



**Planning Division**

**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Hollee King Brunsky, AICP, Contract Planner

**DATE:** May 15, 2008

**SUBJECT:** Planning and Zoning Permit No. 07-400-06 Coastal Development Permit located at 4950 Dunes Circle.

**1) Recommendation:**

That the Planning Commission approve Planning and Zoning Permit No. 07-400-06 for a Coastal Development Permit (CDP), subject to certain findings and conditions.

**2) Project Description and Applicant:** Request to allow the conversion of an existing 2,194 square-foot, single-story single-family residence (SFR) into a two-story duplex located at 4950 Dunes Circle in the Coastal Multiple-Family (R-2-C) zone. The project involves an interior remodel of an existing SFR and a second story addition of approximately 1,746 square feet. Residence A would be approximately 938 square feet with one bedroom and Residence B would be approximately 2,871 square feet with four bedrooms. The entire structure would be approximately 3,708 square feet. The project also includes the demolition of an existing two-car garage, and the construction of two separate garages for a total of three enclosed parking spaces. Filed by Michelle Kenney, 4950 Dunes Circle, Oxnard, CA 93035.

**3) Existing & Surrounding Land Uses:**

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	R-2-C (Coastal, Multiple Family)	RLM (Residential Low Medium)	Single Family Residence (SFR)
North	R-2-C	RLM	Duplex
South	R-2-C	RLM	Vacant
East	R-2-C	RLM	Duplex (Condominium)
West	R-2-C	RLM	Duplex

**4) Background Information:** The lot was created by Tract No. 1567-1 in 1964 recorded in the County Surveyor's office as Book 41, Map of Record, page 84. Building permits were issued for the existing single-family residence on September 13, 1973. The detached storage shed was permitted in 1974. On September 2, 2003, a minor alteration was made to the existing residence.

Additionally, at the time of map approval in 1964, the City Council passed a resolution (#3349) approving varying frontyard setbacks for the tract area from 25 feet to not less than 15 feet.

**5) Environmental Determination:** In accordance with Section 15303(b) of the California Environmental Quality Act (CEQA) Guidelines for projects involving the conversion of existing small structures, including the construction of a duplex may be found exempt from the requirements of CEQA. As this proposal is for the alteration of an existing SFR into a duplex, it complies with the exemption. 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) Analysis:**

**a) General Discussion:** The project is an existing SFR having an addition and remodeled constructed to create a one-bedroom, two-bath unit of approximately 938 square feet (Residence A), and another unit that would be four-bedroom, two and one-half baths of approximately 2,871 square feet (Residence B). The owner is proposing a one-car garage (as required) for Residence A, and a two-car garage (required) for Residence B. In addition, the owner is proposing a car lift for the one-car garage to create additional parking and/or storage of an additional car within the one-car garage. As a Condition of Approval, the Planning Division proposes a condition that would restrict the creation of additional bedrooms in the one-bedroom unit (Residence A) to be consistent with the required parking (Attached Resolution, Condition #39).

**b) Coastal Plan Consistency:**

POLICY	DISCUSSION
<p><b>Coastal Act Policy 30250:</b> <i>New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it.</i></p>	<p>The project is within the Northern Dunes area of the Local Coastal Plan. The proposed development is within an approved residential area designated for urban, residential in-fill development. The surrounding area has single-family residences and duplexes located on similarly sized lots. Therefore, the project is consistent with this policy.</p>
<p><b>Coastal Act Policy 30251:</b> <i>Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, and to be visually compatible with the character of the surrounding areas.</i></p> <p><b>Local Coastal Policy 37:</b> <i>All new development in the coastal zone shall be designed to minimize impacts on the visual resources in the area.</i></p>	<p>As the project is within the Northern Dunes area of the Local Coastal Plan it is not immediately adjacent to the ocean, but is within a designated scenic coastal area. The project has been designed in accordance to the Oxnard Duplex Resolution (No. 8289). Therefore, the project is consistent with this policy.</p>

**c) Conformance with Zoning Development Standards:**

The proposed development is located in the Coastal, Multiple Family (R-C-2) zone district. In accordance with the City Code, residential duplexes may be permitted with an approved coastal development permit. Applicable development standards of the R-C-2 zone and design guidelines for duplexes in the Oxnard Dunes neighborhood (City Council Resolution No. 8289) have been compared with the proposed project, as follows:

DEVELOPMENT STANDARDS	REQUIREMENTS	PROPOSED	COMPLIES?
Height	Two-Stories, 25 ft maximum	Two-stories, 25 ft.	YES
Density	3,500 square feet per dwelling unit. Lots of record prior to May 21, 1981, which have a minimum of 6,000, may contain two dwelling units, provided minimum width is provided.	7,822 square foot lot recorded in 1964 as Lot #27 in Tract No. 1567-1. The parcel is allowed to have two dwelling units as the lot is over 6,000 square feet and the lot was recorded prior to May 21, 1981.	YES
Front Yard Setback	20 ft	At the east side of the lot, the setback is 19 feet, and on the west side of the lot, the setback is 22 feet. In 1964, the City Council passed a Resolution (#3349) approving varying frontyard setbacks for this project area from 25 feet to not less than 15 feet. Because of the irregular shaped lot, staff recommends this to accommodate the required parking.	YES
Side Yard Setback	5 ft on both sides	5 ft on both sides	YES
Rear Yard Setback	25 ft	25 ft	YES
Interior Yard Space	25% of lot area minimum	29.95% of the lot (2,344 square feet)	YES
Building Lot Coverage	Not to exceed 60%	Approximately 38.66% of the lot (3,024 square feet)	YES

DEVELOPMENT STANDARDS	REQUIREMENTS	PROPOSED	COMPLIES?
Off Street Parking	2 garage spaces per unit 1 garage space for one-bedroom unit 1 visitor per unit 3' landscape separator	One-car garage for Residence A (one-bedroom); Two-car garage for Residence B (four bedrooms); Guest parking provided by the private driveway on site.	YES
Design & Architecture (Resolution. No. 8289)	<ol style="list-style-type: none"> <li>1. Wood &amp; natural materials</li> <li>2. Concrete, clay tile, slate roofing encouraged</li> <li>3. Duplex to appear as a SFD from street / common arch. treatment</li> <li>4. Decorative wood garage door</li> </ol>	<ol style="list-style-type: none"> <li>1. Wood &amp; natural materials utilized</li> <li>2. Eagle Rood tile roofing material utilized; also Hardie Straight-Edge Shingles.</li> <li>3. Structure appears as one SFD from Dunes Circle and the architecture is consistent on all sides.</li> <li>4. Solid wood garage door</li> </ol>	YES
Driveway & Curb Cut (Resolution No. 8289)	<ol style="list-style-type: none"> <li>1. Max. 32 ft curb cut</li> <li>2. 18 ft between curb cuts</li> <li>3. Textured surface driveway</li> </ol>	<ol style="list-style-type: none"> <li>1. 25 ft curb cut to accommodate both garages</li> <li>2. 25 ft between curb cuts</li> <li>3. Stamped Concrete driveway (condition no.#38)</li> </ol>	YES as conditioned

DEVELOPMENT STANDARDS	REQUIREMENTS	PROPOSED	COMPLIES?
<p>Recommended Architectural Standards (Resolution No. 8289)</p>	<ol style="list-style-type: none"> <li>1. Minimize garage door exposure</li> <li>2. Comparable scale &amp; bulk</li> <li>3. Appropriate roof for community</li> <li>4. Appropriate color &amp; materials</li> <li>5. Varied entry orientations</li> </ol>	<ol style="list-style-type: none"> <li>1. Detached one-car garage with exposure to public view is minimized.</li> <li>2. Scale and bulk comparable to neighborhood</li> <li>3. Clay tile roofs and shingles are common in the area</li> <li>4. Color and materials blend well; Craftsman style homes are common in the surrounding area.</li> <li>5. Entry to each unit on different sides of the structure.</li> </ol>	<p>YES</p>

**d) Site Design:**

The subject parcel is located in a cul-de-sac on Dunes Circle. The duplex would sit back on the lot with two separate garages in the front. Residence A would have a single-story garage facing the driveway, and the residence would be sited partially behind the garage. Residence B would be two-stories and would have a two-car attached garage. The residential remodel and addition for Residence B proposes to attach the garage via the second story. The garage would be faced to the street. The project complies with the development standards for the R-2-C zone district and the Oxnard Dunes design standards for duplexes as they apply to building setbacks, building lot coverage, interior yard space, and garage door and entry locations

**e) Circulation and Parking:**

Access to the site is via a Dunes Circle. Each of the units would provide required parking in assigned garages and guest parking spaces are provided in the driveway areas. The project complies with the development standards for the R-2-C zone district and the Oxnard Dunes design and architectural standards for duplexes as they apply to the required parking, driveway, and curb-cut design and location.

- f) **Building Design:** The proposed structures are Craftsman in style with an emphasis on natural materials and earth tones. Wooden doors are utilized and windows are designed to maximize exposure to sunlight. Eagle Roof tiles and shingles are used for roofing and wooden eaves. The building is finished in smooth lap siding colored "Crisp Khaki" and the trim is grey.
- g) **Signs:** This project is a residential project, and as such, does not have any proposed signs.
- h) **Landscaping and Open Space:** As required by the Dunes Neighborhood Ordinance; the project is providing just over 25% of the required interior yard space. Additionally, the project proposes a roof deck which would provide additional open space for the residents of Residence B. Also, as required by Parks, as part of the proposal one King Palm tree (24-inch box tree) would be planted on site. As part of the Conditions of Approval, the Planning Division will condition the project site to any future construction of patio covers, sheds, or other accessory structures (Resolution, Condition #40).
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) has reviewed this project. Recommendations of the DAC are included in the attached resolution(s).
- 8) **Community Workshop:** On April 9, 2008, the applicant mailed notices of the Community Workshop meeting to all property owners within the Dunes Neighborhood area. The applicant also provided notice on the project site with a brief description of the project and contact information for the Community Workshop, conducted on April 21, 2008. There was not anyone present for the project and there were no issues or concerns identified for the project.
- 9) **Appeal Procedure:** In accordance with Section 17-58 of the City Code, the Planning Commission's decision may be appealed to the City Council within ten days.

**Attachments:**

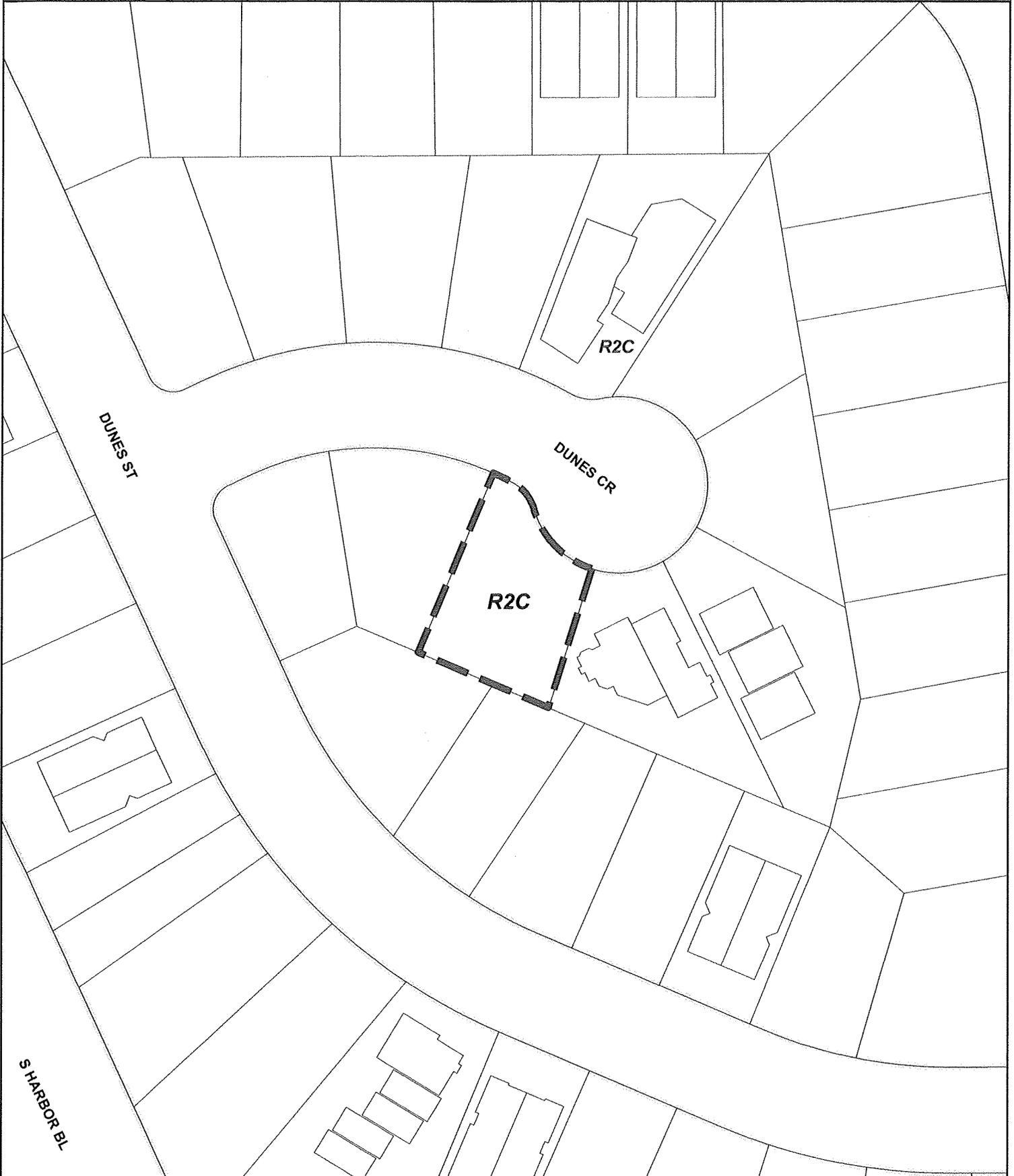
- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Resolution

Prepared by:  HKB
Approved by:  SM

# **ATTACHMENT A**

*Vicinity, Zone, & General Plan Maps*



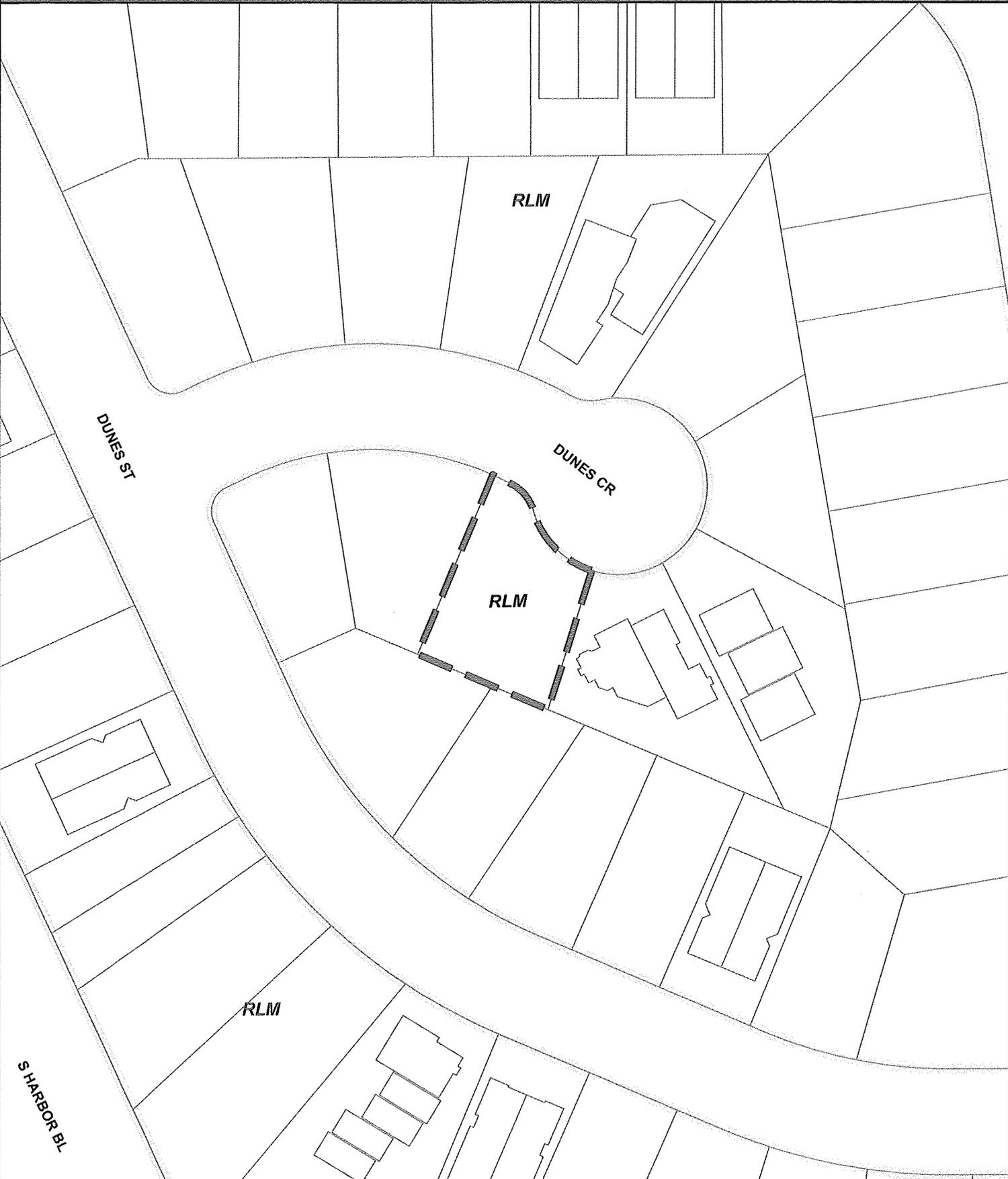


PZ 07-400-06  
Location: 4950 Dunes Cr  
APN: 196003117  
Kenney Duplex

0 12.525 50 75 100 Feet

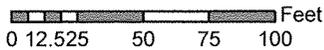
Zone Map





Oxnard Planning  
May 6, 2008

PZ 07-400-06  
Location: 4950 Dunes Cr  
APN: 196003117  
Kenney Duplex



General Plan Map



1:872

# **ATTACHMENT B**

*Project Plans*  
*(Reduced 8½X11)*



3000 HILLCREST DRIVE  
 BERKELEY, CA 94704  
 TEL: 415.841.1111  
 WWW.STUDIO3.COM



**Kenney Residence**  
 4850 Dunes Circle  
 Orange, CA 92668  
 Client: Greg Kenney

DATE: 10/15/09  
 SCALE: AS SHOWN  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

**Cover Sheet**

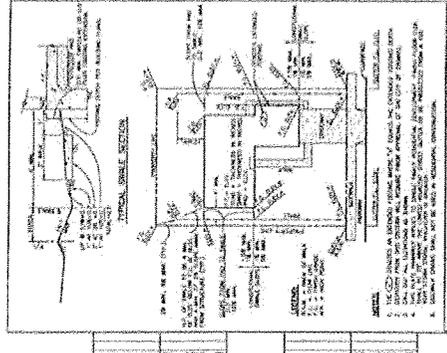
15

A Residential Remodel for the  
**KENNEY FAMILY**  
 4850 DUNES CIRCLE  
 Orange, CA

DESIGNED BY: [Name]  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

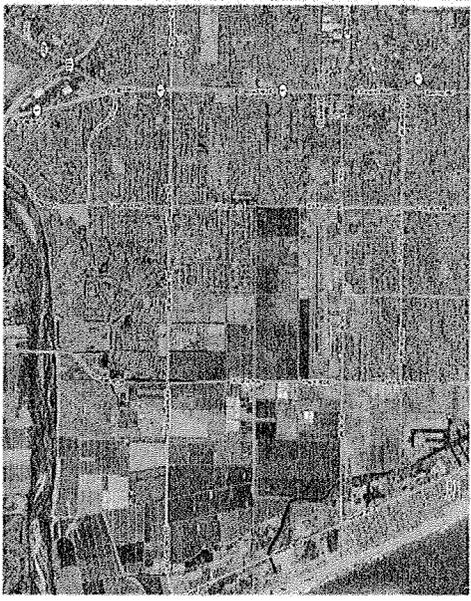
**EXISTING AREA**  
 1. EXISTING HOUSE  
 2. EXISTING DRIVEWAY  
 3. EXISTING PATIO  
 4. EXISTING PORCH

**NEW AREA**  
 1. NEW SECOND STORY ADDITION  
 2. NEW DRIVEWAY  
 3. NEW PATIO  
 4. NEW PORCH



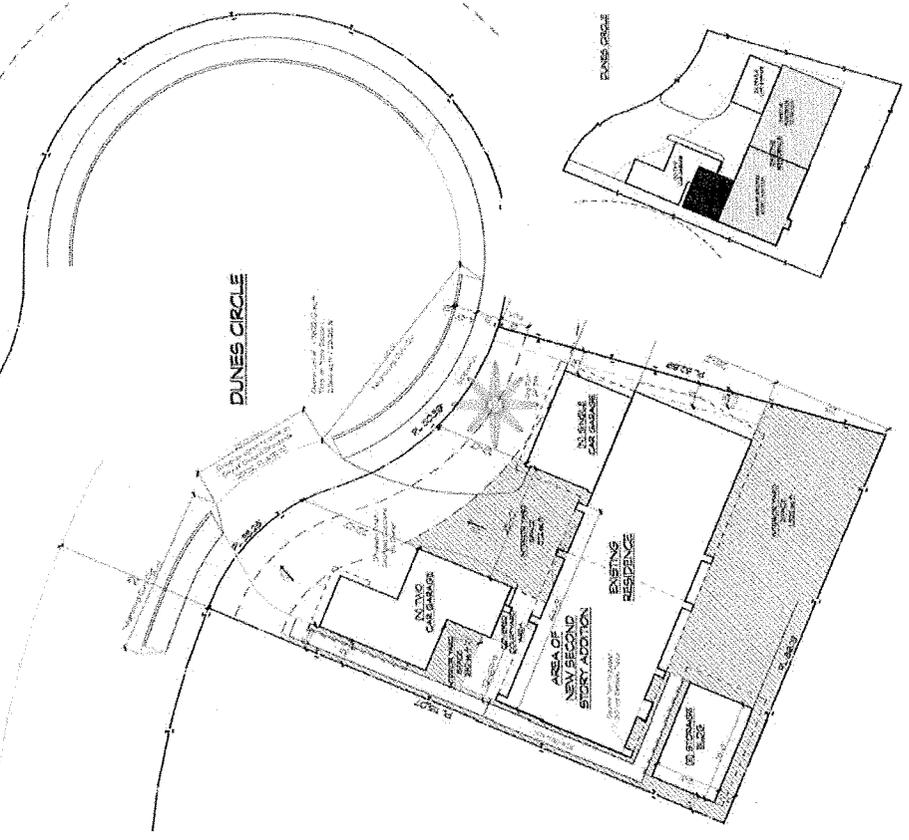
NO.	DESCRIPTION	AREA (SQ. FT.)
1	EXISTING HOUSE	1,200
2	EXISTING DRIVEWAY	1,500
3	EXISTING PATIO	500
4	EXISTING PORCH	300
5	NEW SECOND STORY ADDITION	1,800
6	NEW DRIVEWAY	1,200
7	NEW PATIO	800
8	NEW PORCH	400
<b>TOTAL</b>		<b>8,700</b>

MAP AERIAL VIEW



**SQUARE FOOTAGE SUMMARY**

DESCRIPTION	SQ. FT.
1. TOTAL LOT	10,000
2. EXISTING HOUSE	1,200
3. EXISTING DRIVEWAY	1,500
4. EXISTING PATIO	500
5. EXISTING PORCH	300
6. NEW SECOND STORY ADDITION	1,800
7. NEW DRIVEWAY	1,200
8. NEW PATIO	800
9. NEW PORCH	400
<b>TOTAL NEW CONSTRUCTION</b>	<b>4,300</b>



Existing Site

New Site



ROSE MILLER DESIGN  
 1500 W. 10th Street  
 Suite 100  
 Anchorage, Alaska 99501  
 Phone: 907.561.1313  
 Fax: 907.561.1314  
 Email: info@studio3.com



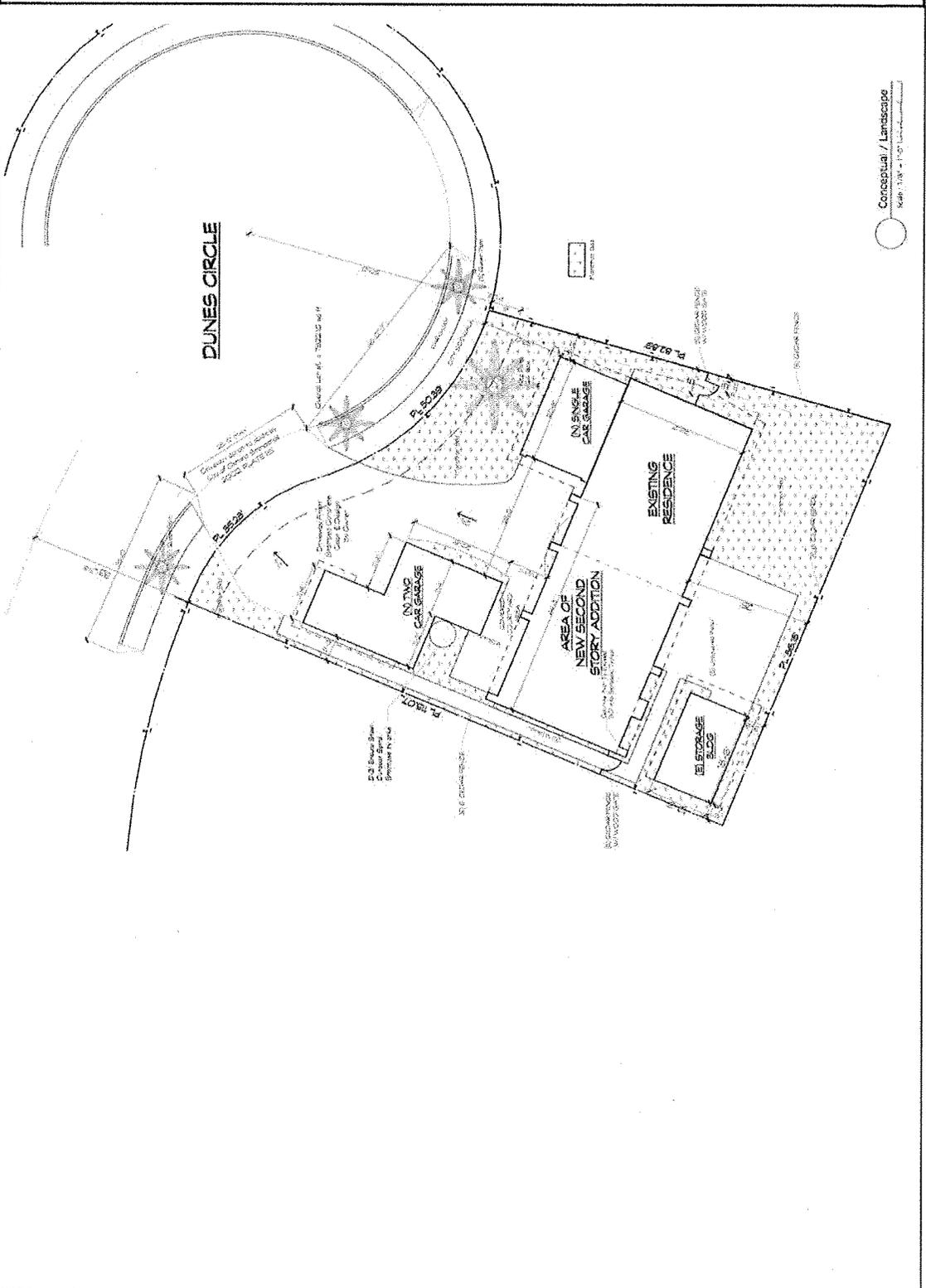
**Kenney Residence**  
 4810 Dunes Circle  
 Anchorage, Alaska 99505  
 Client: Kenney  
 Date: 10/15/11

NO. 1	DATE	DESCRIPTION
1	10/15/11	CONCEPTUAL LAYOUT

**Site Plan**

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

**AO**



Conceptual / Landscape  
 Scale: 1/8" = 1'-0"



STUDIO 3 ARCHITECTURAL  
1030 MILLER DRIVE  
DUBLIN, CA 94568  
TEL: (925) 835-1000  
WWW.STUDIO3ARCHITECTURAL.COM



# Kenney Residence

4850 Davis Circle  
Oakland, CA 94618

Greg Kenney

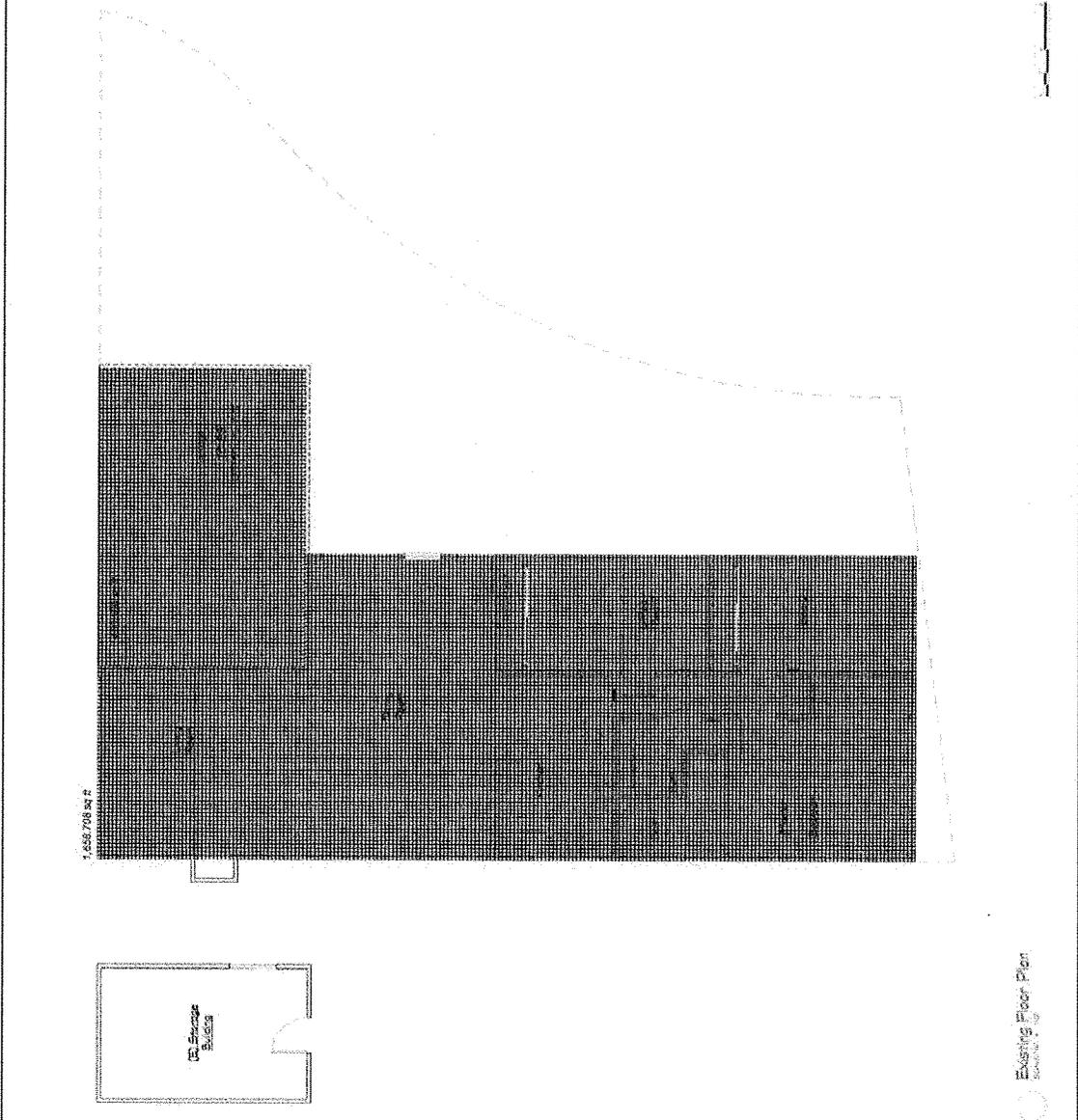
DATE: 08/11/11  
SCALE: 1/8" = 1'-0"  
SHEET: 1828

(F) Floor Plan

A1

**NOTES:**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. FINISHES TO BE DETERMINED BY THE ARCHITECT.
3. ALL WALLS TO BE 1/2" GYPSUM BOARD ON STUDS.
4. ALL FLOORS TO BE 1/2" GYPSUM BOARD ON JOISTS.
5. ALL CEILING TO BE 1/2" GYPSUM BOARD ON JOISTS.
6. ALL ROOFING TO BE 2" POLYSTYRENE INSULATION ON TOP OF JOISTS.
7. ALL ROOFING TO BE 1/2" ASPHALT/FLYSHALE SHINGLES ON TOP OF INSULATION.
8. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
9. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
10. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
11. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
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17. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
18. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
19. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.
20. ALL ROOFING TO BE 1/2" GYPSUM BOARD ON TOP OF SHINGLES.



Existing Floor Plan



PROJECT NO. 1009 MILPITAS  
 SHEET NO. 1009 MILPITAS  
 DATE: 08/11/11



**Kennedy Residence**

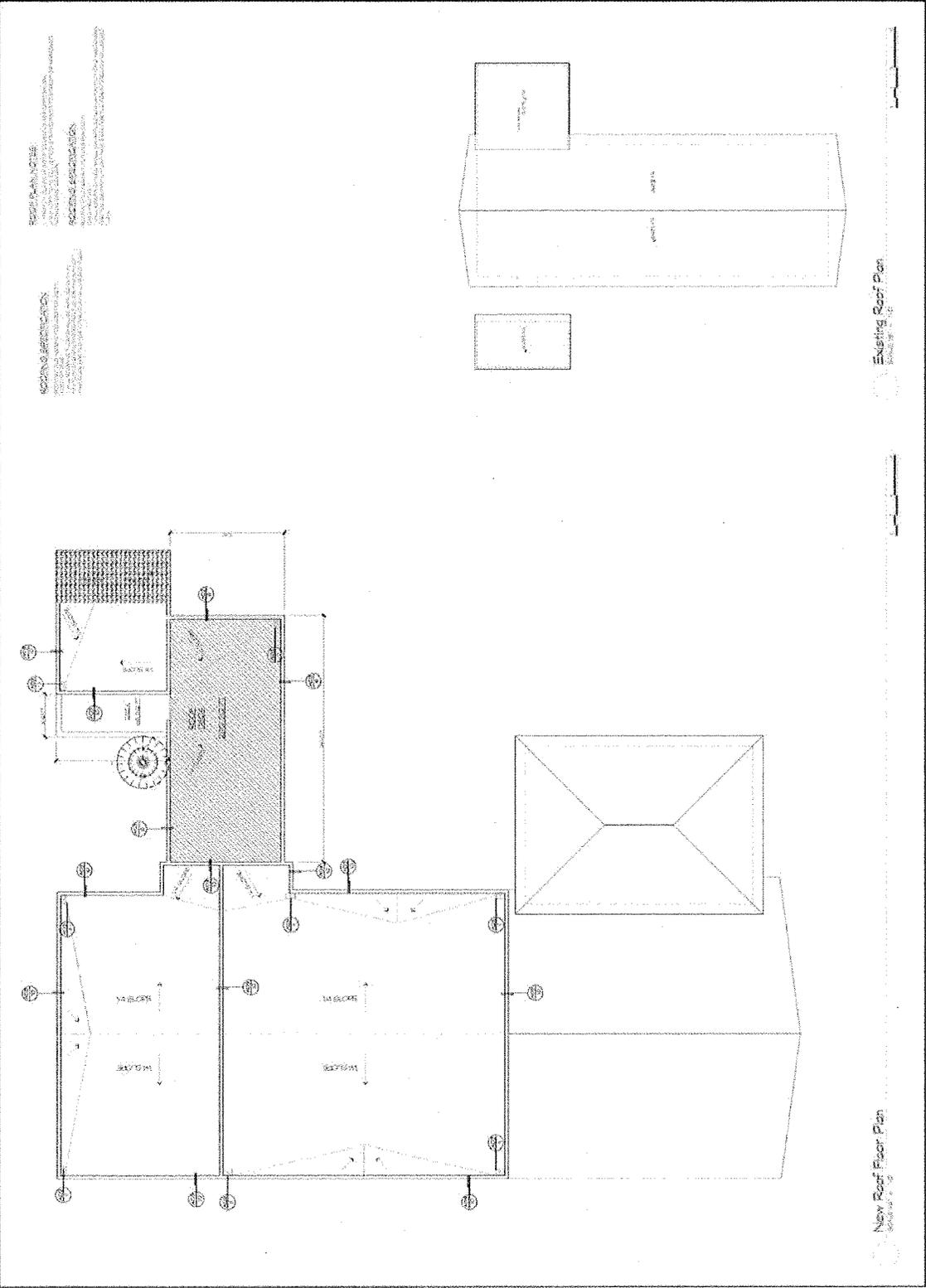
4890 PINE CREEK  
 DUBLIN, CA 94568  
 8572 5888 2008

Greg Kennedy

ARCHITECT  
 1009 MILPITAS  
 CLEVELAND  
 BERKELEY, CA 94704  
 TEL: 415.863.1313  
 WWW.STUDIO3ARCH.COM

DATE: 08/11/11  
 SCALE: AS SHOWN

Roof Plan







**Kemney Residence**

4550 DAVIS CIRCLE  
 COSTA MESA, CA 92626

Greg Kasey

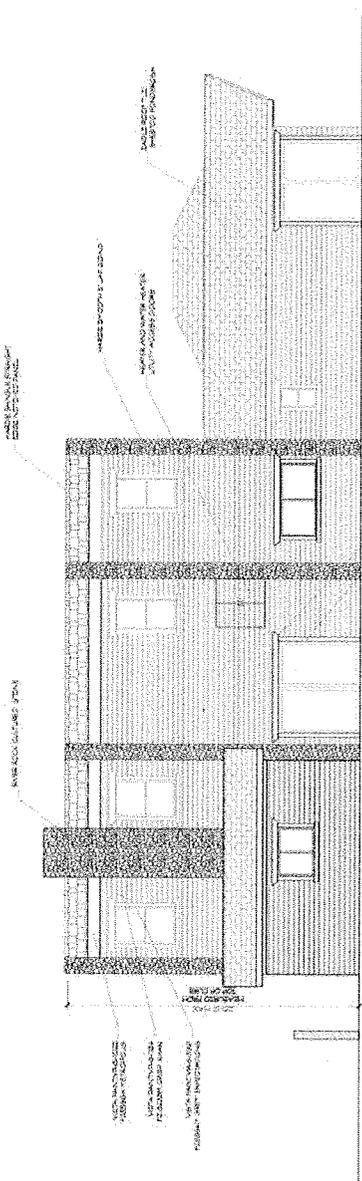
DATE: 01/11/11  
 DRAWN BY: GREG KASEY  
 CHECKED BY: GREG KASEY  
 PROJECT NO: 110101

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

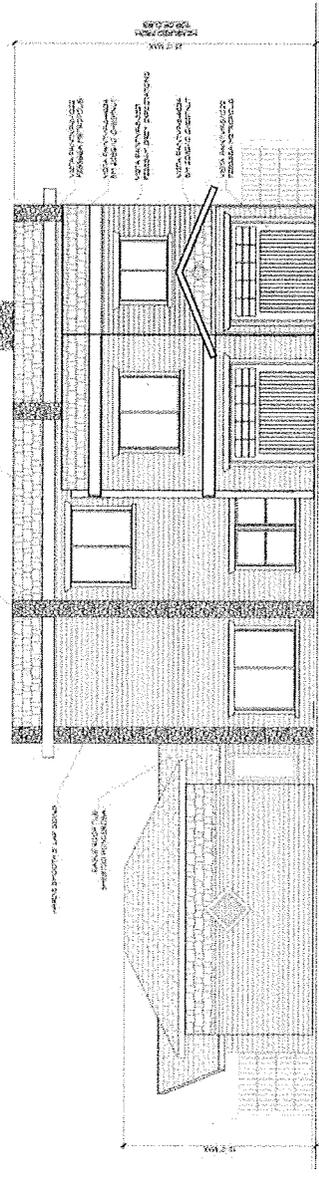
**Exterior Elevations**

**AG**

PROJECTIONS  
 1. EXTERIOR ELEVATIONS  
 2. INTERIOR ELEVATIONS  
 3. SECTION  
 4. DETAIL  
 5. FLOOR PLAN  
 6. CEILING PLAN  
 7. FOUNDATION PLAN  
 8. ROOF PLAN  
 9. EARTH RETENTION  
 10. SITE PLAN  
 11. UTILITY PLAN  
 12. MECHANICAL PLAN  
 13. ELECTRICAL PLAN  
 14. PLUMBING PLAN  
 15. FIRE ALARM PLAN  
 16. SECURITY PLAN  
 17. SCHEDULING  
 18. SPECIFICATIONS  
 19. CONTRACT DOCUMENTS



West Elevation  
 1/8" = 1'-0"



South Elevation  
 1/8" = 1'-0"

# **ATTACHMENT C**

## *Notice of Exemption*



## NOTICE OF EXEMPTION

### *Project Description:*

Request to allow the conversion of an existing 2,194 square-foot, single-story single-family residence (SFR) into a two-story duplex located at 4950 Dunes Circle in the Coastal Multiple-Family (R-2-C) zone. The project involves an interior remodel of an existing SFR and a second story addition of approximately 1,746 square feet. Residence A would be approximately 938 square feet with one bedroom and Residence B would be approximately 2,871 square feet with four bedrooms. The entire structure would be approximately 3,708 square feet. The project also includes the demolition of an existing two-car garage, and the construction of two separate garages for a total of three enclosed parking spaces. Filed by Michelle Kenney, 4950 Dunes Circle, Oxnard, CA 93035.

### *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 Section 15303(b) of the California Environmental Quality Act (CEQA) Guidelines for projects involving the conversion of existing small structures, including the construction of a duplex may be found exempt from the requirements of CEQA. As this proposal is for the alteration of an existing SFD into a Duplex it complies with the exemption. Therefore, the City 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

# **ATTACHMENT D**

*Resolution*  
*PZ 07-400-06 (CDP)*

RESOLUTION NO. 2008-07-400-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 07-400-06 (COASTAL DEVELOPMENT PERMIT), TO ALLOW THE CONSTRUCTION OF A RESIDENTIAL DUPLEX IN THE R-2-C ZONE, LOCATED AT 4950 DUNES CIRCLE (APN: 196-0-031-175), WITHIN THE OXNARD DUNES NEIGHBORHOOD, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY MICHELLE KENNEY, 4950 DUNES CIRCLE, OXNARD, CA 93035.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 07-400-06, filed by Greg and Michelle Kenney in accordance with Section 17-57 through 17-58 of the Oxnard City Code; and

WHEREAS, Section 15303(b) (Class 3) of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

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

1. The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 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.
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 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 17-58 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 Division
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic Department
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Parks Division	CE	Code Compliance

**GENERAL PROJECT CONDITIONS**

1. This permit is granted for the property described in the application on file with the Planning and Environmental Services Division (“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. 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 obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
8. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
9. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
10. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
11. 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 Title 14 of the California Code of Regulations. Such notice to the Coastal Commission shall be given by Planning Division staff as described by Sections 17-58 H through K of the Oxnard City Code. (PL, G-17)

#### **PARKS MAINTENANCE STANDARD CONDITIONS**

12. 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)
13. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by the Parks Manager. (PK, PK-3)

14. 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)
15. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks Manager. 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)
16. 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)
17. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)

#### **PARKS MAINTENANCE SPECIAL CONDITIONS**

18. All front yard landscaping shall be consistent with the requirements of the City Landscape Standards and shall consist of a combination of turf, shrubs, groundcovers and a front yard tree. The residential parkway shall be planted with turf and a street tree by the developer at the time of occupancy clearance.

#### **FIRE DEPARTMENT STANDARD CONDITIONS**

19. 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)
20. 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)
21. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
22. 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)
23. 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**

24. Fire sprinklers coverage is required for:
  - a. Patios, overhangs or any other projections that are 48" or greater from structure.

- b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
  - c. To protect the forced air unit when located in the attic or other areas that are typically "inaccessible." (FD)
25. 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. (FD)

### **PLANNING DIVISION STANDARD CONDITIONS**

26. 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*)
27. 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*)
28. 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*)
29. 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*)
30. 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*)
31. 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*)
32. 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*)

33. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-19*)
34. 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*)
35. 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*)
36. 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*).
37. Developer shall provide automatic garage door openers for the garage doors of each unit. (PL/B, *PL-27*)
38. Developer shall provide at least two types of driveway finishes or decorative designs. (PL, *PL-28*)

#### **PLANNING DIVISION SPECIAL CONDITIONS**

39. Residence A has been permitted as a one-bedroom unit with a one-car garage. There shall be no reconstruction of the unit that would create additional bedrooms within the unit. The unit shall remain as a one-bedroom unit.
40. In accordance with the Interior Yard Space standards for the Oxnard Dunes Neighborhood, there all future construction of patio covers, sheds, or other accessory structures shall be prohibited on this lot.
41. Developer shall participate in the City's Art in Public Places Program in accordance with City Council Resolution No. 13,103. All new development shall pay a public art fee of \$0.20 per square foot of roofed building area. Such fee shall be paid prior to the issuance of a building permit.
42. Developer shall not obstruct automobiles and/or pedestrians on Dunes Circle, or the associated sidewalk, during construction and maintenance activities. (PL)
43. Developer shall be responsible for maintaining the construction site free of litter and the accumulation of construction debris. (PL)

44. 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. (PL)
45. 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. (PL)
46. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)
47. 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)

#### **DEVELOPMENT SERVICES STANDARD CONDITIONS**

48. 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)
49. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
50. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
51. 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)
52. 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)
53. 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)
54. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
55. 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)

56. 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)
57. 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)
58. 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)
59. 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)

**DEVELOPMENT SERVICES SPECIAL CONDITIONS**

60. 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)
61. Driveway shall be designed and constructed in accordance with City Standard Plate No. 115. (DS)
62. Developer shall construct a 9 foot by 3 foot level concrete pad for each unit to accommodate storage of three refuse containers per unit (6 container total) in the side yard area or other location approved by the Development Services Manager that is out of view from the street. The storage location shall not be within the garage. Developer shall construct a paved path from the storage location to the street (or other assigned pickup area) 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 containers. Storage location and path shall be shown on the fine grading plans. (DS)
63. Developer shall install separate water meters for each unit of the project. (DS)
64. Developer shall install separate sewer laterals for each unit of the project. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 15<sup>th</sup> day of May 2008, by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

Resolution No. 2008-07-400-06

May 15, 2008

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Dr. Sonny Okada, Chairman

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