



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission
FROM: Nicole Doner, Associate Planner
DATE: January 3, 2008
SUBJECT: Planning and Zoning Permit No. 07-400-02 (Coastal Development Permit)

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. PZ 07-400-02, a coastal development permit (CDP), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** Planning and Zoning Permit No. PZ 07-400-02 requests approval of a CDP for the construction of a 5,305 square foot single-family residence with an attached 840 square foot, 3-car garage and 385 square feet of decking. The proposed structure would be two-stories. The subject parcel is zoned R-B-1 (Single Family Beach), is in the Oxnard Shores neighborhood, and is located at 1551 Mandalay Beach Road; Lot No. 6 of Tract 3929 as per map recorded in Book 102 Pages 40 to 42 in the office of County Recorder (APN 191-0-420-065). Filed by Roy Milbrandt, 254 Heidelberg Avenue, Ventura, CA 93003. This case may be appealed to the State Coastal Commission as established in Section 17-58(K) of the City of Oxnard Coastal Zoning Ordinance.
- 3) **Existing Land Use:** The subject parcel is a vacant beachfront lot.
- 4) **General Plan Policies and Land Use Designation Conformance:** The 2020 General Plan designation for the site is Residential Low-Medium Density (8-12 Dwelling Units/Acre) (RLM). The proposed use of the site is for a single-family residence built on pilings. The development is proposed on an existing lot of record, is consistent with the density indicated by the land use designation, and would not interfere with the adjacent recreational use of the beach west of the site; therefore, the project is consistent with the City's 2020 General Plan. The project also complies with all applicable Coastal Land Use Plan Policies.
- 5) **Environmental Determination:** The project is categorically exempt under Section 15303(a) of Title 14 of the California Code of Regulations, "New Construction or Conversion of Small Structures." The construction of a single-family residence is specifically included under these exemptions. Therefore, staff has determined that there is no substantial evidence that

the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment C).

6) Surrounding Zoning and Land Uses:

Direction	Zoning	Current Use	Proposed Use
Project Site	R-B-1	Residential Low-Med	Vacant Beachfront Lot
North	R-B-1	Residential Low-Med	Beachfront Single-Family Res.
South	R-B-1	Residential Low-Med	Vacant Beachfront Lot
East	R-B-1	Residential Low-Med	Single-Family Beach Res.
West	R-B-1	Recreational Area	Vacant Beachfront Parcel 7.5ac.

7) Analysis:

- a. **General Discussion:** A single-family residence located between the Pacific Ocean and the first parallel public road is a permitted land use in the R-B-1 (Single Family Beach) zone district. The applicant proposes to build a new single-family residence and three-car garage on pilings.
- b. **Relevant Project and Property History, Related Permits:** The subject parcel was recorded as Lot No. 6 of Tract No. 3929 in the County Recorder's Office on June 6, 1985. This map created 14 single family R-B-1 lots with two 20 foot wide public access/view corridors and approximately 7.5 acres of beach front open space. Conditions of approval for Tract 3929 required development to address the potential for wave run-up and overtopping. A licensed and registered geotechnical engineer prepared a Coastal Hazard and Wave Run-up Study for the subject property and determined that the potential for wave run-up reaching the proposed residence over the life of the structure was highly unlikely. On November 20, 1996, the Planning Commission approved Coastal Development Permit No. 96-500-57 for a single-family residence on the subject lot, however, development was never pursued and the permit ultimately expired. To date, nine of the fourteen lots have been developed.
- c. **Zoning Compliance:** The proposed development satisfies the standards of the R-B-1 zoning designation of the City of Oxnard's Coastal Zoning Ordinance as it relates to parking, setbacks, bottom of structure height, building height, and landscaping.

DEVELOPMENT STANDARD	REGULATORY REQUIREMENT	PROPOSED	COMPLIES?
Max. building height	2 stories, not to exceed 25 feet measured from the average adjacent street curb to the highest peak of the roof.	Two stories, at 25 feet.	YES

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Front yard setback	20 feet; 17.5 feet from uncovered balconies and patios	20 feet from 1 st floor; 17.5 feet from 2 nd story balcony	YES
Side yard setback	5 feet on each side	5 feet on each side	YES
Rear yard setback	15 feet; minimum 20 feet to center of garage door	15 feet to arched garage; 16 feet to cantilevered floor above the garage; 20 feet to the center of the garage door	YES
Off street parking	30' x 20'- 3 car garage for 6 bedroom residence.	33.5'x 20' – 3 car garage	YES
Maximum lot coverage	60 percent	52.5 percent	YES

d. **Site Design Analysis:** The site design is consistent with the existing beachfront neighborhood. There are houses in the immediate vicinity of similar size, scale, and bulk. The proposed building footprint would occupy approximately 52.5% of the usable portion of the lot. Less than 50 cubic yards of grading will be required to prepare the site for the proposed development and no native vegetation or specimen trees would be impacted.

With public access to the Pacific Ocean provided for by a 20 foot wide public access path 50 feet to the north and another 20 foot side public access 75 feet to the south of the subject property, the proposed development would not inhibit access to the public beach to the west. With all the proposed development located within the existing development footprint on the site and the recorded mean high tide 400 feet to the west, lateral access along the beach would also not be impacted.

e. **Circulation and Parking Analysis:** Access to the proposed development site would be via a new 33-foot wide driveway from Mandalay Beach Road and the proposed three-car garage would provide for the required parking.

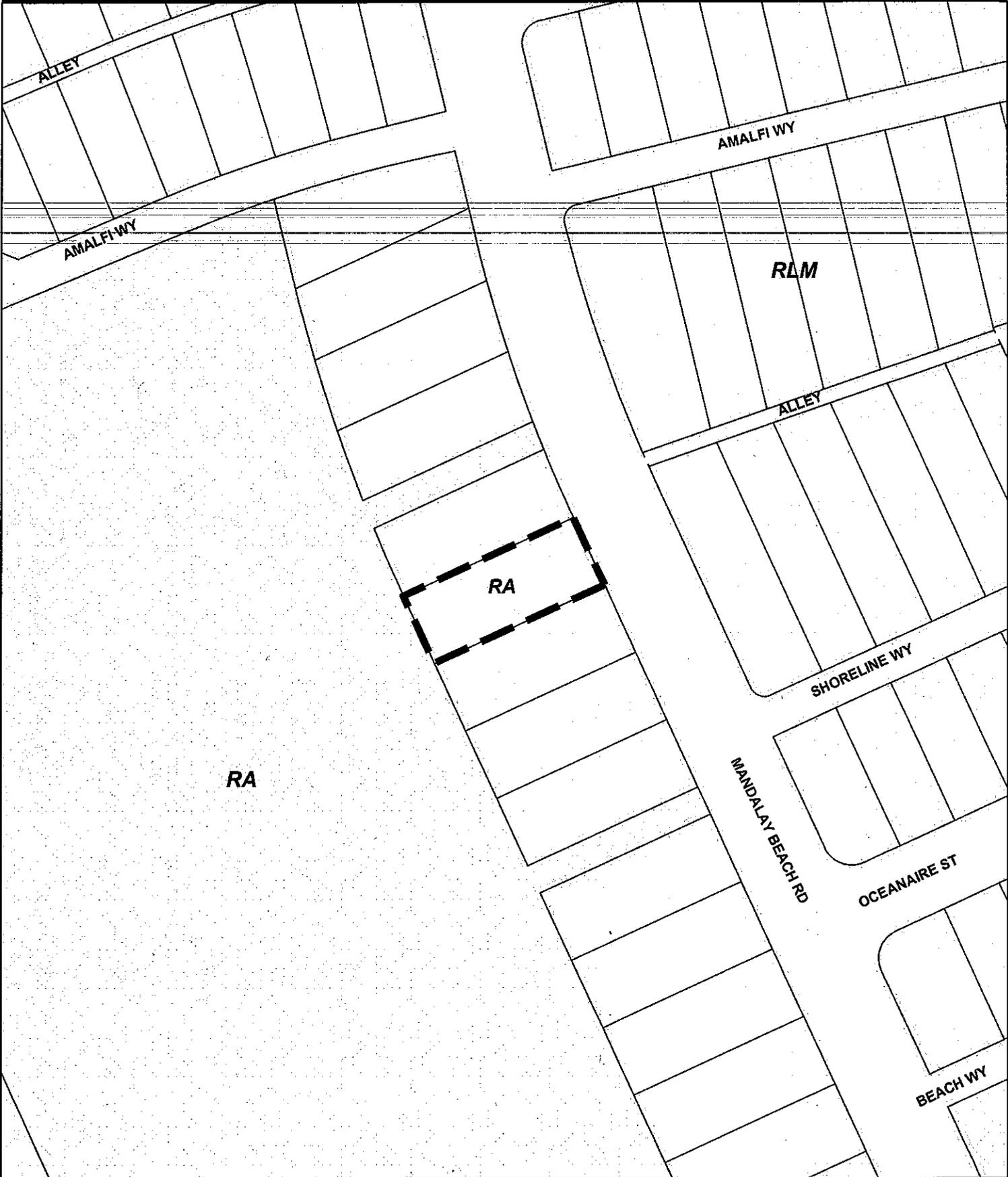
f. **Architecture:** The proposed structure consists of the contemporary architecture that is common along the beachfront at Oxnard Shores. The proposed residence is of a Mediterranean style with French White colored exterior stucco walls. Window trim and eave trim details are made with a stone-finished foam stained darker than the body for contrast. Tile roof on the building frontage facing Mandalay Beach Road is Redland clay tile, Mission Castellina blend. All of the windows use Solexia Low "E" green hue glass. The driveway is colored stamped tan concrete in a fractured slate pattern. The main entry door faces the south side-yard property line and is recessed

for a courtyard affect. The garage doors facing Mandalay Beach Road are comprised of three clad wood sectional overhead doors with forged iron details. Balconies with green hue glass railings extend along the length of the west elevation. All proposed building colors are of a natural tone and are consistent with the colors in the surrounding neighborhood.

- g. **Landscaping Code Compliance:** Landscaping is located along the eastern property line adjacent to the sidewalk running along Mandalay Beach Road and the driveway. The landscaping is consistent with style and plant material used throughout the area and is comprised of non-invasive species. In the southern planter, two Mexican fan palms (*Washingtonia robusta*) with 12-foot tall brown trunks will be planted adjacent to the driveway and Mandalay Beach Road as required by the Parks Department for street trees. In the northern planter, Newport dwarf, Peltatum and DK Pink shrubs will be planted. No landscaping is proposed for the area fronting the beach to the west.
- 8) **Development Advisory Committee (DAC) Consideration:** The project was not presented to the Development Advisory Committee (DAC); however, the Parks Landscape contract and Development Services staff reviewed and conditioned the project.
- 9) **Community Input:** The proposed project was agendized for a Community Workshop on October 15, 2007 Community Workshop. The applicant mailed notices to the Oxnard Shores Neighborhood and posted the site for the Community Workshop on October 4, 2007. No comments were received.
- 10) **Attachments:**
- A. Maps (Vicinity, General Plan, Zoning, Aerial)
 - B. Reduced Project Plans
 - C. Notice of Exemption
 - D. Resolution PZ 07-400-02

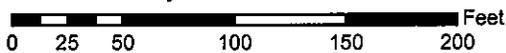
Prepared by:	 NID
Approved by:	 SM

General Plan Map



Oxnard Planning
September 25, 2007

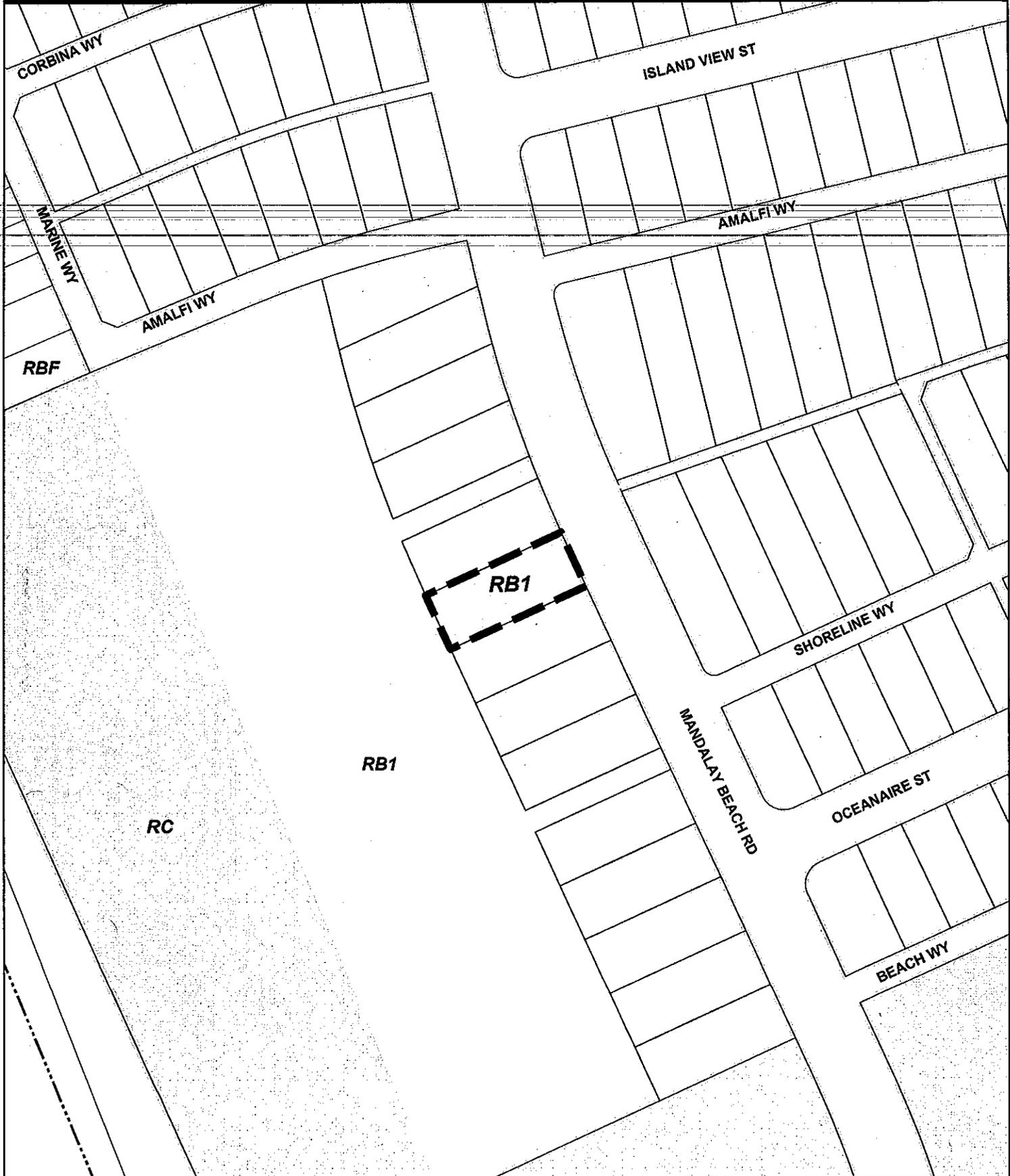
PZ 07-400-2
Location: 1551 Mandalay Beach Rd
APN: 191042006
Roy Milbrandt



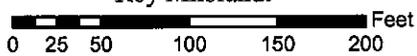
General Plan Map



Zone Map



PZ 07-400-2
Location: 1551 Mandalay Beach Rd
APN: 191042006
Roy Milbrandt



Zone Map



Aerial Map

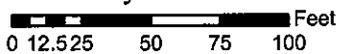


PZ 07-400-2



Oxnard Planning
September 25, 2007

PZ 07-400-2
Location: 1551 Mandalay Beach Rd
APN: 191042006
Roy Milbrandt



Aerial Map

2003 Aerial



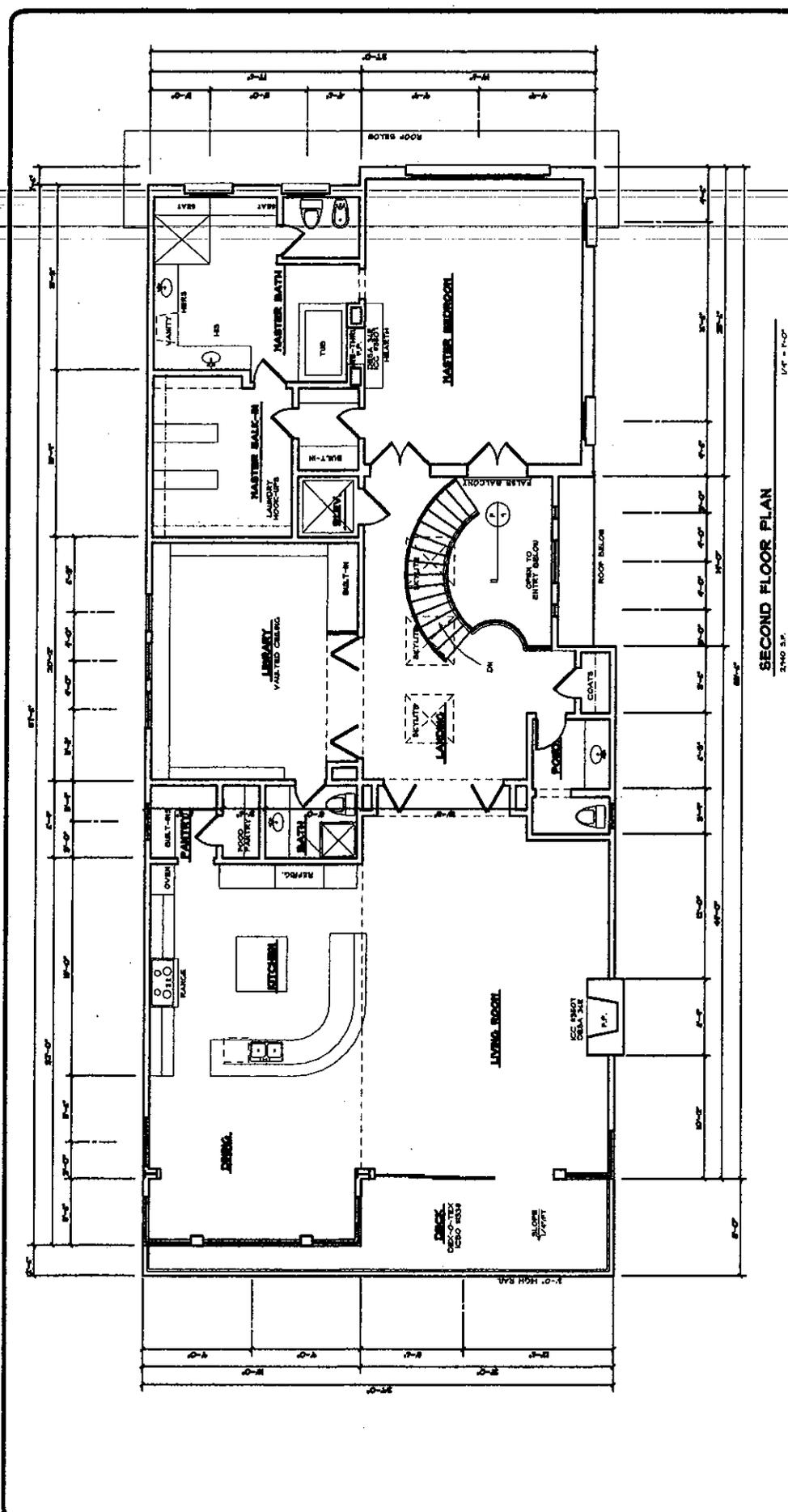
REVISIONS	BY	DATE

SECOND FLOOR PLAN

Normed Residence
 1551 Mendling Beach Road
 Oxnard, CA
 Phone (805) 439-0185

Reg Hibbard, Architect
 Ventura, CA 93003
 Phone (805) 639-0185

DATE	10/26/2003
SCALE	AS SHOWN
JOB NO.	1551MENDLING
SHEET	4
TOTAL SHEETS	4



SECOND FLOOR PLAN
 2/40 S.F.
 1/4" = 1'-0"

ELECTRICAL LEGEND:		DOOR SCHEDULE		DOOR SCHEDULE		DOOR SCHEDULE	
SYMBOL	DESCRIPTION	MARK	SIZE	DESCRIPTION	OTHER	MARK	SIZE
1	1 WAY SWITCH	A	3'-0" X 8'-0" H	ARCHED CABINERY			
2	2 WAY SWITCH	B	8'-0" X 8'-0" H	ARCHED DBL. CHIRT	TEMPERED GLASS		
3	3 WAY SWITCH	C	3'-0" X 8'-0" H	TOP POOD	BOTT. TEMPERED		
4	4 WAY SWITCH	D	NOT USED				
5	SWITCH WITH DIMMER	E	3'-0" X 8'-0" H	ARCHED DBL. CHIRT	TEMPERED GLASS		
6	SWITCH WITH DIMMER	F	8'-0" X 8'-0" H	ROCK CHIRTS	SEE ELEVATION		
7	SWITCH WITH DIMMER	G	3'-0" X 8'-0" H	QUARTZITE POOD			
8	SWITCH WITH DIMMER	H	1'-0" X 8'-0" H	7/8" ARCHED GLASS			
9	SWITCH WITH DIMMER	J	3'-0" X 8'-0" H	VERTICAL ALDER	TEMPERED GLASS		
10	SWITCH WITH DIMMER	K	4'-0" X 8'-0" H	FIXED CORN GLASS	TEMPERED GLASS		
11	SWITCH WITH DIMMER	L	4'-0" X 8'-0" H	FIXED CORN GLASS	BOTT. TEMPERED		
12	SWITCH WITH DIMMER	M	8'-0" X 8'-0" H	ARCHED POOD GLASS	TEMPERED GLASS		
13	SWITCH WITH DIMMER	N	3'-0" X 8'-0" H	ARCHED DBL. CHIRT	TEMPERED GLASS		

NOTES:	
<p>ALL HANDRAILS SHALL BE CONTIGUOUS THE PERIMETER OF THE STAIRS AND SHALL BE CLASSIFIED AS TYPE 1. ALL HANDRAILS SHALL BE 1 1/2" DIA. AND SHALL BE FINISHED TO MATCH THE FINISH OF THE STAIRS.</p> <p>PROVIDE EMERGENCY EXIT DOOR OR WINDOW FROM EACH ROOM TO THE OUTSIDE. THESE SHALL BE 20" MIN. CLEARANCE TO THE TOP OF THE DOOR OR WINDOW. THE DOOR SHALL BE 20" MIN. CLEARANCE TO THE TOP OF THE DOOR OR WINDOW. THE WINDOW SHALL BE 20" MIN. CLEARANCE TO THE TOP OF THE WINDOW.</p> <p>GLAZING WITHIN A 24" ARC OF THE DOORWAY/ GLAZING WITHIN A 24" ARC OF THE WINDOW SHALL BE TEMPERED. SEE SCHEDULE FOR DETAILS.</p> <p>FINISHES TO BE PROVIDED WITHIN THE ROOMS SHALL BE AS SHOWN ON THE DRAWINGS. SEE SCHEDULE FOR DETAILS.</p> <p>SWITCHES SHALL BE PROVIDED WITHIN EACH ROOM. SEE SCHEDULE FOR DETAILS.</p> <p>ALL GLASS SHALL BE PROVIDED WITHIN EACH ROOM. SEE SCHEDULE FOR DETAILS.</p> <p>GLAZING WITHIN A 24" ARC OF THE DOORWAY/ GLAZING WITHIN A 24" ARC OF THE WINDOW SHALL BE TEMPERED. SEE SCHEDULE FOR DETAILS.</p> <p>HANDRAIL DROP IS 7" FOR SINKING DOORS.</p>	<p>ALL IS VOLT. UNLESS OTHERWISE NOTED IN THE DRAWINGS AND CHANGE SHALL HAVE CORRECT VOLTAGE INDICATED IN THE DRAWINGS.</p> <p>ALL DIMENSIONS UNLESS OTHERWISE NOTED IN THE DRAWINGS SHALL BE IN FEET AND INCHES.</p> <p>THE CREDIT MAY BE SEEN ON THE EXTERIOR. SEE SET 24-009.</p>



NOTICE OF EXEMPTION

Project Description:

Planning and Zoning Permit No. PZ 07-400-02 is a request for approval of a Coastal Development Permit for the construction of a 5,305 square foot single-family residence with an attached 840 square foot, 3-car garage and 385 square feet of decking. The proposed structure would be two-stories. The project site is zoned (R-B-1) and within the Oxnard Shores Neighborhood. The proposed project is exempt from environmental review under Section 15303 (New Construction or Conversion of small structures) of the CEQA Guidelines. Filed by Roy Milbrandt, 254 Heidelberg Avenue, Ventura, CA 93003.

Finding:

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

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

Supporting Reasons: In accordance with the California Environmental Quality Act Guidelines and Section 15303 of the California Code of Regulations, projects involving new Construction or Conversion of small structures may be found to be exempt from the requirements of CEQA. The proposed project is for the construction of a 5,305 square foot single-family residence with an attached 840 square foot, 3-car garage and 385 square feet of decking. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

(Date)

Susan L. Martin, AICP
Planning Division Manager

RESOLUTION NO. 2007 – PZ 07-400-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. PZ 07-400-02 (COASTAL DEVELOPMENT PERMIT), TO CONSTRUCT A 5,305 SQUARE FOOT SINGLE-FAMILY RESIDENCE ON A R-B-1 (SINGLE FAMILY BEACH) ZONED LOT, LOCATED AT 1551 MANDALAY BEACH ROAD, TRACT NO. 3929, LOT 6. FILED BY ROY MILBRANDT OF 254 HEIDELBERG AVENUE, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for a Coastal Development permit for a new 5,305 square foot single family residence filed by Roy Milbrandt in accordance with Section 17-57(B) (5) of the Oxnard City Code,

WHEREAS, Section 15303(a) of Title 14 of the California Code of Regulations as categorically exempt from the requirements for the preparation of environmental documents imposed by the California Environmental Quality Act,

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

1. The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.
2. The proposed use would not impair the integrity and character of the sub-zone in which it would be located.
3. The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.
4. The proposed use would be compatible with the land uses presently on the subject property.
5. The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.
6. There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to insure that the proposed use would not be detrimental to public health and safety.
7. The proposed use will provide a type and level of public access consistent with the access policies and standards of the Oxnard Coastal Land Use Plan.

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission 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 17-58 of the Oxnard City Code.

CONDITIONS OF APPROVAL

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*)
2. This permit 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*)

3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
- ~~4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)~~
5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. 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)
6. 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)
7. 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 Manager. (PL, G-8)
8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
10. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
11. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)

12. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, G-16)
13. The subject Coastal Development Permit shall not become effective until 20 working days have elapsed without appeal to the Coastal Commission following the proper receipt by the Coastal Commission's Executive Director of the notice of permit issuance pursuant to Section 13316 of the Coastal Commission Code of Regulations. Such notice to the Coastal Commission shall be given by Planning and Environmental Services staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, G-17)
14. Prior to issuance of building permits, Developer shall execute and deliver to the City Attorney an Easement Deed, in a form satisfactory to the City Attorney, unconditionally granting to the City of Oxnard an easement to use and maintain the land west of the most westerly structural member of the subject property as a public lateral accessway to and along the Pacific Ocean. Building permits shall not be issued until the Mayor signs a Certificate of Acceptance of the Easement Deed and both such documents are recorded in the office of the Ventura County Recorder.

PUBLIC WORKS LANDSCAPE DESIGN STANDARD CONDITIONS

15. 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)
16. 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)
17. 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)

18. 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)
19. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. ~~Palms must have a minimum of 12 ft long of trunks showing between the root ball and the fronds. All shrubs and vines shall be at least five-gallon size, except as~~ otherwise specified by this permit. (PK, PK-6)
20. 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)
21. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)

PUBLIC WORKS LANDSCAPE DESIGN SPECIAL CONDITIONS

22. Provide landscaping to the area between the driveway and the north property line. The depth of the landscaping shall be the required setback distance. Landscape treatment to be similar to the landscaping proposed for the south front yard planter.
23. Applicant shall submit, as a part of the complete set of construction drawings, a planting and irrigation plan, to the City Permit Center for City review. Planting plans shall include two Washingtonia palms, 12' brown trunk, 5-gallon shrubs and a ground cover(s) from flats to be located at the southeast corner of the site.

FIRE DEPARTMENT STANDARD CONDITIONS

24. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, F-2)
25. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
26. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)

27. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
28. 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*)
- ~~29. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturers specifications. Such detector shall be hardwired with a battery backup. (FD, *F-17*)~~

FIRE DEPARTMENT SPECIAL CONDITIONS

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

PLANNING STANDARD CONDITIONS

32. 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*)
33. 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*)
34. 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 Development Services Director. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
35. 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*)
36. Before the City issues building permits, Developer shall provide to the Planning and Environmental Services Manager a disk in DWG format of a 100-foot scale site plan of the project as approved. (PL, *PL-6*)

37. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the manner that was approved by the Development Services Director. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, *PL-15*)
38. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, *PL-16*)
39. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-19*)
40. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
41. 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-24*)
42. 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-25*)
43. 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-26*).
44. Developer shall provide an automatic garage door opener for the garage door. (PL/B, *PL-27*)
45. Developer shall provide at least two types of driveway finishes or decorative designs. (PL, *PL-28*)
46. Developer shall provide storage areas for individual trash enclosures within the garage as approved on Plans. (PL/B, *PL-42*)

47. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, PL-47)

PLANNING SPECIAL CONDITIONS

- ~~48. Developer shall participate in the City's Art in Public Places Program in accordance with City Council Resolution No. 13,103. All new development within this project, with the exception of attached and detached additions to residential dwelling units, shall pay a public art fee of \$0.20 per square foot of roofed building area. Such fee shall be paid prior to issuance of a building permit. (PL, PL-127)~~
49. Developer shall construct the improvements on driven pilings in accordance with Exhibit 6 of the settlement agreement in Oxnard Shores Oceanfront Lot Owners Association, et al. v. City of Oxnard, et al.. (PL/DS)
50. Developer shall provide breakaway panels painted to match the building that cover approximately 50% of the linear area between the first floor of the structure and the sand below in order to screen the pilings. (PL)
51. All roof and building drainpipes and downspouts shall be installed inside the building elements. No downspouts shall be visible on any exterior building elevations. (PL/B)
52. Developer shall provide mailbox detail that is theme-coordinated with the architecture of the building, subject to approval by the Planning Manager. (PL)
53. Developer shall not obstruct automobiles and pedestrians on Mandalay Beach Road during construction and maintenance activities.
54. Developer shall be responsible for maintaining the construction site free of litter and the accumulation of construction debris.
55. 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)
56. Prior to the issuance of a building permit, a reproduction of all conditions of this permit approval as adopted by resolution of the Planning Commission shall be part of, and incorporated into, all sets of the construction documents and specifications for this project. A reproduction of all conditions shall be included on each set of the job/construction documents. (PL)

SOLID WASTE MANAGEMENT STANDARD CONDITIONS

57. 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.

DEVELOPMENT SERVICES STANDARD CONDITIONS

58. ~~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)~~
59. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
60. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
61. Before connecting the project to existing sewer and water service laterals, Developer shall arrange for City staff to inspect such facilities. Developer shall make such repairs to such facilities as City staff determines to be necessary. Developer shall bring all existing water services into compliance with City standards. (DS-7)
62. 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)
63. The conditions of this resolution shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, that may or may not be shown on the improvement plans. (DS-21)
64. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
65. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
66. 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)
67. 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).

68. 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)
69. 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)~~
70. 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)
71. Developer shall provide a 105-gallon refuse container for each project property. Developer may not store refuse containers in the public right-of-way. (DS-67)
72. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
73. 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)
74. 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)
75. 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

76. Developer shall take sufficient precautions during construction to prevent ocean wave run-up from passing through the project site and into the street right-of-way. Failure to take adequate precautions will result in Developer being assessed street cleanup costs. (DS)
77. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property as directed by the Construction Services Inspector. (DS)
78. Developer shall pay to the City \$1.1476 per square foot of floor area as payment for this project's share of the cost of placing utility lines in the Oxnard Shores Zone underground plus \$0.1726 per square foot of floor area as payment for the Citywide utility undergrounding. This fee shall be paid prior to the issuance of a building permit. (PL/DS)

79. Driveway shall be designed and constructed in accordance with City Standard Plate No. 115. (DS)
80. In accordance with City Code requirements, Developer shall have the space below the lowest floor (as defined in Oxnard City Code) free of obstructions or constructed with breakaway walls. ~~The area below the lowest floor shall not be used for human habitation.~~ (DS)
81. The Developer's architect and engineer shall provide written certification that the structure complies with all FEMA requirements. This shall include the filing of a FEMA "elevation certificate" and certification that the breakaway wall requirements have been met. (DS)
82. Developer shall construct a level concrete pad for storage of two refuse containers out of view of the public street. Developer shall provide a paved path from the storage location to the street curb. All gates or doors along the path shall be constructed with a minimum of 36 inches of clear space to allow passage of the City issued containers. (DS)
83. Developer shall design lot fine grading to drain stormwater to the street via surface swales. Stormwater shall not be conveyed through the street curb.
84. Developer shall use the existing sewer lateral (if functional) in lieu of new sewer lateral construction.

POLICE STANDARD CONDITIONS

85. If installed, electronic security systems must comply with Oxnard City Ordinance No. 2601 (available online at <http://oxnardpd.org/documents/alarm-ordinance-2002.pdf>) and must be properly permitted by the City of Oxnard (available online at <http://oxnardpd.org/documents/alarm-permit.pdf>).
86. Unless otherwise approved, all exterior lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the following exceptions:
- a. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - b. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible and the fixture has an opaque top to keep light from shining directly up.

Resolution No.
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PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day
of January 2008, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Dr. Sonny Okada, Chairman

ATTEST: _____
Susan L. Martin, Secretary