the Ormond Beach area, onsite monitoring during grading activities will be required in the event an unexpected find does occur. **With the inclusion of the mitigation measures, potential impacts to cultural resources will be reduced to less than significant.**

Mitigation: The following mitigation measures shall apply:

E-1 Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior issuance of any grading permits. The survey shall include 1) an archaeological and historical records search through the California Historical Resources Information System at Cal State Fullerton; and 2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental services manager for review and approval prior to initiation of the Phase I activities.

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

E-2 Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for the review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permits.

Monitoring: Planning staff will review the phase I report and the Native American monitoring contract prior to issuance of any building permits. Planning staff will ensure the monitoring reports are received prior to Planning Division inspection of final building permit sign-off. Development Services staff will monitor onsite construction activities as necessary.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to cultural resources. **No further monitoring needed.**

F. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42. (2020 General Plan, IX-Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Strong seismic ground shaking? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Seismic-related ground failure, including liquefaction? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Landslides? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in substantial soil erosion, or the loss of topsoil? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

F. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

1-4) The City, as with other jurisdictions in California, lies in a seismically active region. There are no known active faults within the City. There are a number of potentially active/active faults in the region including the Oak Ridge, Pitas Point-Ventura, Anacapa and Malibu Coast faults however; they are located within 5 to 10 miles of the City. Through the plan check process, the City's Development services Division requires the submittal and approval of a soils, geologic and structural evaluation report prepared by a registered soils engineer and/or structural engineer for all new development.

According to the 2020 General Plan, the City of Oxnard is located in an area with a slight seismic ground shaking potential. The subject site is located in an area that has been identified as having a high to moderate potential for liquefaction (Figure IX-2). As the identified ground failure risks are considered to be potentially significant adverse impacts, a soil report prepared for the project site should be incorporated as part of the proposed project. **With the inclusion of the mitigation measure, impacts for geology would be reduced to less than significant.**

Mitigation: The following mitigation measure shall apply:

F-1 Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits.

Monitoring: The Building Official will review the soils investigation report, and shall determine if any applicable recommendations are to be incorporated into the project.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects on the environment related to geophysical issues.

G. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Create a significant hazard to the public or the environment through reasonably foreseeable up-set and accident conditions involving the release of hazardous materials into the environment? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? <i>(2020 General Plan, LX - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? <i>(2020 General Plan, LX - Safety Element)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- 1-4) The applicant retained Petra Geotechnical to conduct a Phase II site assessment and remediation activities for Sasaki Nursery. Analysis of the pesticides onsite were compared to the Environmental Protection Agency (EPA) Region 9 Residential Preliminary Remediation goals (PRGs) for residential soils. The EPA views these PRGs as guidelines, suitable for site screening and risk evaluation purposes.

For the Sasaki Nursery site, subsurface site assessments were conducted by Petra Geotechnical and 51 selected soil samples were analyzed for organochlorine pesticides according to EPA method 8081, 8015 and 8260. Elevated concentrations of pesticides (predominantly 4,4-DDE, 4,4-DDD, 4,4-DDT and Dieldrin) were found in near surface soils. The report concludes that 750 cubic yards of impacted soil would need to be removed from the Sasaki Nursery site. Active cleanup at this location has not yet been initiated. Staff would expect the cleanup to be conducted in a way that remaining pesticides can be verified at a concentration below the residential PRGs.

After the impacted soils are excavated, transferred and disposed at a Class I landfill it is expected the remaining pesticides to be at concentrations below the residential PRGs. If not, additional remediation will need to occur, until such acceptable levels are achieved. **With the inclusion of the mitigation measure, impacts of hazardous materials from the Sasaki Nursery site would be reduced to less than significant.**

The nearest school, Hathaway Elementary School, is located a little more than one-quarter mile away from the project site.

The applicant has chosen to voluntarily cleanup the onsite contamination, and no agency has required regulatory approvals for the activities. However, as part of this environmental review, and ensure the site is appropriate for residential uses, the City will require that cleanup of the site is properly conducted in accordance with the current State standards.

- 5-6) The project site is not located within an airport land use plan, or within two miles of a public airport. There are no private airstrips in the project vicinity. **Therefore, no impacts to air safety are expected.**
- 7-8) The proposed development consists of residential use. No onsite practices are anticipated to involve the use or storage of any hazardous materials. **Therefore, no impacts to hazards or hazardous materials are expected.**

Mitigation: The following mitigation measures shall apply:

- G-1 Developer shall immediately enter into an agreement for regulatory oversight on the voluntary cleanup efforts. This agreement may be with either the Ventura County Environmental Health Division (EHD) Voluntary Cleanup Program, or with the State Department of Toxic Substance Control (DTSC). A copy of the written agreement shall be provided to the Planning and Environmental Services Manager prior to final City approvals on the planning entitlements.
- G-2 Developer shall submit documentation from an oversight agency that the onsite remediation activities were conducted in a manner consistent with the standard practices, and that the site is determined to be suitable for the intended uses proposed (i.e. residential and park). Such documentation shall be submitted to the satisfaction of the Planning and Environmental Services Manager prior to issuance of any building permits.

Monitoring: Planning staff will verify the written agreement for voluntary cleanup is submitted prior to the Planning Commission hearing date. Planning staff will verify documentation from the oversight agency that the cleanup activities were completed in a manner consistent with the established standards.

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effect on the environment related to hazards and hazardous materials issues.

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in substantial erosion or siltation on- or off-site? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
6. Otherwise substantially degrade water quality? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Inundation by seiche, tsunami, or mudflow? (2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-5) There are no surface water bodies or wetlands in the project vicinity which could be affected by the proposed development. However, existing absorption rates, drainage patterns, and runoff rates of the subject site and surrounding areas will be affected by the proposed project development. In addition, development of the subject site with 47 residential units will place increased demands on the City's water resources, as a private water provider currently provides water to this area. Runoff directly associated with the proposed development will be required to comply with the National Pollutant Discharge elimination System (NPDES) requirements and incorporate design features and use best management practices (BMPs) appropriate and applicable to the project. **Therefore, no adverse impacts are expected for these risks.**

7-9) In accordance with the National Flood Insurance Program (NFIP), the project site is located within the 500-year flood plain (Zone B on the Flood Insurance Rate Map), but not the 100-year flood plain. No land use restrictions are imposed on properties within the 500-year flood plain. No other risks concerning seiche, tsunami, or mudflows are identified for the proposed project. **Therefore, no adverse impacts are expected for these risks.**

Mitigation: No mitigation measures are required or proposed:

I. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Physically divide an established community? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Conflict with any applicable habitat conservation plan or natural community conservation plan? (2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-3) The project site is located on the east side of Cypress Road where there is currently an agricultural nursery operation and one single-family residence, screened from public view by a 6' perimeter wall. The project site is not the subject of a habitat conservation plan or program. The proposed project includes a private gated community, where rear yard walls will form a perimeter around the site. Landscaping along Cypress Road will soften the elevations from public view. At the northern boundary of the project site a wrought iron open view fence bordering the park will soften the perimeter, open up the site, and provide more eyes on the park. A pedestrian access gate will be located here adjacent to gated vehicle entries. This provides for more connectivity with the surrounding residential and park uses.

The proposed project is a continuation of a single-family development approved in 2004, located west of the project site, by the same applicant. The previously approved project (PZ 03-500-16) consists of 156 single-family homes located on the west side of Cypress Road between Pleasant Valley Road and Hueneme Road, and a 6-acre public park located directly north of the proposed project site. The applicant waited to acquire the proposed project site before applying for the subject development.

Approval of the current proposed project requires a General Plan Amendment to change the existing land use designation from Residential Low to Residential Low Medium allowing up to 12 units per acre and a zone change from R1 (single-family residential) to R2 (multiple-family residential).

The City of Oxnard has analyzed the proposed project and tract map with City development and design guidelines which regulate permitted uses, development density, building heights, site and building design, and transportation demand. The requested general plan amendment and zone change would allow for more

compatible land uses with the existing and approved residential developments to the east and south of the project site. **Therefore, contingent on the adoption of the General Plan Amendment and Zone Change, there will be no impacts to any applicable land use plan, policy or regulation of an agency with jurisdiction over the project.**

Mitigation: The following mitigation measures shall apply:

- I-1 Developer shall install decorative open fencing, such as wrought iron, along the portion of the project site bordering the adjoining proposed city park. Developer shall submit such fencing details as part of the fence/wall plan for the project for approval by the Planning and Environmental Services manager prior to issuance of the building permit.
- I-2 Developer shall install a pedestrian gate that provides a direct connection between the public sidewalk along Eugene Walk and the private sidewalks within this project. The gate shall be designed such that it cannot swing into the public right-of-way or the public park. The homeowners association shall maintain the gate in a manner that provides all residents of the project with the ability to use the gate during daylight hours. Developer shall submit the gate details as part of the fence/wall plan for the project for approval by the Planning and Environmental Services Manager prior to issuance of the building permit.

Monitoring: Planning staff will review the construction plans for the gate details prior to issuance of the building permit(s).

Result After Mitigation: Upon implementation of the above mitigation measures, the project will not result in any residual significant adverse effects on the environment related to land use and planning issues.

J. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-2) Aggregate (sand, gravel, and crushed rock) resources are located in several geographic locations within Ventura County. In the western Ventura County area, aggregate resources are almost exclusively located adjacent to, and in the Santa Clara River. In addition, there are aggregate resources present in the hills northwest of Moorpark and in the hills to the north and south of Simi Valley. The project site is located south of these mineral deposits on soil designated MRZ-1 or MRZ-4. Neither of these zones are identified as containing prime aggregate resources and as a result of development, the proposed project would not impact potential or active mineral resources. According to the Resources Appendix of the Ventura County General Plan, theoretically,

there are adequate supplies of aggregate in the area presently being mined, to meet the total projected demand of that mineral in the entire county through the year 2030.

Development of the subject site would increase the rate of consumption of fuel and other energy sources. During construction, energy resources would be necessary for onsite building activities, equipment operations, and transport vehicles bringing supplies to the site and hauling waste and debris offsite. After construction, necessary energy resources might include gasoline for project vehicle trips, natural gas for heating and cooling, and electrical service for lighting. The proposal does not create any unique demand on the resources described above. **Therefore, no impacts on natural and mineral resources are expected.**

Mitigation: No mitigation measures are required or proposed.

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
6. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

1-6) Development of 47 single-family residences will increase the existing ambient noise levels. Although short-term noise generated by construction activities will occur, these levels are anticipated to be adverse but not significant. The City Ordinance limits construction activities to between the hours of 7:00 a.m. and 7:00 p.m., Monday thru Saturday.

The project site is not located near the Oxnard Airport and is outside the noise contours as depicted on Figure IX-2 in the 2020 General Plan. The Ventura County Railway runs adjacent to the southern boundary of the project site for approximately 450 feet. This railway transfers freight from the port of Hueneme and connects with the UPRR Coast Main Line downtown Oxnard. Due to the type of equipment and operating standards, the Ventura County Railway has less impact on Oxnard than other railways throughout the city. The proposed project is designed with an 8' high slump block wall along the entire railway boundary to act as a noise buffer from railway noise sources. Railroad noise often exceeds noise threshold for short periods, however because the City Of Oxnard standards are based on average noise levels, the impact still falls below thresholds. **With the inclusion of the mitigation measure, exposure to an increase in noise levels will be reduced to less than significant.**

Mitigation: The following mitigation measures shall apply:

- K-1 Developer shall construct an 8' slump block wall along the portion of the project site bordering the Ventura County Railway. Developer shall submit such fencing details as part of wall plan for the project for approval by the Planning and Environmental Services Manager prior to issuance of the building permit.
- K-2 Prospective owners to be notified of proximity to Ventura County Railway whistles and vibrations that may occur when trains pass.

L. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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L. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(1-3) The demolition of one dwelling unit and several greenhouse structures and construction of 47 new single-family homes, resulting in 46 net new units, is not expected to substantially effect the population of the City. Based on a person per household figure of 3.9 (pursuant to 2006 Department of Finance estimates) the project could result in potential population growth of 180 persons. The addition of new housing units is expected to add to the City's housing stock, and shall comply with the City's affordable housing requirements (Ordinance 2615). The anticipated population growth has been analyzed as part of the EIR for the 2020 General Plan and is considered to be consistent with the City's General Plan, even though the projected 2020 population has already been exceeded, largely due to higher than anticipated birth rates in the early 1990's. The City is updating the General Plan and this project and will be included in the update projection calculations. **Therefore, impacts to population growth and housing are considered to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

M. PUBLIC SERVICES*

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
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M. PUBLIC SERVICES*

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Fire protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Police protection? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Parks? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Other public facilities? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Include potential effects associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.

Discussion:

- (1) The project will include adequate fire hydrants, vehicular and pedestrian access, signage, fire alarms, addressable smoke detectors and all requirements of the Uniform Fire Code in order to minimize any potential impacts on Fire services. In addition, standard Fire Department conditions will be incorporated into the proposed project. **With the inclusion of standard Fire Department conditions, impact on fire services is considered to be less than significant.**
- (2) According to the 2020 General Plan, the current staffing ratio of officers to population should be maintained to provide adequate police services as the City's population increases. The City will monitor the need for additional public facilities and/or personnel as part of the Five-Year Development Plan. Through this action, the City would ensure that police services available to serve proposed project and cumulative development. The increase in tax base generated by the project and cumulative projects would help fund the project's share of necessary police service expansion within the city. **Therefore, impact on police services is considered to be less than significant.**
- (3) The proposed project is serviced by the Ocean View School District and the Oxnard Union High School District. While the construction of 47 residential units will have an adverse impact on schools, State law requires the payment of school fees to offset such impacts to schools. The developer will be required to pay the appropriate school fees associated with the proposed development prior to issuance of a building permit. **Therefore, impacts to schools must be considered less than significant.**
- (4) The project will create additional demands on park needs. "Quimby fees" will be collected to offset any recreation needs. **Therefore, impact on parks is considered to be less than significant.**

(5) The proposed project would contribute to the general wear and tear of various public facilities, including roadways, storm drainage system, and water and wastewater infrastructure. In order to address share of wear and tear caused by the project, the City requires developers of new projects to pay the following development fees: Planned Traffic Circulation System Facilities Fees (Traffic Impact); Planned Water Facilities Fee; Planned Wastewater Facilities Fee; Planned Drainage Facilities Fee; and Growth Requirement Capital Fee. Water service to this area is not currently provided by CMWD. Annexation to CMWD and to Metropolitan will be necessary before water service is established for the subject property. The existing Central Library, new South Oxnard Library (under construction) and existing community center facilities will be sufficient to meet the future needs of the City as identified in the 2020 General Plan. **Therefore, impacts to other public facilities are considered to be less than significant.**

Mitigation: No mitigation measures are required or proposed.

N. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(1-2) Based on the information presented in the project description the development of the project site would increase the resident population of the City and the associated demand for recreational opportunities. The developer is required to pay a Quimby fee to reduce the impacts associated with the proposed development prior to issuance of building permits. **Therefore, with the inclusion of standard Parks conditions and payment of Quimby fees, no adverse impacts to recreation facilities are expected.**

Mitigation: No mitigation measures are required or proposed.

O. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact

O. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/ Circulation)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Result in inadequate emergency access? (2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Result in inadequate parking capacity? (Zone Ordinance - Parking Regulations and Parking Lot Design Standards)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Bicycle Facilities Master Plan)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(1-3) A Traffic Impact Study is not required for residential projects containing less than 90 units (City Council Resolution No. 10,418). As the 2020 General Plan has anticipated these types of use in this area and to address potential cumulative traffic impacts, the City of Oxnard and the County of Ventura have an agreement pertaining to cumulative traffic fee in which applicants are required to pay applicable City and County traffic fees at the time of permit issuance. This is a standard condition of approval and will be included as part of the approval of this project. **Therefore, impacts to traffic levels are anticipated to be less than significant.**

- (4-5) Vehicular entries into the residential site are proposed to be gated. In order for adequate emergency response, the access gates are to be equipped with a radio frequency to allow access by public safety personnel. **With the inclusion of the mitigation measure, potential impacts to emergency access will be reduced to less than significant.**
- (6) The proposed project includes parking that meets the requirements of City Code. For each dwelling unit, a two-car garage is required and provided. Additional parking, such as for visitors, is available on each individual driveway. Streets within the gated community are private, with parking on one side only. As proposed, the development complies with the City's requirements for on-site parking. **Therefore, no impacts related to inadequate parking are anticipated.**
- (7) Currently, there are no bus routes that come through this area. The proposed project will not conflict with any policies supporting alternative transportation. Nor will the project create impact to rail, waterborne or air traffic. **Therefore, no impacts to alternative transportation are anticipated.**

Mitigation: The following mitigation measure shall apply:

- O-1 Developer shall install, on all vehicular access entry gates, adequate radio equipment to allow prompt access by public safety personnel. Such equipment shall be included on the construction plans and shall be to the satisfaction of the Police Chief and/or the Fire Chief, as appropriate. Developer shall ensure that the established Homeowners Association shall maintain such equipment in good working order at all times.

Monitoring: Developer shall provide language in the CC&Rs for Planning staff review prior to issuance of building permits. Police/Fire staff shall review the fence/wall plans for the requested vehicular gate details prior to issuance of building permit for those plans.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects on the environment related to emergency access issues.

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Comply with federal, state, and local statutes and regulations related to solid waste? (2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

- (1-5) The proposed project will create additional demand on existing utilities and service systems. Calleguas Municipal Water District (CMWD) is a wholesale supplier of municipal and industrial water to the City of Oxnard. CMWD is a member agency of metropolitan Water District of Southern California. Water service to this area is not currently provided by CMWD. Annexation to CMWD and to Metropolitan will be necessary before water service is established for the subject property. A condition of annexation is the imposition of the Standby Charges for CMWD and Metropolitan. Recordation of such annexation shall be required prior to approval of the final map. Other service providers for this site include Southern California Edison Company (electricity), The Gas Company (natural gas), and GTE California (communications). **Therefore, with the inclusion of the mitigation measure, impacts to water service are expected to be less than significant.**
- (6-7) Standard conditions of approval will involve compliance with the City's recycling requirements, which will address the landfill and solid waste concerns. **Therefore, with the inclusion of the mitigation measure to address water service, impacts to utilities and public services are expected to be less than significant.**

Mitigation: The following mitigation measure shall apply:

P-1 Prior to recordation of the subdivision map, Developer shall provide proof to Development Services Division that all portions of the property within the map have been annexed into the Calleguas Municipal Water District.

Monitoring: Development Services shall require proof of such annexation prior to release of mylars for the Final Map.

Result After Mitigation: Upon implementation of the above mitigation measure, the project will not result in any residual significant adverse effects on the environment related to water service issues.

Q. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation	Less than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have impacts that are individually limited, but cumulatively considerable (<i>"Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects</i>)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

No new significant unmitigated adverse effects are expected to result from the proposed project. Mitigation measures are either incorporated into the project or made a part of the Mitigated Negative Declaration.

**SUMMARY OF MITIGATION MEASURES
INCORPORATED INTO THE PROJECT**

Air Quality

- C-1 Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment.
- C-2 During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operation g at the same time.
- C-3 At all times during construction activities, Developer shall minimize the area disturbed by clearing grading earth moving or excavation operation to prevent excessive amounts of dust.
- C-4 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 penetrate sufficiently to minimize fugitive dust during grading activities.
- C-5 During construction, Developer shall control dust by the following activities:
- All trucks, hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - 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.
- C-6 During construction, Developer shall post and maintain onsite signs, highly visible areas restricting all vehicular traffic to 15 miles per hour or less.
- C-7 During period of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.
- C-8 Throughout construction, Developer shall sweep adjacent street sand 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.
- C-9 Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance.

Cultural Resources

E-1 Developer shall contract with a qualified archaeologist to conduct a phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include 1) an archaeological and historical resources search throughout the California Historical Resources Information System at Cal State Fullerton; and 2) a field inspection of the project site. Upon completion the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Environmental Services manager for review and approval prior to the initiation of the Phase I activities.

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

E-2 Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permits.

Geology and Soils

F-1 Developer shall submit a site-specific soils investigation which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. Developer shall submit the report to the building Official for review and approval prior to issuance of building permits.

Hazards and Hazardous Materials

G-1 Developer shall immediately enter into an agreement for regulatory oversight on the voluntary cleanup efforts. This agreement may be with either the Ventura County Environmental Health Division (EHD) Voluntary Cleanup Program, or with the State Department of Toxic Substance Control (DTSC). A copy of the written agreement shall be provided to the Planning and Environmental Services manager prior to final City approvals on the planning entitlements.

G-2 Developer shall submit documentation from an oversight agency that the onsite remediation activities were conducted in a manner consistent with the standard practices, and that the site is determined to be suitable for the intended uses proposed (i.e. residential and park). Such documentation shall be submitted to the satisfaction of the Planning and Environmental Services manager prior to issuance of any building permits.

Land Use and Planning

I-1 Developer shall install decorative open fencing, such as wrought iron, along a portion of the park. Developer shall submit such fencing details as part of the fence/wall plan for the project for approval by the Planning and Environmental Services Manager prior to issuance of the building permit.

- I-2 Developer shall install a pedestrian gate that provides a direct connection between the public sidewalk along Eugene Walk and the private sidewalks within this project. The gate shall be designed such that it cannot swing into the public right-of-way or the public park. The homeowners association shall maintain the gate in a manner that provides all residents of the project with the ability to use the gate during daylight hours. Developer shall submit the gate details as part of the fence/wall plan for the project for approval by the Planning and Environmental Services manager prior to issuance of the building permit.

Noise

- K-1 Developer shall construct an 8' slump block wall along the portion of the project site bordering the Ventura County Railway. Developer shall submit such fencing details as part of wall plan for the project for approval by the Planning and Environmental Services manager prior to issuance of the building permit.
- K-2 Prospective owners to be notified of proximity to Ventura County Railway whistles and vibrations that may occur when trains pass.

Transportation/Traffic

- O-1 Developer shall install, on all vehicular access entry gates, adequate radio equipment to allow prompt access by public safety personnel. Such equipment shall be included on the construction plans and shall be to the satisfaction of the Police Chief and/or the Fire Chief, as appropriate. Developer shall ensure that the established Homeowners Association shall maintain such equipment in good working order at all times.

Utilities and Services Systems

- P-1 Prior to recordation of the subdivision map, Developer shall provide proof to the Development Services Division that all portions of the property within the map have been annexed into the Calleguas Municipal water District.

ADDITIONAL REFERENCES

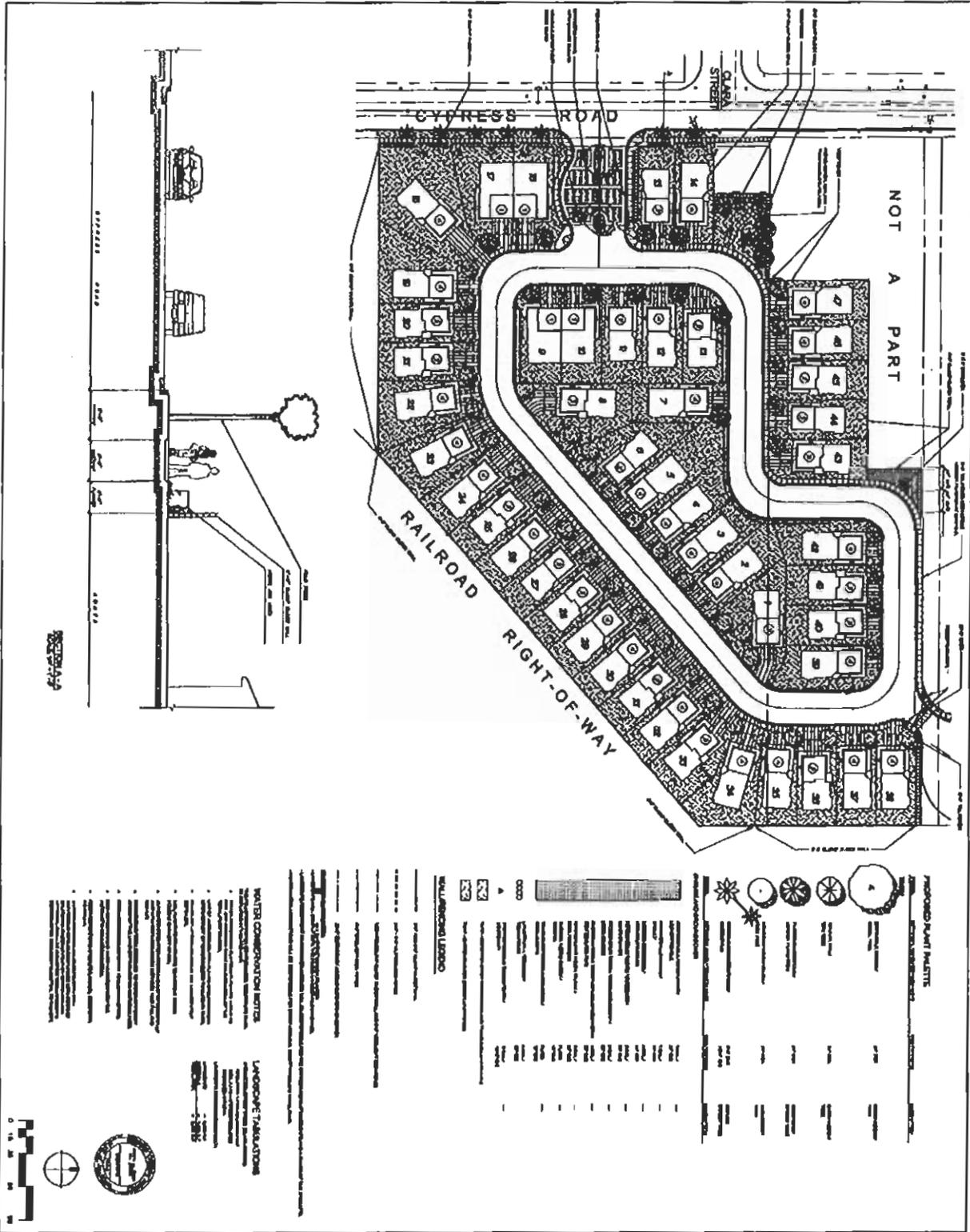
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25. City of Oxnard, *FEIR 95-3 for the Redevelopment Project*.
26. City of Oxnard, *FEIR 96-1 for the Northshore Project at Harbor Boulevard and Fifth Street*.
27. City of Oxnard, *FEIR 96-2 for the Northwest Specific Plan*.
28. City of Oxnard, *FEIR 97-1 for the Ormond Beach Specific Plan*.
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PROPOSED PLANT PALETTE

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LANDSCAPE MATERIALS

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L1.0 	PRELIMINARY LANDSCAPE PLAN 	WESTWIND 2 PRELIMINARY LANDSCAPE PLAN OXNARD, CALIFORNIA	PARAGON COMMUNITIES P.O. BOX 8279 PLAYA DEL REY, CALIFORNIA 90286 PH: (310) 301-0028	
	05/16/03 PLANNING SUBMITTAL			

Paragon *Communities, Inc.*

Date: July 26, 2006

From: Brian Catalde
Paragon Communities
PO Box 5279
Playa Del Rey, CA 90296

RE: Initial Study and Mitigated Negative Declaration (MND)
Planning and Zoning Permit No. PZ 05-500-24 (Special Use Permit), PZ 05-570-03 (Zone Change), PZ
05-620-08 (General Plan Amendment), and PZ 05-300-26 (Tentative Subdivision Map 5659)

To: Planning and Environmental Services Manager

Pursuant to Section 15070 (Negative or Mitigated Negative Declaration Process) of the State Guidelines implementing the California Environmental Quality Act, I/we, acting as agents for the property owner/developer, hereby agree to all of the following:

- 1) The draft initial study identifies potentially significant effects from the project, but the study also identifies mitigation measures that would avoid or mitigate the effects to a level where clearly no significant effects would occur;
- 2) The mitigation measures are hereby incorporated into the project prior to releasing the draft initial study and mitigated negative declaration for public comment;
- 3) I/we agree to the mitigation measures as necessary to avoid or mitigate significant effects that would otherwise arise from the project. I/we accept the mitigation measures included in the draft initial study and have resolved all questions and concerns regarding the mitigation measures;
- 4) If during the public comment period and/or decision-making process, substitute or additional mitigation measures are proposed, the appropriate process must take place for determining whether or not to substitute or apply additional measures;
- 5) This agreement is binding upon the applicant for this project and any successors in interest or assignees.

This acknowledgment is binding upon the applicant and any successors in interest or assignees:

	July 26, 2006
Signature	Date
Brian Catalde	President
Print Name	Title

P.O. Box 5279, Playa Del Rey, California 90296
Telephone: (310) 301-0029 • Facsimile: (310) 301-0039
www.paragoncommunities.com

Paragon Communities, Inc.

Date: July 26, 2006

From: Brian Catalde
Paragon Communities
PO Box 5279
Playa Del Rey, CA 90296

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This acknowledgment is binding upon the applicant and any successors in interest or assignees:

	July 26, 2006
Signature	Date
Brian Catalde	President
Print Name	Title

URBEMIS 2002 For Windows 8.7.0

File Name: <Not Saved>
Project Name: westwinds ii
Project Location: Ventura County
On-Road Motor Vehicle Emissions Based on EMFAC2002 version 2.2

SUMMARY REPORT
(Pounds/Day - Summer)

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	4.13	0.59	1.98	0.02	0.01

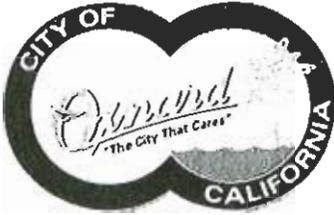
OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	4.37	7.16	55.49	0.06	5.58

UM OF AREA AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10
TOTALS (lbs/day,unmitigated)	8.50	7.75	57.47	0.08	5.59

Jared



Planning and Environmental Services Division
305 West Third Street • Oxnard, CA 93030 • (805) 385-7858 • Fax (805) 385-7417

August 28, 2006

Mr. Brian Catalde
Paragon Communities, Inc.
8614 S. Saran Dr.
Playa del Rey, CA 90293

RE: TRACT NO. 5659 (Paragon Communities, Westwind II)

Dear Mr. Catalde:

At its meeting of August 24, 2006, the Street Naming Committee approved the following street names for the above-referenced project, located within the southeast portion of the City. The following street names are also shown on the attached map:

<u>Site Plan Label</u>	<u>Approved Street Name</u>
A Street (Entry street)	Clara Street (continues from across Cypress Rd)
B Street	Hillary Way
C Street	Bradley Lane
D Street	Dora Drive

These names are selected in accordance with the City's street naming policies contained in City Council Resolution No. 9311. This resolution establishes procedures for street naming, which includes City Council action prior to consideration of the tentative map. If you have any questions about this letter, please feel free to contact me at (805) 385-7849.

Sincerely,

LINDA WINDSOR
Chairperson, Street Naming Committee

enclosure

cc: Street Naming Committee
Rick Conrad, Conrad & Conrad, LLC (5015 Marlin Way, Oxnard, CA 93035)
Dan Rydberg, Street Maintenance Superintendent
Warren Smith, City Surveyor
Jared Rosengren, Project Planner
Tara Willis, Information Systems

- 5) All active portions of the site shall be either periodically watered or treated with environmentally-safe dust suppressants to prevent excessive amounts of dust.
- 6) On-site vehicle speeds shall not exceed 15 miles per hour.
- 7) Construction equipment engines shall be maintained in good condition and in proper tune as per manufacturers' specifications.

If you have any questions, contact me by telephone at (805) 645-1426.



VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009
PAUL CALLAWAY, Permit Manager - 805 654-2011

DATE: August 11, 2006

TO: Carl Morehouse, Resource Management Agency

FROM: Paul Callaway, Permit Manager

SUBJECT: RMA 06.040.PARAGON COMMUNITIES GPA
City of Oxnard

The Watershed Protections District comments are as follows:

Environmental Services

Page 17, Section H. Hydrology and Water Quality. Discussion item 1 – 5 indicates runoff will be compliant with NPDES requirements and the development will incorporate design features and BMP's applicable and appropriate to the project. The MND should describe applicable and appropriate design features and BMP'S so the public and decision makers can understand the impact of the project on local waterways, drainage infrastructure and water quality. Without such a discussion of design features and BMP'S, there is no assurance the developer will follow through with these elements during the permitting or construction phases of this project.

Water Quality

No comment

Water Resources

We do not concur with the Initial Study Env. Checklist for Evaluation of Env. Impacts Section H.) Hydrology and Water Quality Item 2. and Item 6. findings that are marked as having No Impacts. We reviewed the Evaluation of Env. Impacts Section P.) Utilities and Services Systems Item 4. and concur with the Initial Study's checklist finding of having a Less than Significant Impact with Mitigation.

Page 2
RMA 06.040

Planning and Regulatory

By improving the parcel it will increase the impervious area. We will need to have this addressed in the form of a drainage report addressing the increase in the peak runoff rate and total volume, if there is any, due to the increase in impervious area produced by construction of this proposed modification to the development per Watershed Protection District standard, which is that there must be no increase in peak runoff rate and/or total volume in any storm frequency. This report should also provide recommendations for mitigation of the increase in peak runoff rate and/or total volume, if there is any. The drainage report must be prepared by a California Registered Civil Engineer.

End of Text

AUG 21 2006



**PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division**

MEMORANDUM

DATE: August 16, 2006

TO: Resource Management Agency, Planning Division
Attention: Carl Morehouse

FROM: *NL* Nazir Lalani, Deputy Director

SUBJECT: **REVIEW OF DOCUMENT 06-040, WESTWINDS II TRACT 5659
PZ 05-500-24**

Notice Of Intent To Adopt An MND - Project involves a planned residential group consisting of 47 detached condominium units on a 5.26 acre located at 5482 and 5536 Cypress Road, south of Pleasant Valley Road and north of Hucneme Road in the City of Oxnard.

Project Applicant: Paragon Communities

Lead Agency: City of Oxnard

The Public Works Agency -- Transportation Department has reviewed the Notice Of Intent To Adopt An MND for the subject project, located at 5482 and 5536 Cypress Road within the City of Oxnard. The project consists of 47 detached condominium units within a gated community. Our comments are as follows:

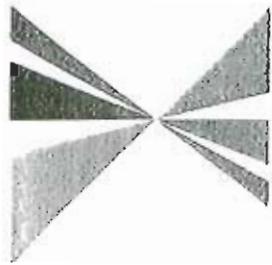
1. The Initial Study indicated that this project would generate additional average daily trips (ADT). No project specific impacts on County roadways were identified in the Draft MND.
2. The cumulative impact of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, is potentially significant. Page 25 of the Draft MND includes the condition for paying the County Traffic Impact Mitigation Fee (TIMF) to address the cumulative impacts of this project. Based on the information provided in the Draft MND and the reciprocal agreement between the City of Oxnard and the County of Ventura, the fee due to the County is:

$$47 \text{ Single Family Homes} \times \$367.18/\text{SF DU} = \underline{\underline{\$17,257.46}}$$

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the Traffic Impact Mitigation Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record (ENR) construction cost index. The above is an estimate only based on information provided in the draft MND.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please call me at 654-2080 if you have questions.



ASSOCIATION OF GOVERNMENTS

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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AUG 28 2006

PLANNING DIVISION
CITY OF OXNARD

August 24, 2006

Mr. Jared Rosengren
Contract Planner
City of Oxnard
305 W. Third Street
Oxnard, CA 93030

RE: SCAG Clearinghouse No. I 20060539 Planning and Zoning Permit Nos. PZ 05-500-24 (SUP), PZ 05-570-03 (Zone Change), PZ 05-620-08 and PZ 05-300-26

Dear Mr. Rosengren:

Thank you for submitting the Planning and Zoning Permit Nos. PZ 05-500-25, PZ 05-570-03, PZ 05-620-08 and PZ 05-300-26 review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the Planning and Zoning Permit Nos. PZ 05-500-25, PZ 05-570-03, PZ 05-620-08 and PZ 05-300-26, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's August 1-15, 2006 Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1851. Thank you.

Sincerely,

APRIL GRAYSON
Associate Regional Planner
Intergovernmental Review

Doc 125766

Officers: President: Yvonne B. Burke, Los Angeles County • First Vice President: Gary O'Neil, San Bernardino County • Second Vice President: Richard Dixon, Lake Forest • Immediate Past President: Tom Young, Port Huememe

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Orange County: Chris Noily, Orange County • Christine Barnes, La Palma • John Beusman, Brea • Lou Bone, Tustin • Art Brown, Buena Park • Richard Chavez, Anaheim • Debbie Cook, Huntington Beach • Terrie Baigle, Newport Beach • Richard Dixon, Lake Forest • Paul Graab, Laguna Niguel • Marilyn Roe, Los Alamitos

Riverside County: Jeff Stone, Riverside County • Thomas Buckley, Lake Elsinore • Bonnie Fichtinger, Moreno Valley • Ron Lovelidge, Riverside • Greg Pettis, Cathedral City • Ron Roberts, Temecula

San Bernardino County: Gary O'Neil, San Bernardino County • Lawrence Dale, Barstow • Paul Eaton, Montclair • Lee Ann Garcia, Grand Terrace • Jim Jagger, Town of Apple Valley • Larry McCallon, Highland • Deborah Robertson, Rialto • Alan Warner, Ontario

Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Tom Young, Port Huememe

Orange County Transportation Authority: Lou Correa, County of Orange

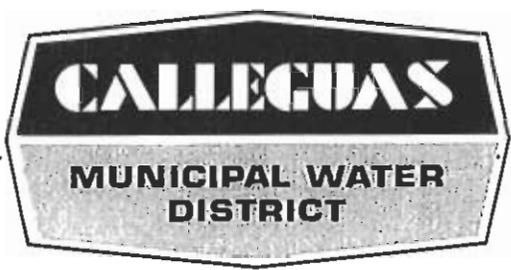
Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

RECEIVED

AUG 09 2006

PLANNING DIVISION
CITY OF OXNARD



2100 Olsen Road
Thousand Oaks
California 91360-6800

(805) 526-9323
Fax (805) 522-5730

Web site: www.calleguas.com

Ted Grandsen
President - Division 1
William R. Seaver
Vice President - Division 5
Donald G. Hauser
Secretary - Division 3
Jeffrey A. Borenstein
Treasurer - Division 2
Gail L. Pringle
Director - Division 4
Donald R. Kendall, Ph.D., P.E.
General Manager

August 4, 2006

Jared Rosengren
Planning and Environmental Services
City of Oxnard
305 West Third Street
Oxnard, CA 93030

Re: MND 06-03

Dear Mr. Rosengren:

Thank you for sending Calleguas Municipal Water District a copy of the Notice of Intention to Adopt a Mitigated Negative Declaration MND 06-03. Calleguas has no comments on the notice or the initial study.

As you are surely aware, annexation of the land underlying Tentative Tract 5659 to Calleguas and to Metropolitan Water District of Southern California is in progress as Parcel B of Calleguas Annexation No. 85. Completion of environmental documents is necessary before the annexation can be completed. I noted the discussion under Utilities and Service systems and it is sufficient to allow use of the MND to satisfy the California Environmental Quality Act for the annexation.

Please keep in mind that the annexation must record and the Calleguas Capital Construction Charge must be paid before building permits are issued for Tentative Tract 5659 or municipal water is delivered to the site.

Thank you for considering Calleguas. You are welcome to call me with any questions about the annexation at 805 579-7129.

Sincerely yours,

A handwritten signature in black ink that reads "Cy Johnson". The signature is written in a cursive style.

Cy Johnson
Development Programs Administrator

cc: Rick Conrad, Paragon Communities

RESOLUTION NO. 2006 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A GENERAL PLAN AMENDMENT (PLANNING AND ZONING PERMIT NO. 05-620-08) TO CHANGE THE LAND USE MAP TO DESIGNATE PROPERTY LOCATED AT 5482 AND 5536 CYPRESS ROAD. (APNS 222-0-052-180 AND 222-0-041-020) AS RESIDENTIAL LOW MEDIUM SUBJECT TO CERTAIN FINDINGS. FILED BY PARAGON COMMUNITIES, 8614 SOUTH SARAN DRIVE, PLAYA DEL REY, CA 90293.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 05-620-08, filed by Paragon Communities to amend the land use map to designate the above-described property at 5482 and 5536 Cypress Road as residential low medium; and

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning Zoning Permit No. 05-620-08; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of Planning Zoning Permit No. 05-620-08; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, before making its recommendation herein; and

WHEREAS, the applicant agrees, as a condition of this resolution, at the applicant's own expense, to indemnify, defend and hold harmless City and its agents, officers and employees from and against any claims, action or proceeding to attack, review, set aside, void or annul the approval acts or determinations taken, done or made prior thereto that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt the amendment to the General Plan, amending the 2020 General Plan Land Use Map (Figure V-5) land use designation as shown in Exhibit "A" attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of October, 2006, by the following vote:

AYES:

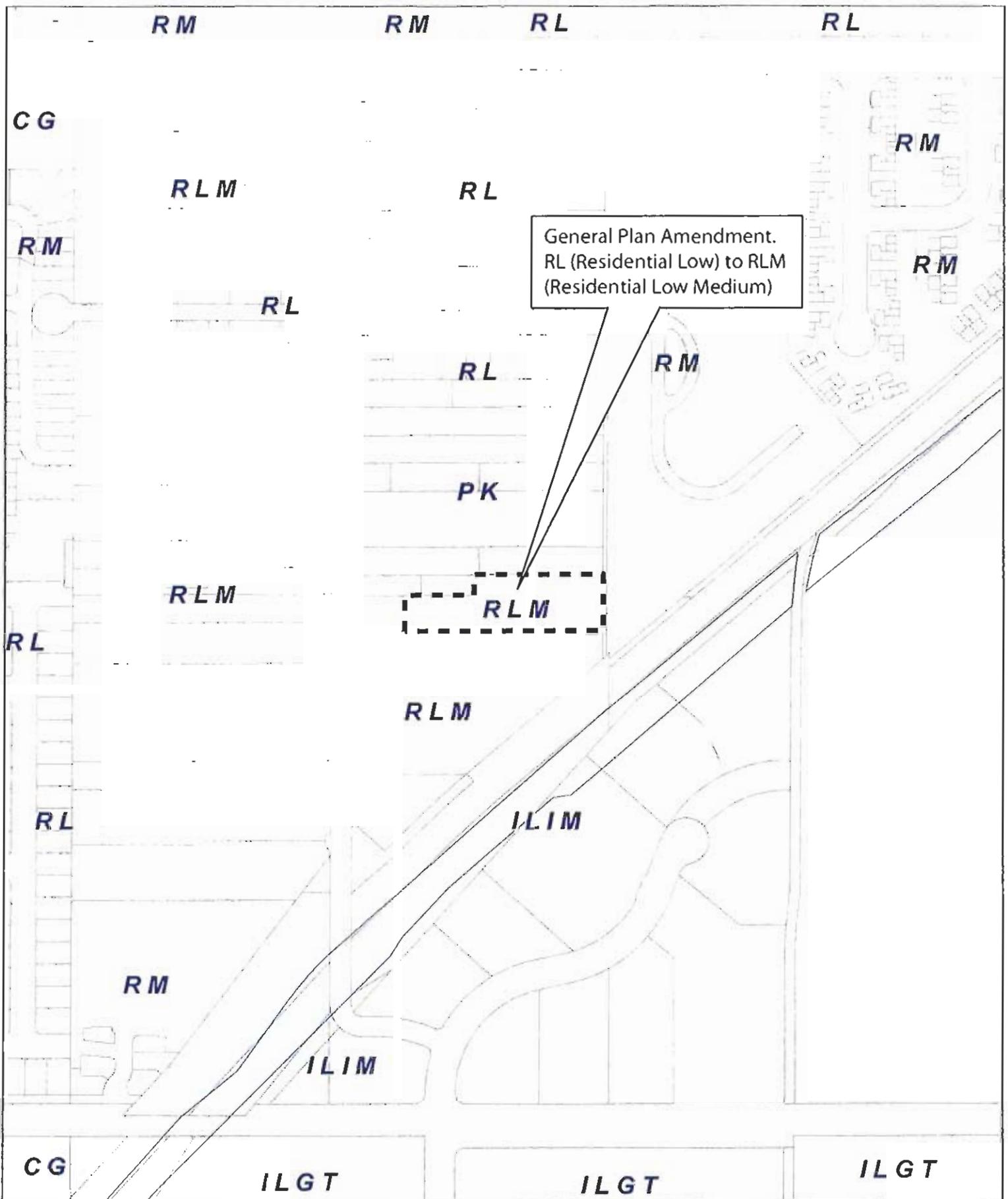
NOES:

ABSENT:

Ronald R. Fischer, Chairman

ATTEST:

Susan L. Martin, Secretary



PZ 05-500-24, 05-300-26, 05-570-3

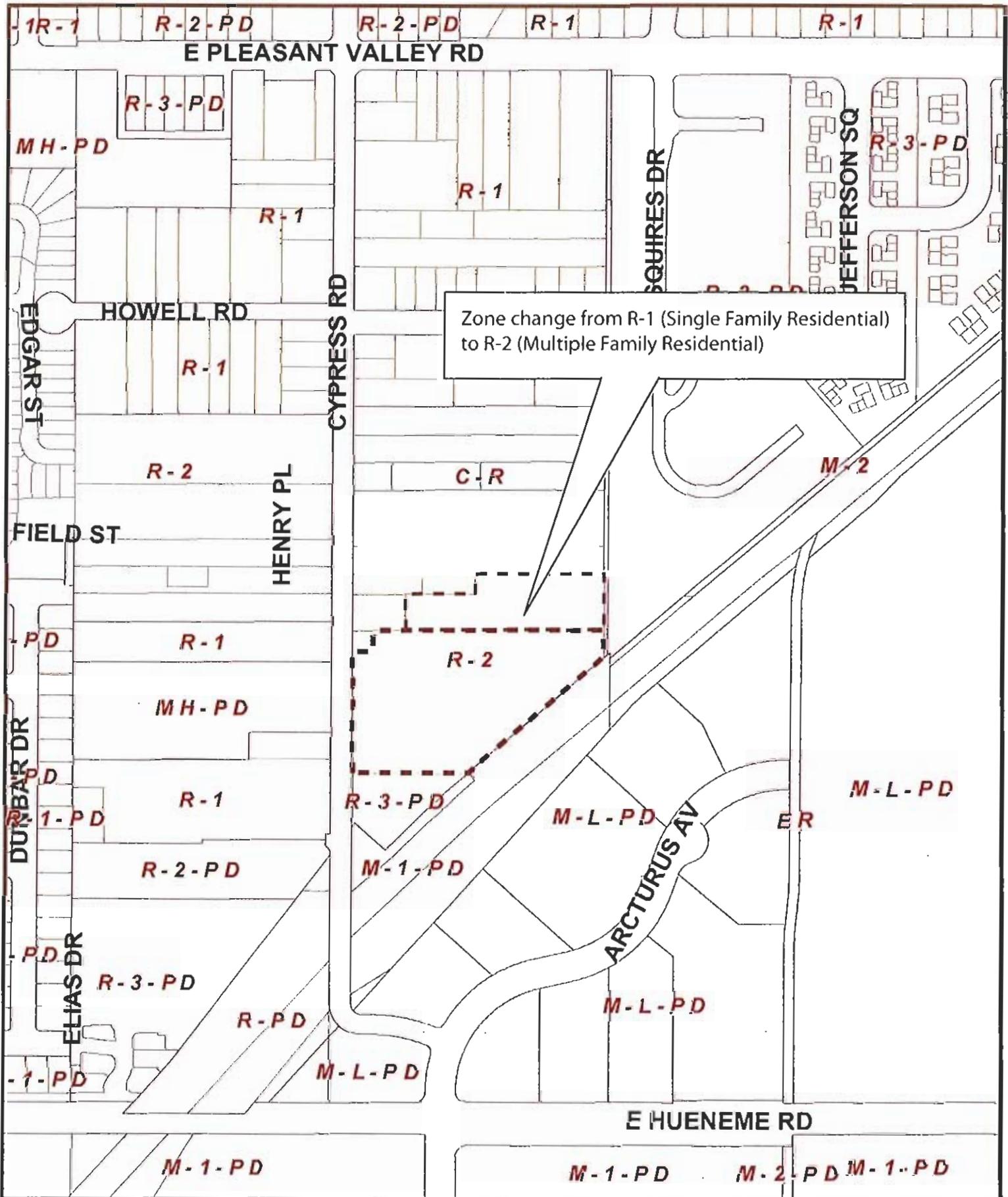
Location: 5482 & 5536 Cypress Rd.

APN: 222005218, 223004102

Paragon Communities

General Plan Amendment





Zone change from R-1 (Single Family Residential) to R-2 (Multiple Family Residential)

PZ 05-500-24, 05-300-26, 05-570-3
 Location: 5482 & 5536 Cypress Rd.
 APN: 222005218, 223004102

Zone Change



RESOLUTION NO. 2006 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE SUBDIVISION MAP OF TRACT NO. 5659 (PLANNING AND ZONING PERMIT NO. 05-300-26), FOR PROPERTY LOCATED AT 5482 AND 5536 CYPRESS ROAD, (APNS 222-0-052-180 AND 222-0-041-020), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PARAGON COMMUNITIES, 8614 SOUTH SARAN DRIVE, PLAYA DEL REY, CA 90293.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative subdivision map of Tract No. 5659 (Planning and Zoning Permit No. 05-300-26), filed by Paragon Communities in accordance with Chapter 15 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 map conforms to the City's General Plan and elements thereof; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; 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 recommends to the City Council the approval of the tentative subdivision map, subject to the following conditions:

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will

check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated August, 2006, ("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 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. Any covenants, conditions, and restrictions (CC&R's) 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&R's and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

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. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document to the Planning and Environmental Services Manager. (PL, *G-8*)
7. 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*)
8. 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*)
9. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)
10. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)
11. 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*)
12. 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*)

PARKS DIVISION STANDARD CONDITIONS

13. Before submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee ("Superintendent") of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)
14. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)
15. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)

16. Developer shall 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 will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
17. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
18. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
19. Before the City issues building permits for a residential development that includes any model houses, Developer shall obtain the approval of the Parks and Facilities Superintendent for a low water-using landscape plan. Developer shall install low water-using landscape design and irrigation systems for at least one of the model houses in any cluster of two or more model houses, thereby demonstrating to prospective buyers the feasibility and aesthetic qualities of low water-using landscape design and irrigation systems. Developer shall provide appropriate signs, shown on the landscape plan, explaining that the model house utilizes a low water-using landscape and listing the plant materials used. (PK, PK-7)
20. Developer shall offer a low water-use front yard landscape option to buyers at no extra cost. Developer shall also provide low water-use landscape literature to each buyer. City shall provide such literature to Developer at City's cost. (PK, PK-8)
21. Developer's landscape plans for houses shall show, where appropriate, a typical landscape and irrigation treatment for north, south, east or west site orientation, for corner lots as well as internal lots. (PK, PK-9)
22. Within sixty days after a house is occupied, Developer shall install front yard and street side yard landscaping for that house. Developer shall provide proof of financial responsibility approved by the City Attorney to ensure faithful performance of this condition within the specified time. (PK/ PL, PK-10)
23. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, PK-11)

24. At the close of escrow or at the time of occupancy of each dwelling unit, Developer shall review with and provide instructions to each buyer concerning the irrigation controller operation and the watering schedules. (PK, *PK-12*)
25. Developer shall install sod in the lawn areas of all front yards and street side yards. (PK, *PK-13*)
26. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, *PK-14*)
27. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)
28. Developer shall provide to the Parks and Facilities Superintendent (“Superintendent”) a landscape maintenance district master plan drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a landscape maintenance district; (b) a homeowners association; and/or (c) the City. After Superintendent approves such plan, Developer shall provide to Superintendent a mylar (minimum 3 mil) original drawing of the maintenance district master plan. (PK, *PK-19*)
29. Within sixty days of approval of the project, Developer shall provide the Parks and Facilities Superintendent with a complete, detailed landscape maintenance district master plan for all phases of the project and shall deposit \$13,700 to pay for staff time, attorney time and the engineer’s report necessary to prepare all documents and hold hearings to form an assessment district and impose an assessment formula and assessments on property within the project to pay the costs of maintaining the landscaping in the district. (PK, *PK-20*)
30. Developer shall provide to the Parks and Facilities Superintendent a copy of the document entitled “Agreement” containing Developer’s agreement to vote in favor of a landscape maintenance assessment district for the project, bearing the Ventura County Recorder’s stamp, confirming that the document has been recorded in the Ventura County Recorder’s Office. (PK, *PK-21*)
31. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

PARKS DEPARTMENT SPECIAL CONDITIONS

32. Applicant shall be required to join Westwind Phase I Landscape Maintenance Assessment District and contribute its proportionate share to the maintenance of the Cypress Neighborhood Park. Also included within the Landscape Assessment District will be the Cypress Road parkway (fronting) the project and the graffiti removal from the walls along the east and south portions of the perimeter wall treatment. (PK)
33. The HOA shall be responsible for the entry medians and all landscaping inside of the subdivision. (PK)
34. Front yard landscaping to include combinations of shrubs and groundcovers as well as turf and trees. (PK)

PLANNING SPECIAL CONDITIONS

35. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)
36. Developer shall develop the site with the street names, as approved by the Street Naming Committee. (PL)
37. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning and Environmental Services Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
38. This permit is granted subject to the approval of a zone change for the project property. (PL)
39. This permit is granted subject to the approval of a general plan amendment for the project property. (PL)
40. 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)
41. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the

Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)

42. Developer shall immediately enter into an agreement for regulatory oversight on the voluntary cleanup efforts. This agreement may be with either the Ventura County Environmental Health Division (EHD) Voluntary Cleanup Program, or with the State Department of Toxic Substance Control (DTSC). A copy of the written agreement shall be provided to the Planning and Environmental Services Manager prior to final City approvals on the planning entitlements. (MND, G-1)
43. Prior to recordation of the subdivision map, Developer shall provide proof to Development Services Division that all portions of the property within the map have been annexed into the Calleguas Municipal Water District. (MND, P-1)

DEVELOPMENT SERVICES STANDARD CONDITIONS

44. 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 the time the City issues building permits. (DS-1)
45. Developer shall have the site improvement plans prepared on standard Development Services Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with Development Services. (DS-3)
46. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
47. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
48. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
49. 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)
50. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and

construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

51. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
52. 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)
53. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
54. Developer shall retain a Civil Engineer licensed in the State of California to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "as-built" plans after project completion. Developer's submittal of the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
55. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)

56. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (DS-31)
57. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)
58. 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)
59. Developer shall install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
60. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
61. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
62. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)
63. 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)
64. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
65. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)
66. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

STORMWATER QUALITY CONDITIONS

67. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a CD containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-101)
68. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

Stormwater Special Conditions:

69. Storm drain lines within private streets shall be designed and constructed in accordance with public storm drain standards but shall be privately owned and maintained. Developer shall provide a draft copy of the project CC&Rs (with pertinent section clearly marked) showing that maintenance of the storm drain has been included in the maintenance responsibilities of the project homeowners association prior to issuance of a site improvement permit and a recorded copy prior to issuance of the first non-model unit. (DS)
70. Developer shall design the fine grading plans for all lots to drain stormwater to the street using surface swales. No area drains shall be used within proposed residential units. (DS)

Stormwater Quality Special Conditions:

71. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS)
72. Developer shall design the project to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. Catch basin inserts shall not be used for this project. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS)
73. Using forms provided by the Development Services Department, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project.

The homeowners association shall be responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (DS)

74. Developer shall locate stormwater quality devices on private property in a location easily accessed by private maintenance vehicles without blocking public streets. (DS)
75. Developer shall prepare a detailed NPDES post-construction best management practices maintenance manual that discusses required maintenance schedules and procedures of the proposed proprietary device. The maintenance manual shall be submitted to the City for approval and shall be provided to the project homeowners association. (DS)
76. Post-construction stormwater quality devices ("stormwater devices") shall be privately owned and maintained. Developer shall provide a draft copy of the project CC&Rs (with pertinent section clearly marked) showing that maintenance of the stormwater devices has been included in the maintenance responsibilities of the project homeowners association prior to issuance of a site improvement permit and a recorded copy prior to issuance of the first non-model unit. Developer shall also submit proof that funding for ongoing stormwater devices maintenance has been included as a separate line item in the homeowners association financial documents. Prior to release of security guaranteeing construction of project improvements, Developer shall provide proof of a contract (or other arrangements acceptable to the Development Services Manager) between the homeowners association and an entity qualified to provide required periodic maintenance of the stormwater devices. (DS)
77. Developer shall clean on-site storm drains a minimum of twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. Developer shall perform additional cleanings of the onsite storm drain when deemed necessary by the City Engineer. (DS)
78. Private streets shall be maintained free of litter and debris for the life of the project. Sidewalks and streets shall be swept regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. There shall be no discharge of any cleaning agent into the storm drain system. (DS)
79. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS)

80. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit construction site pollutants from entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS)

Wastewater Special Conditions:

81. Wastewater lines within private streets shall be designed and constructed in accordance with public wastewater standards but shall be privately owned and maintained. Developer shall provide a draft copy of the project CC&Rs (with pertinent section clearly marked) showing that maintenance of the onsite wastewater lines has been included in the maintenance responsibilities of the project homeowners association prior to issuance of a site improvement permit and a recorded copy prior to issuance of the first non-model unit. (DS)
82. Developer shall provide calculations demonstrating that the downstream sewer line within Cypress Road has sufficient capacity to serve this project. If the calculations show a downstream inadequacy, Developer shall be responsible for improvements required to serve this project. Downstream improvements shall be included in the site improvement plans prior to issuance of a permit. (DS)

Water Special Conditions:

83. Developer's engineer shall provide water system calculations determining pipe sizing required to adequately serve the project in accordance with City design standards. Developer shall construct a water line (12 inch minimum size) in Cypress Road from Clara Street to the entrance of the project. (DS)
84. Developer shall construct all water lines in accordance with public waterline standards. (DS)
85. Developer shall dedicate to the City a minimum 15-foot wide waterline easement over the onsite water distribution system as directed by the Development Services Manager. (DS)
86. Developer shall obtain water service and fire flow protection for the development project from the City's municipal supply system. (W, DS)

87. Unless directed otherwise by the City Water Superintendent, Developer shall take all actions necessary to obtain approval from Fox Canyon Groundwater Management Agency to transfer to the City any groundwater pumping allocation associated with the development property. Proof of transfer shall be provided prior to issuance of a site improvement permit. (W, DS)
88. Developer shall obtain any approval from Cypress Mutual Water Company as may be necessary so that City may provide water service to the development without interference from Cypress Mutual Water Company. If Developer is unable to obtain approval from Cypress, Developer shall indemnify and hold harmless the City from any and all claims, including but not limited to monetary damages, attorneys fees and costs etc., that Cypress may assert are associated with the provision of City water service to the development. Approval or indemnity shall be provided prior to issuance of a site improvement permit. (W, DS)
89. Developer shall undertake all actions necessary, including payment of all required fees and charges, to annex the entire development property into the Calleguas Municipal Water District and Metropolitan Water District of Southern California services areas. Proof of annexation shall be provided prior to recordation of a final map or issuance of site improvement permit. (W, DS)

Street Special Conditions:

90. Developer shall install a pedestrian gate that provides a direct connection between the public sidewalk along Eugene Walk and the private sidewalks within this project. The gate shall be designed such that it cannot swing into the public right-of-way or the public park. The homeowners association shall maintain the gate in a manner that provides all residents of the project with the ability to use the gate during daylight hours. (DS)
91. Developer shall construct appropriate sidewalk transitions on Cypress Road to join existing offsite sidewalks. Transition designs are subject to approval by the Development Services Manager. (DS)
92. In accordance with City policy for trench cuts in new streets, Developer shall grind and overlay (0.1 foot minimum thickness) the full width of Cypress Road from the most southerly proposed trench line to Clara Street.
93. Developer shall construct a minimum 5-foot wide sidewalk along the exterior side of the loop street. Sidewalk shall be constructed to provide an Americans with Disabilities Act compliant pedestrian path including a cross slope that does not exceed 2% at driveways. Final design of the sidewalk is subject to approval of the Development Services Manager.(DS)

94. Developer shall install no parking signs along the non-sidewalk side of all streets. The project homeowners association shall vigorously enforce this no parking restriction. (DS)
95. Developer's final map shall include dedication to the City of all ingress and egress rights to Cypress Road except at the approved vehicular access point shown on the tentative map. (DS)

Miscellaneous Special Conditions:

96. Developer shall construct a level concrete pad at each residential unit for storage of three refuse containers out of view of the street. The storage location shall not be within the garage. Developer shall provide an unobstructed (no gas meters etc.) paved path from the storage location to the street curb that does not require entering the garage. 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. Project fine grade plans shall clearly indicate the proposed storage location and paved path. (DS)
97. Developer shall design the site grading to minimize elevation differences between this project and the adjoining existing developments. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this day of October 5th, 2006, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Ronald R. Fischer, Chairman

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2006 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 05-500-24 (SPECIAL USE PERMIT) TO ALLOW DEVELOPMENT OF 47 RESIDENTIAL UNITS (43 SINGLE-FAMILY HOMES AND 4 ATTACHED/DUPLEX UNITS) WITHIN A GATED COMMUNITY, LOCATED AT 5482 AND 5536 CYPRESS ROAD (APNS 222-0-052-180 AND 222-0-041-020) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PARAGON COMMUNITIES, 8614 SOUTH SARAN DRIVE, PLAYA DEL REY, CA 90293.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 05-500-24, filed by Paragon Communities in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials 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 of the City of Oxnard, and the custodian of record is the Planning and Environmental Services Manager; and

WHEREAS, with regard to the requested modifications to the setback and height requirements of the City Code, the applicant has requested the following modifications to the setback and height requirements of the City Code: maximum building height not to exceed 26 feet, and reduced parking garage dimensions (20' W x 19'D for detached units; 19' W x 19'D for attached units); and

WHEREAS, The Planning Commission considered the request for a planned residential group for modifications to the requirements of the City Code and finds after due study, deliberation and public hearing, that the following circumstances exist:

1. A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area.
2. The residential use proposed is permitted within the zone.

3. Building shall take place substantially in conformance with plot plans and elevations submitted in support of the special use permit.
4. The applicant has demonstrated that the population densities proposed are in conformance with existing and proposed public facilities such as streets, sewers, water, schools and parks.

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing that the following circumstances exist:

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

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 form, 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 this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

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

taken from environmental documents (e.g. *MND-S2*).

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated October 5, 2006, (“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 or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 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, or the beginning of the proposed use. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
5. By commencing any activity related to the project or using any structure authorized by this permit, 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. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&R's) 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&R's and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
 8. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document 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)

PARKS DIVISION STANDARD CONDITIONS

15. Before submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee ("Superintendent") of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
16. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit

- application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)
17. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)
 18. Developer shall 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 will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)
 19. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)
 20. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, *PK-6*)
 21. Before the City issues building permits for a residential development that includes any model houses, Developer shall obtain the approval of the Parks and Facilities Superintendent for a low water-using landscape plan. Developer shall install low water-using landscape design and irrigation systems for at least one of the model houses in any cluster of two or more model houses, thereby demonstrating to prospective buyers the feasibility and aesthetic qualities of low water-using landscape design and irrigation systems. Developer shall provide appropriate signs, shown on the landscape plan, explaining that the model house utilizes a low water-using landscape and listing the plant materials used. (PK, *PK-7*)
 22. Developer shall offer a low water-use front yard landscape option to buyers at no extra cost. Developer shall also provide low water-use landscape literature to each buyer. City shall provide such literature to Developer at City's cost. (PK, *PK-8*)
 23. Developer's landscape plans for houses shall show, where appropriate, a typical landscape and irrigation treatment for north, south, east or west site orientation, for corner lots as well as internal lots. (PK, *PK-9*)
 24. Within sixty days after a house is occupied, Developer shall install front yard and street side yard landscaping for that house. Developer shall provide proof of financial responsibility approved by the City Attorney to ensure faithful performance of this condition within the specified time. (PK/ PL, *PK-10*)
 25. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of

- the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, *PK-11*)
26. At the close of escrow or at the time of occupancy of each dwelling unit, Developer shall review with and provide instructions to each buyer concerning the irrigation controller operation and the watering schedules. (PK, *PK-12*)
 27. Developer shall install sod in the lawn areas of all front yards and street side yards. (PK, *PK-13*)
 28. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, *PK-14*)
 29. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)
 30. Developer shall provide to the Parks and Facilities Superintendent (“Superintendent”) a landscape maintenance district master plan drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a landscape maintenance district; (b) a homeowners association; and/or (c) the City. After Superintendent approves such plan, Developer shall provide to Superintendent a mylar (minimum 3 mil) original drawing of the maintenance district master plan. (PK, *PK-19*)
 31. Within sixty days of approval of the project, Developer shall provide the Parks and Facilities Superintendent with a complete, detailed landscape maintenance district master plan for all phases of the project and shall deposit \$_____ to pay for staff time, attorney time and the engineer’s report necessary to prepare all documents and hold hearings to form an assessment district and impose an assessment formula and assessments on property within the project to pay the costs of maintaining the landscaping in the district. (PK, *PK-20*)
 32. Developer shall provide to the Parks and Facilities Superintendent a copy of the document entitled “Agreement” containing Developer’s agreement to vote in favor of a landscape maintenance assessment district for the project, bearing the Ventura County Recorder’s stamp, confirming that the document has been recorded in the Ventura County Recorder’s Office. (PK, *PK-21*)
 33. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

PARKS DEPARTMENT SPECIAL CONDITIONS

34. Applicant shall be required to join Westwind Phase I Landscape Maintenance Assessment District and contribute its proportionate share to the maintenance of the Cypress Neighborhood Park. Also included within the Landscape Assessment District will be the Cypress Road parkway (fronting) the project and the graffiti removal from the walls along the east and south portions of the perimeter wall treatment. (PK)
35. The HOA shall be responsible for the entry medians and all landscaping inside of the subdivision. (PK)
36. Front yard landscaping to include combinations of shrubs and groundcovers as well as turf and trees. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

37. Developer shall construct all vehicle access driveways on the project property to be at least 25 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)
38. 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*)
39. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)
40. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, *F-4*)
41. 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*)
42. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
43. At all times during construction, Developer shall maintain all-weather surfaces that provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)

44. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
45. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, 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*)
46. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)
47. 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*)
48. 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

49. Fire sprinkler coverage shall be required for:
 - a. Patios, overhangs or any 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 normally inaccessible.
50. 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.
51. Due to street width less than 36 feet, parking shall be allowed only on one side of the street. The no parking side of street shall have signs marking that side of the street as a fire lane per the requirements of the California Vehicle Code

PLANNING STANDARD CONDITIONS

52. The final building plans submitted by Developer with the building permit application shall depict all building materials and colors to be used in construction. (PL/B, *PL-1*)
53. 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*)

54. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, *PL-3*)
55. 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*)
56. 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*)
57. Developer may not modify any use approved by this permit unless the Planning and Environmental Services Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
58. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning and Environmental Services Manager. (PL/B, *PL-8*)
59. 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*)
60. Developer shall provide graphic site directories at principal access walkway points. (PL/B, *PL-10*)
61. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
62. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)

63. 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*)
64. 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*).
65. 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 and Environmental Services Manager prior to issuance of building permits. (PL, *PL-18*)
66. 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 and Environmental Services Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
67. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)
68. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
69. Prior to issuance of fine grading plans, Developer shall provide at least two types of driveway finishes or decorative designs. The details of the driveways shall be to the satisfaction of the Planning and Environmental Services Manager. (PL, *PL-22*)
70. Developer shall provide storage areas for City sized trash enclosures within garage, patio, yard or storage areas. (PL/B, *PL-23*)
71. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)
72. Walls separating the patio areas of different units shall be of solid construction, such as masonry, stucco, or wood over wood. Ground level patios shall be enclosed by walls not less than five feet high, except as otherwise approved by this permit. (PL/B, *PL-25*)
73. Developer shall provide a rear patio concrete slab of at least 100 square feet. (PL/B, *PL-26*)
74. Additions and patio covers shall conform to the requirements of the R-2 zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)

75. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, *PL-28*)
76. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, *PL-29*)
77. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)
78. Developer shall provide masonry walls on street side yards and along project perimeter property lines. Developer shall install interior lot line fences, to be constructed of wood or other material, subject to the approval of the Planning and Environmental Services Manager. (PL/B, *PL-31*)
79. Street side yard walls shall be of decorative masonry construction and shall be set back 10 feet from any public sidewalk. (PL/B, *PL-32*)
80. 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*)
81. Developer shall construct each dwelling unit with separate utility systems and meters. 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. (DS/B, *PL-34*)
82. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project. (CE/PL, *PL-35*)
83. Developer shall pay Quimby Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, *PL-36*)

84. In accordance with City Council Ordinance No. 2615, or the ordinance in effect at the time building permits are issued, Developer shall provide 8 affordable units onsite –OR- pay the current **in-lieu affordable housing** fees, to be calculated at the time of building permit issuance. (PL, PL-37)
85. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2020 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning and Environmental Services Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning and Environmental Services Manager. (PL, PL-38)
86. All recreational vehicle parking spaces shall be designated by signs stating that the spaces are reserved exclusively for recreational vehicle parking. Developer shall prohibit the parking of recreational vehicles elsewhere in the project. (B, PL-39)
87. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, PL-40)

PLANNING SPECIAL CONDITIONS

88. As the project site is located within the HERO Redevelopment area, Developer shall provide affordable housing in accordance with the requirements of the Community Development Commission. (PL)
89. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning and Environmental Services Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)
90. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning and Environmental Services Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
91. This permit is granted subject to the approval of a zone change for the project property. (PL)
92. This permit is granted subject to the approval of a general plan amendment for the project property. (PL)

93. 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)
94. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment. (MND, C-1)
92. During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time. (MND, C-2)
93. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (MND, C-3)
94. 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 penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-4)
95. During construction, Developer shall control dust by the following activities:
 - All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - 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. (MND, C-5)
96. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-6)
97. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-7)

98. 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. (MND, C-8)
99. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)
100. 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)
101. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include 1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and 2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning and Environmental Services Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to initiation of the Phase I activities.
102. The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (MND, E-1)
103. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a monthly report to the Planning Division summarizing their activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of *final building permit signature*. (MND, E-2)
104. Developer shall screen from view any piping associated with potential air conditioning units.
105. Lots 23 through 34 shall be constructed with all vents to the outside venting perpendicular to the rear property line.

POLICE SPECIAL CONDITIONS

106. Developer shall submit and the Police Chief, or designee, shall approve a security and lighting plan prior to issuance of a building permit.

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

105. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall submit a "Solid Waste Management & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to Planning & Environmental Services and Solid Waste Divisions and approved by the Solid Waste 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 attached Solid Waste Management & Recycling Plan form or a similar format.
106. Developer shall follow the 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 the Solid Waste Management & Recycling 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 Solid Waste Management & Recycling C&D Report form prior to issuance of a certificate of occupancy.
107. Developer shall arrange for materials collection during construction, demolition, and occupancy with either the City Solid Waste Reduction & Disposal Division or other City permitted hauling companies, or Developer shall arrange for self-hauling to an authorized facility.
108. If the project will generate waste on an ongoing basis during occupancy, Developer shall make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit an Occupancy Recycling Plan which shall include the following information: estimated quantities and materials to be generated, management method to be used to reduce landfill disposal; quantity, size and

location of recycling and trash bins, destination of material including the names of haulers and facility locations. Developer shall use the attached Occupancy Recycling Plan form or a similar format. The Occupancy Plan form must be submitted and approved prior to issuance of a certificate of occupancy.

109. In addition, Developer shall submit an Occupancy Recycling Report annually to the Solid Waste Division on the anniversary date of the certificate of occupancy. The Report shall include the following information: material type recycled, reused, salvaged or disposed; quantities, management method, destination of material including hauler names and facility locations. Documentation must be included such as weight tickets or receipts regarding the above.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of October, 2006, by the following vote:

AYES:

NOES:

ABSENT:

Ronald R. Fischer, Chairman

ATTEST: _____
Susan L. Martin, Secretary