*Planning Division*

# PLANNING COMMISSION
# STAFF REPORT

**TO:** Planning Commission

**FROM:** Winston Wright, Associate Planner

**DATE:** August 7, 2008

**SUBJECT:** Planning and Zoning Permit Nos. 07-400-09 (Coastal Development Permit) and 07-300-23 (Tentative Subdivision Map for Tract Map No. 5797) for Seven Residential Condominiums Located at 5103 & 5107 Wooley Road.

1) **Recommendation:** That the Planning Commission:
   - **a)** Approve Planning and Zoning Permit No. 07-400-09 for a coastal development permit, subject to certain findings and conditions; and
   - **b)** Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 07-300-23 for a tentative tract map of Tract No. 5797 for condominium purposes, subject to certain findings and conditions.

2) **Project Description and Applicant:** The applicant requests approval of Coastal Development Permit No. 07-400-09 and Tentative Tract Map for Tract No. 5797 in order to construct and subdivide seven residential units within two buildings on a 16,825 sq. ft. property in the Coastal Garden Apartment (R-3-C) zone located in the Oxnard Shores Neighborhood at 5103 & 5107 Wooley Road. Six of the condominiums have three-bedrooms and one of the condominiums has four-bedrooms. The three-bedroom units have a two-car garage and the four-bedroom unit has a three-car garage. Seven uncovered guest parking spaces are provided onsite. Filed by Candice Forehand, architect, on behalf of the property owner Yolanda Morton.

3) **Existing & Surrounding Land Uses:** The subject property is vacant and is comprised of two legal lots of record.

| LOCATION | ZONING | GENERAL PLAN | EXISTING LAND USE |
|---|---|---|---|
| Project Site | Coastal Medium Density Multi-Family (R-3-C) | Residential High (RH) | Vacant |
| North | Single-Family Beach (R-B-1) | Residential Low-Medium (RLM) | Single-family residential |
| South | Coastal Medium Density Multi-Family (R-3-C) | Residential High (RH) | Multi-family residential |
| East | Coastal Neighborhood Commercial (CNC) | Visitor Serving Commercial (VS) | Neighborhood shopping center |
| West | Coastal Medium Density Multi-Family (R-3-C) | Residential High (RH) | Multi-family residential |

4) **Background Information:** On April 3, 2003, the Planning Commission passed and adopted Resolution No. 2003-33 approving a seven unit apartment complex on the subject property through Coastal Development Permit No. 02-400-02. The approved project had a similar layout as the proposed project as it relates to building layout, unit floor plans, and access to the garages via a private drive at the center of the property. The apartment complex was not built and the time frame allowed to act on that permit has expired.

5) **Environmental Determination:** In accordance with Section 15332 of the California Environmental Quality Act (CEQA) Guidelines, "projects characterized as in-fill development" may be found to be exempt from the requirements of CEQA. This proposal is consistent with the City of Oxnard's Coastal Land Use Plan and all applicable general plan policies as well as with the applicable zoning designation and regulations. The proposal is within an area designated for in-fill development by the Coastal Land Use Plan. At 0.385 acres, the property is less than five acres and is surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species as it is too small, surrounded by development, and is significantly disturbed by trespass from adjacent uses. The approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality as the project impacts relate to the City of Oxnard's adopted threshold guidelines. 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 purpose of the R-3-C zone is to provide an area of medium-density multi-family dwellings within existing residential neighborhoods in order to preserve existing low-to moderate income housing opportunities within the city's coastal zone (page 23 of the Coastal Zoning Ordinance).' At 18 dwelling units per acre, or 2,400 square feet per unit, the proposed residential density is consistent with what is allowed within R-3-C zone. In accordance with the City Code, the seven proposed residential condominiums may be permitted with the approval of a coastal development permit and a tract map.

b) ***Local Coastal Plan Consistency:***

| LOCAL COASTAL PLAN POLICY | DISCUSSION |
|---|---|
| **Local Coastal Policy No. 1** (page III-5) states that *"All urban development shall be restricted to the area within the urban-rural boundary, as defined by Map 1 and the Land Use Map."* | The subject property is within the area noted as urban by Map 1 in the Coastal Land Use Plan and the Land Use Map specifically notes that urban residential uses are concentrated in the Oxnard Shores area (page II-1). |
| **Local Coastal Policy No. 6** (page III-10) defines the type of uses permitted in areas designated as environmentally sensitive. | The subject property is not in an area that is designated as environmentally sensitive, there is no native vegetation onsite, and there are no wetlands within the vicinity of the proposed development. |

c) ***Conformance with Zoning Development Standards:*** The proposed development is located in the Coastal Garden Apartment (R-3-C) zone district. Applicable development standards of the R-3-C zone have been compared with the proposed project, as follows:

| DEVELOPMENT STANDARD | REQUIREMENT | PROPOSED | COMPLIES? |
|---|---|---|---|
| Maximum building height (Sec.17-14.D.1) | 3 stories, not to exceed 35 feet the top of curb at front property line | 3 stories at 35 feet measured from the top of curb at Wooley Road | Yes |
| Minimum lot area (Sec. 17-14.D.2) | 2400 square feet per dwelling unit | 16,825 square feet for seven dwelling units or 2404 square feet per dwelling unit | Yes |
| Minimum lot width (Sec. 17-14.D.3) | 60 feet | Common lot is 125 feet wide | Yes |

| DEVELOPMENT STANDARD | REQUIREMENT | PROPOSED | COMPLIES? |
|---|---|---|---|
| Interior yard space (Sec. 17-14.D.4 & Sec. 17-14.E) | 25% of lot area with a minimum dimension of 15 ft X 15 ft; 25% of the required interior yard space may be on decks **16,825 sq. ft. X .25 = 4,206 sq. ft.** | 4,450 sq. ft. or 26% of lot area | Yes |
| Front yard setback (Sec. 17-14.D.5) | 20 feet; 15 feet if access is provided from the alley. | 15 feet | Yes |
| Rear yard setback (Sec. 17-14.D.6) | 25 feet | 25 feet 6 inches | Yes |
| Side yard setback (Sec. 17-14.D.7) | 10 feet | 15 feet for interior side yard (west) & 15 feet for street side yard (east) | Yes |
| Parking spaces for dwelling units (Sec. 16-622.F) | 2 spaces in a garage for each unit with 2 -5 bedrooms. | Six two-car garages for the three-bedroom units & one three-car garage for the four bedroom unit | Yes |
| Visitor parking (Sec. 16-622.F) | For 1st 30 units, one visitor space for each unit, and 0.5 visitor spaces per unit thereafter. | Seven onsite visitor parking spaces; including one accessible space | Yes |
| Architectural projections (Sec. 16-304) | May extend into the required setbacks 30 inches | Chimney projects 24 inches, columns 14 inches, & balustrades 12 inches into front setback | Yes |
| Extension of uncovered porches (Sec. 16-307) | May extend into the setbacks six feet | Porch with open trellis work extends six feet into front setback. | Yes |

**d)** ***Site Design:*** The project site is comprised of two legal parcels bounded by Wooley Road to the south, Seahorse Way to the east, Breakwater Way to the north, and townhouse condominiums to the west. The proposed tract map will eliminate the property line that divides these two parcels and will create one common lot with seven condominium airspace units. Four units would face Breakwater Way within "Building 1" and three units would face Wooley Road within "Building 2". A common driveway

enters the site from Seahorse Way on the eastern property line and this driveway separates "Building 1" and "Building 2." By placing the driveway in the center of the property, the developer is able to orient the residential structures towards the public streets, screen the garage doors from public view, and activate both Wooley Road and Breakwater Way with front entries.

e) ***Circulation and Parking:*** The project is designed with adequate off-street parking as required by the City Code. A total of 22 parking stalls have been provided within the project site; six two-car garages for the three-bedroom units, one three-car garage for the four bedroom unit, and seven uncovered visitor parking spaces. A 25-foot wide private driveway enters at the center of the site from Seahorse Way and provides sufficient room to maneuver vehicles and swing into the garage spaces.

f) ***Building Design:*** The architecture of the proposed buildings is Mediterranean in style. The axis of each building runs east-to-west with "Building 1" facing Breakwater Way and "Building 2" facing Wooley Road. Each of the four units in "Building 1" has a private entry and balcony facing Breakwater Way. The roofline of "Building" 1 is broken up with the center of the building featuring a red-tile hip roof stepping down on each side to a corniced parapet. Each of the three units in "Building 2" has a private entry and a balcony facing Wooley Road. The roofline of "Building 2" is broken up with the western half having a red-tile hip roof stepping down to a corniced parapet at the eastern half. A balcony is added to the eastern elevation of "Building 2" to provide additional private space and to add interest. Additional architectural enhancements on both buildings includes French doors opening onto the balconies, concrete balustrades around the balconies, wood shutters with wrought iron work around the windows, exposed brackets under the eaves of the hip roofs, wooden doors at the entries, and decorative light fixtures. Both buildings have smooth finish stucco painted "Fine Sand" with a base treatment painted "Pale Pearl." Each side of the buildings is treated equally and has added architectural enhancements.

g) ***Landscaping and Open Space:*** Extensive landscaping is proposed on all four sides of the project. Trees are emphasized with a mixture of ground cover and shrubs added to create layers and depth. The visitors parking spaces along Breakwater Way are bunched together in order to aggregate the landscaping and minimize the amount of impervious area on the project site. The City's Landscape Architect has reviewed the landscaping and has provided conditions that are including in the attached resolution.

h) ***Development Fees:*** As a residential project with five or more units, the developer must pay Quimby fees to off-set the project's effect on local parks. Additionally, the project must pay Public Art fees. These fees will be calculated at the time of building permit issuance.

7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on March 5, 2008. Recommendations of the DAC are included in the attached resolution.

8) **Community Workshop:** On June 6, 2008, the applicant mailed notices of the Community Workshop meeting to all property owners within the Oxnard Shores Neighborhood. 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 June 16, 2008. No public comments were received at the Community Workshop regarding the project.

9) **Appeal Procedure:** In accordance with Section 17-58(J) of the City Code, the Planning Commission's decision may be appealed to the City Council within 10 working days. In accordance with Section 17-58(K) of the City Code, the subject coastal development permit can not be appealed to the California Coastal Commission.

**Attachments:**

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

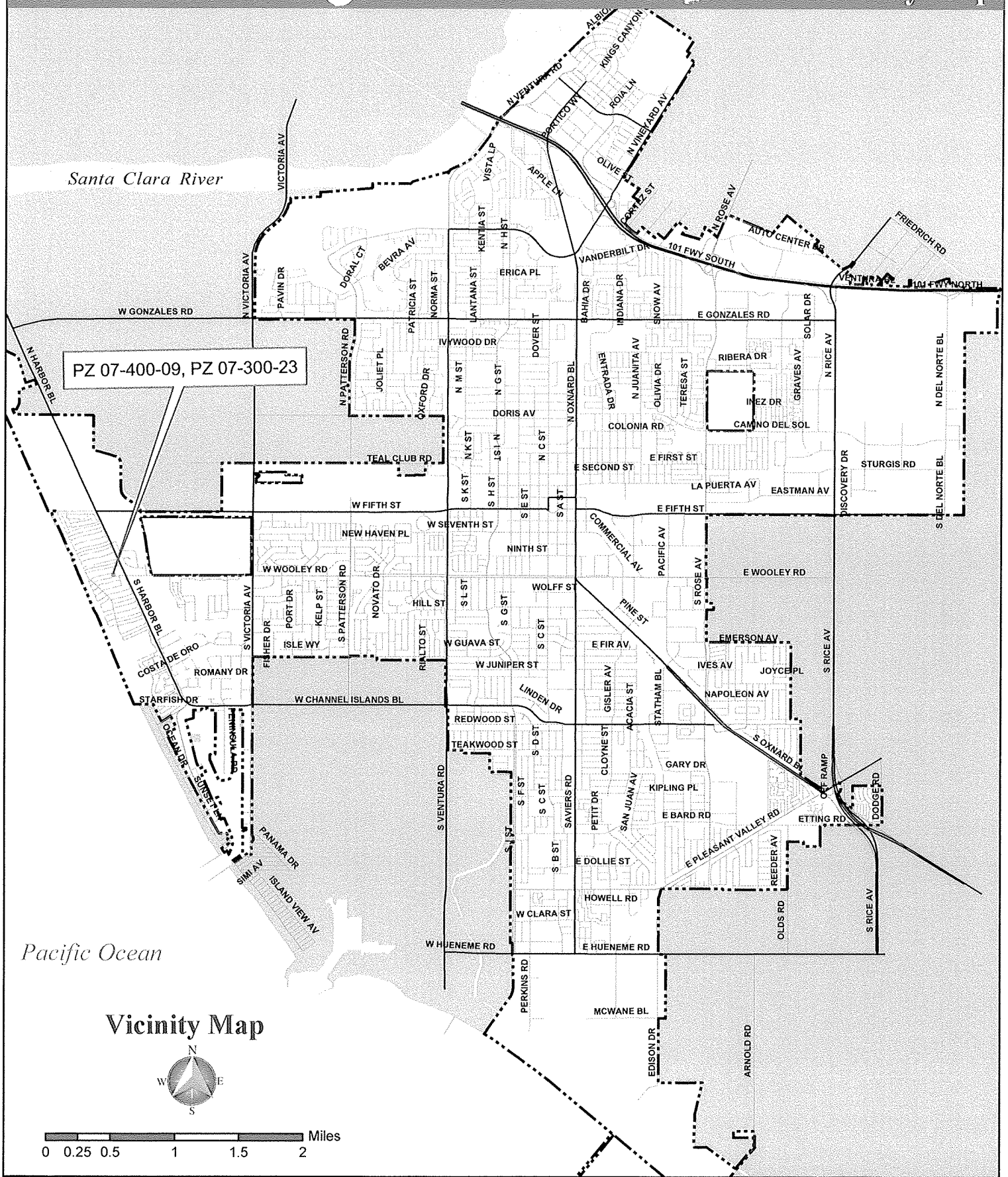
Prepared by: WW
WW

Approved by: SM
SM

# Attachment A

## Maps (Vicinity, Aerial, General Plan, & Zoning)

# Vicinity Map




Oxnard Planning
*March 28, 2008*

PZ 07-400-09, PZ 07-300-23
Location: 5103, 5107 Wooley Rd
APN: 191007607, 191007608
Morton Condominiums

# Aerial Map

Oxnard Planning
*March 28, 2008*

PZ 07-400-09, PZ 07-300-23
Location: 5103, 5107 Wooley Rd
APN: 191007607, 191007608
Morton Condominiums

0 10 20 40 60 80 Feet

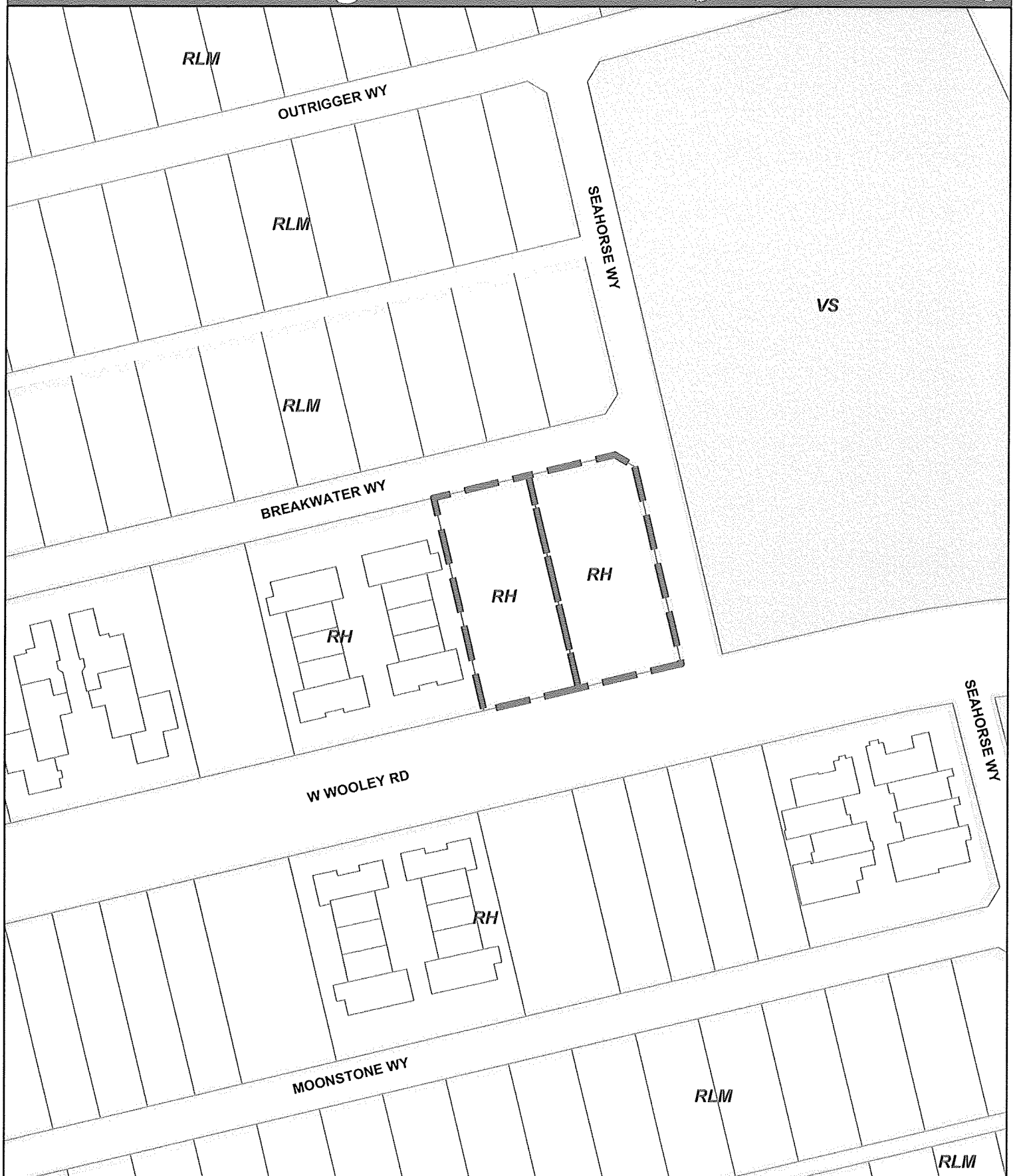
**Aerial Map**

2003 Aerial

N W E S

1:487

# General Plan Map




Oxnard Planning
*March 28, 2008*

PZ 07-400-09, PZ 07-300-23
Location: 5103, 5107 Wooley Rd
APN: 191007607, 191007608
Morton Condominiums

0 12.525 50 75 100 Feet

**General Plan Map**

N W E S

1:946

# Zone Map

Oxnard Planning
*March 28, 2008*

PZ 07-400-09, PZ 07-300-23
Location: 5103, 5107 Wooley Rd
APN: 191007607, 191007608
Morton Condominiums

0 12.5 25 50 75 100 Feet

**Zone Map**

N W E S

1:950

# Attachment B
## Reduced Project Plans

## PROJECT INFORMATION

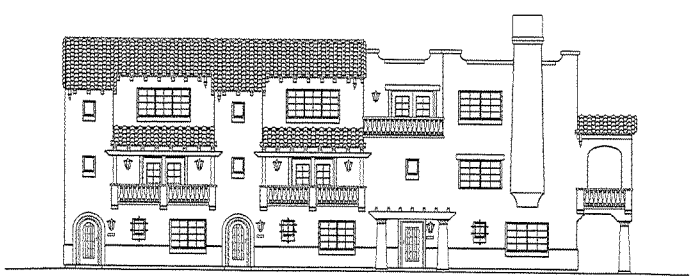
| | |
|---|---|
| ASSESSOR PARCEL NO.: | 191-0-076-075 & 191-0-076-085 |
| ZONING: | R-3-C |
| OCCUPANCY TYPE: | R-1 |
| LOT SIZE: | 16,825 S.F. (.385 AC.) |
| PARKING: | 15 GARAGE SPOTS<br>7 VISITOR SPOTS<br>(1 ACCESSIBLE SPOT) |
| PROJECT DESCRIPTION: | 7 CONDOMINIUM UNITS |

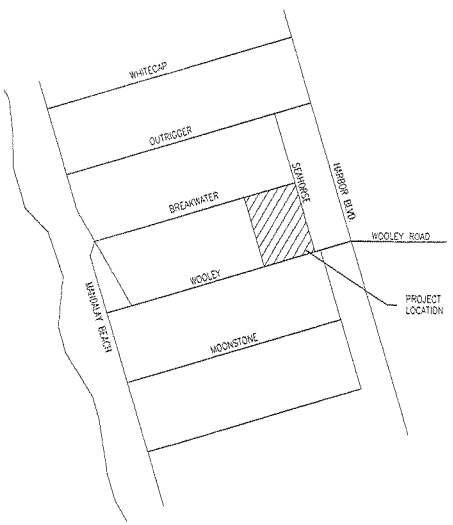
## PROJECT DIRECTORY

| | |
|---|---|
| BUILDING ADDRESS: | 5103 WOOLEY ROAD<br>OXNARD, CA 93035 |
| PROJECT ARCHITECT: | J.E. ARMSTRONG, ARCHITECT, INC.<br>2300 KNOLL DRIVE, SUITE A<br>VENTURA, CA 93003<br>PHONE: (805) 644-8180<br>CONTACT: CANDICE FOREHAND |

## SHEET INDEX


| | |
|---|---|
| A1.0 | TITLE SHEET |
| A1.1 | SITE PLAN |
| A2.0 | FLOOR PLANS (TYPE A) |
| A2.1 | FLOOR PLANS (TYPE B) |
| A2.2 | FLOOR PLANS (TYPE B-2) |
| A2.3 | FLOOR PLANS (TYPE C) |
| A2.4 | BUILDING PLANS |
| A2.5 | ROOF PLANS |
| A3.0 | BUILDING 1 ELEVATIONS |
| A3.1 | BUILDINGS 1 & 2 ELEVATIONS |
| A3.2 | BUILDING 2 ELEVATIONS |
| PL-1 | LANDSCAPE PLAN |






VICINITY MAP
SCALE: N.T.S.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ARCHITECT, INC
LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180


PROJECT TITLE:
OXNARD CONDOMINIUMS
FOR
YOLANDA A. MORTON
5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:
TITLE SHEET

REVISIONS:
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3
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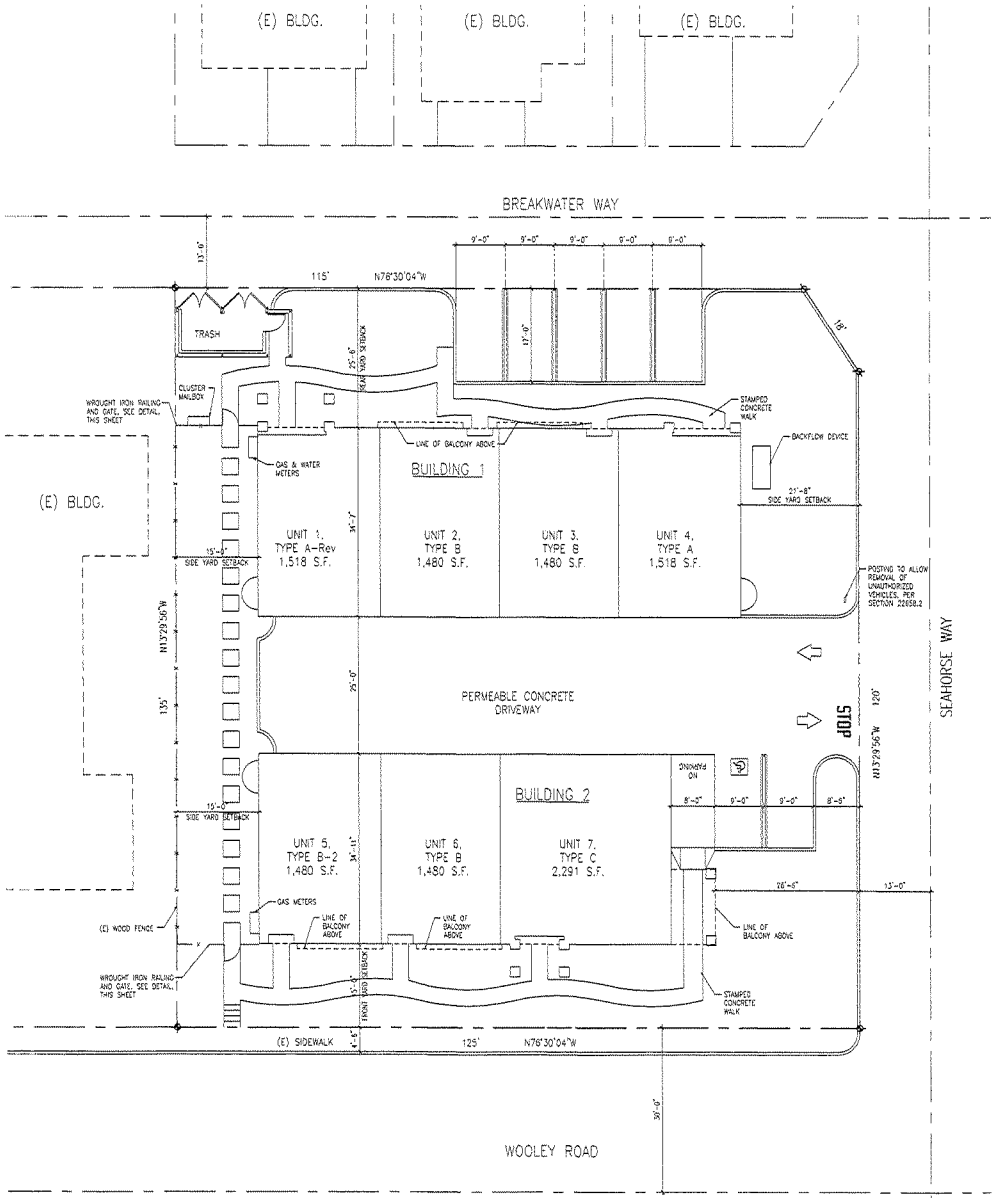


TRUE PROJECT

## SITE PLAN

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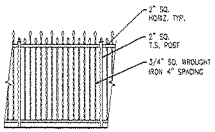


## WROUGHT IRON FENCE DETAIL

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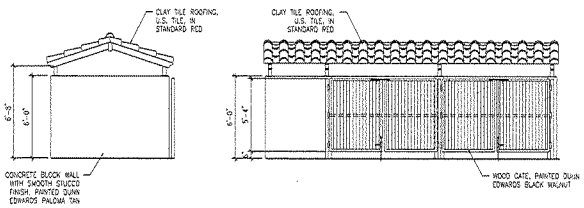
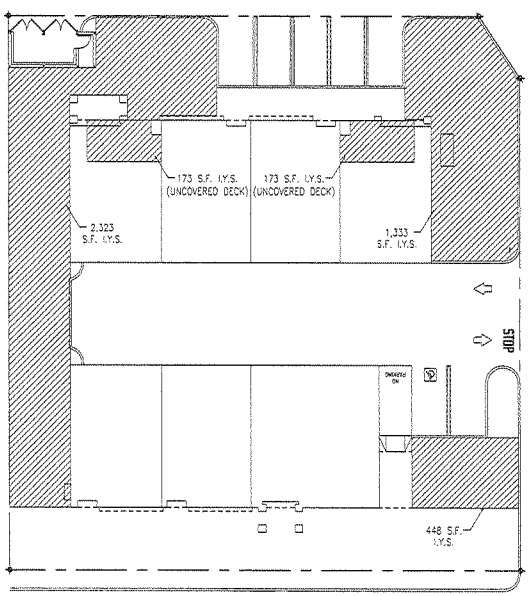



## TRASH ENCLOSURE ELEVATIONS

SCALE: 1/4" = 1'-0"

INTERIOR YARD SPACE: 25% OF 16,825 S.F. = 4,206 S.F. REQ.
GROUND FLOOR I.Y.S. = 4,104 S.F.
DECK SPACE: 2 UNCOVERED DECKS = 346 S.F.
TOTAL I.Y.S. PROVIDED = 4,450 S.F.




## INTERIOR YARD SPACE

SCALE: N.T.S.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LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180


PROJECT TITLE:
**OXNARD CONDOMINIUMS**
FOR
**YOLANDA A. MORTON**
5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:

**SITE PLAN**

REVISIONS:


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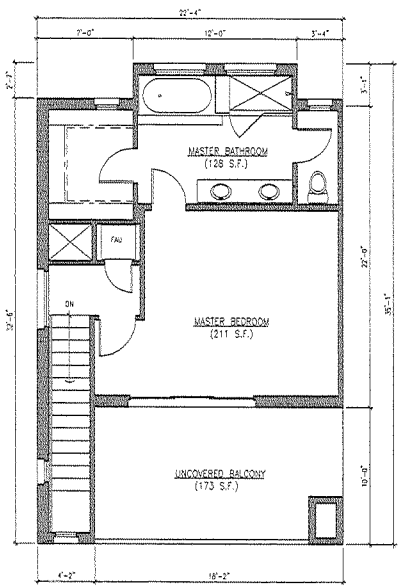


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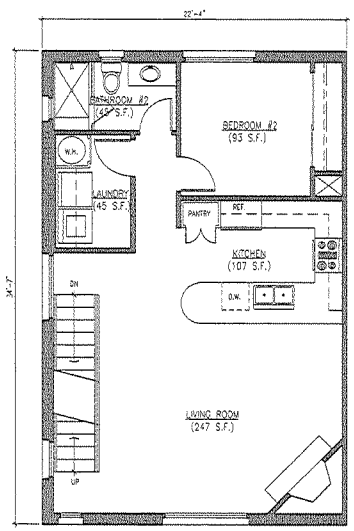


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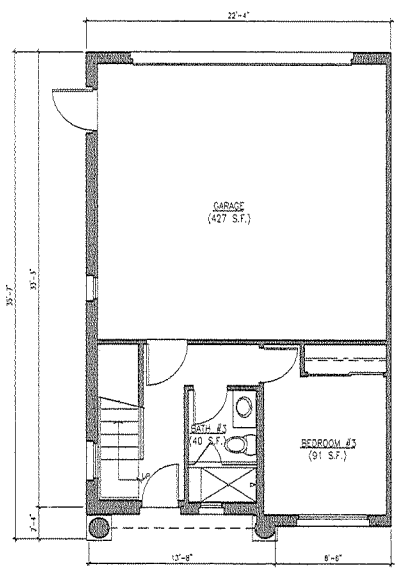


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## FIRST FLOOR PLAN

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PROJECT TITLE:

**OXNARD CONDOMINIUMS**

FOR

YOLANDA A. MORTON

5103 WOOLEY ROAD
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SHEET TITLE:

**FLOOR PLANS (TYPE A)**

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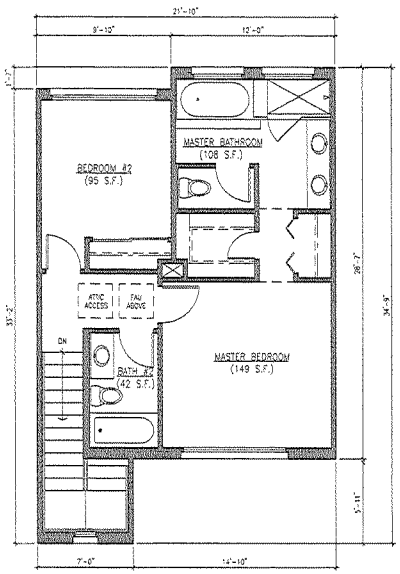


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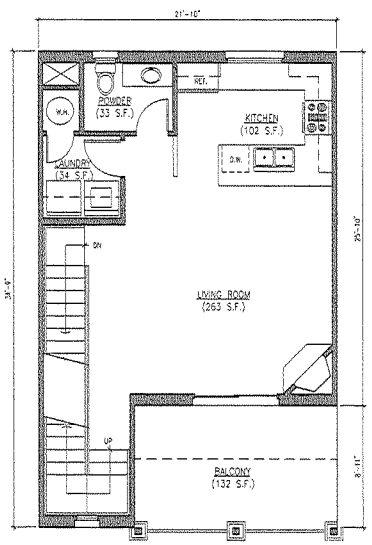


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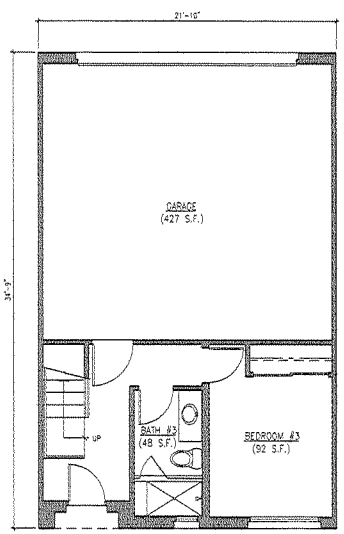


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## FIRST FLOOR PLAN

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805-644-8180


PROJECT TITLE:

**OXNARD CONDOMINIUMS**

FOR

**YOLANDA A. MORTON**

5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:

**FLOOR PLANS (TYPE B)**

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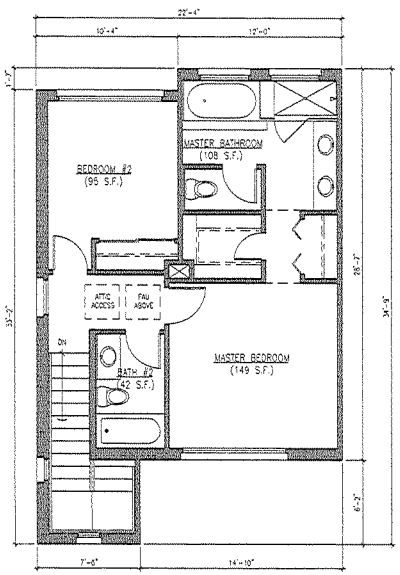


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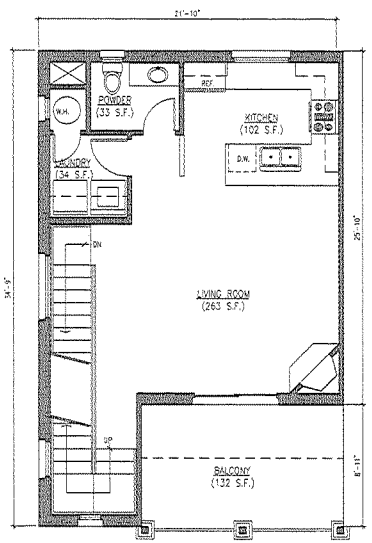


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## SECOND FLOOR PLAN

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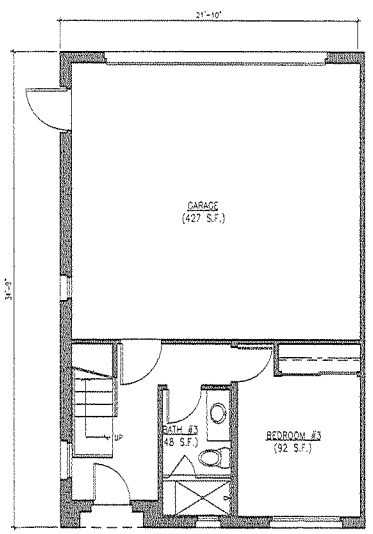


TRUE PROJECT

## FIRST FLOOR PLAN

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2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180

PROJECT TITLE:
OXNARD CONDOMINIUMS
FOR
YOLANDA A. MORTON
5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:
FLOOR PLANS (TYPE B-2)

REVISIONS:
1
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4
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| JEA'S PROJECT #: 0743 | DRAWN BY: JJH |
| CONSULTANT'S #: N/A | REVIEWED BY: JEA |

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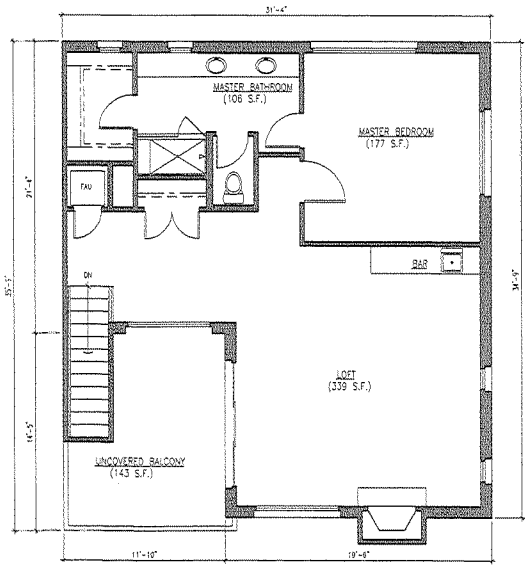


TRUE PROJECT

## THIRD FLOOR PLAN

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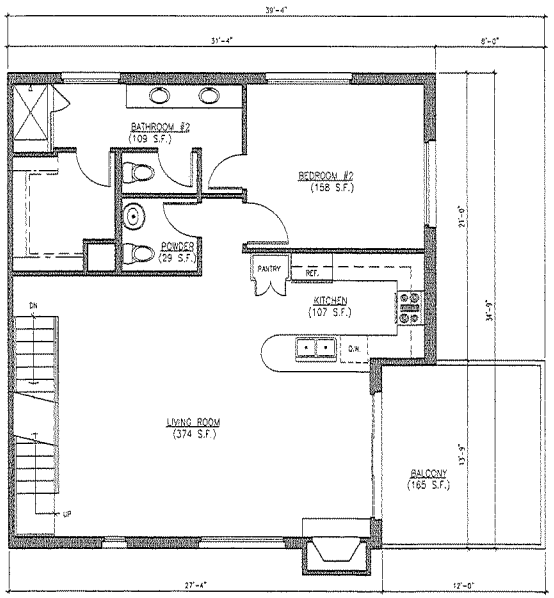


TRUE PROJECT

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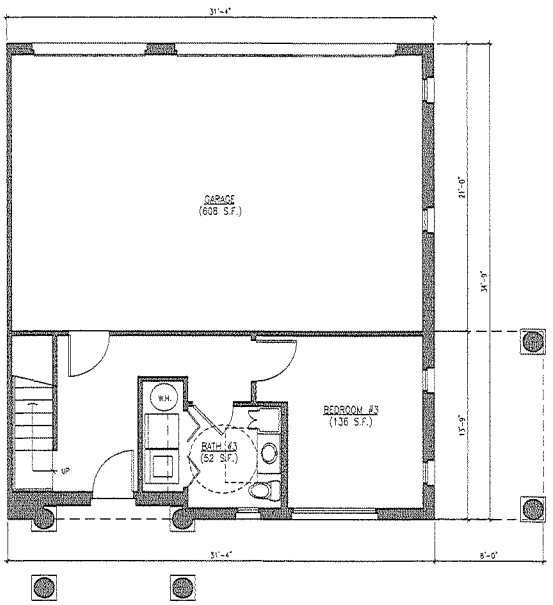


TRUE PROJECT

## FIRST FLOOR PLAN

SCALE: 1/4" = 1' - 0"


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LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180


PROJECT TITLE:

**OXNARD CONDOMINIUMS**

FOR

YOLANDA A. MORTON

5103 WOOLEY ROAD
OXNARD, CA
93033

SHEET TITLE:

**FLOOR PLANS (TYPE C)**

REVISIONS:

1
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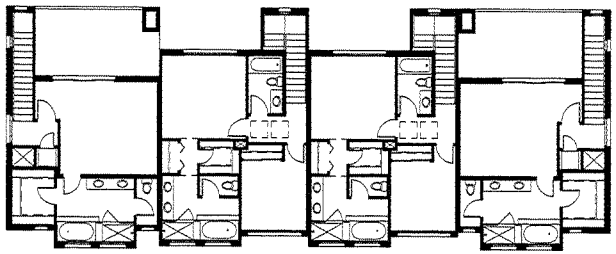

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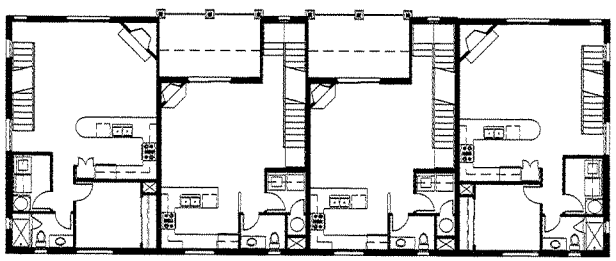

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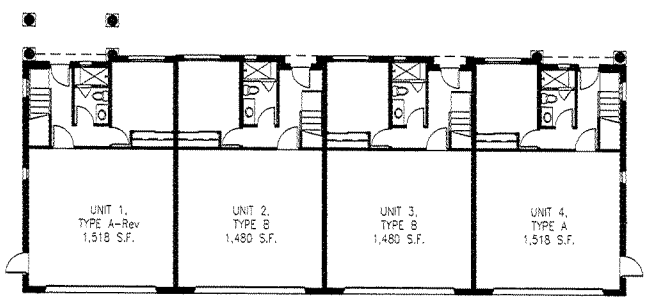
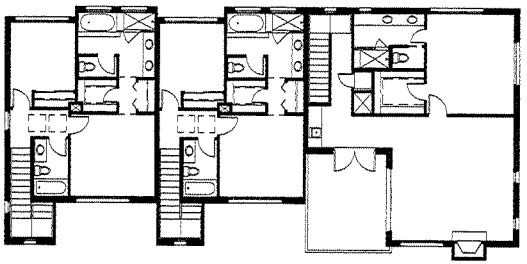



GROUND FLOOR

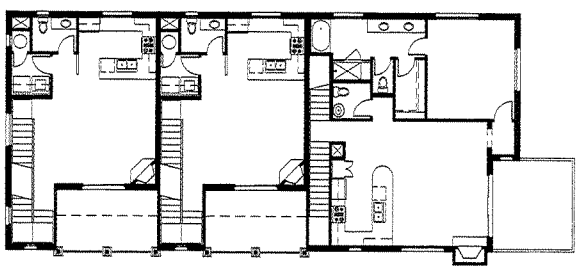
TRUE PROJECT

**BUILDING 1 FLOOR PLANS**

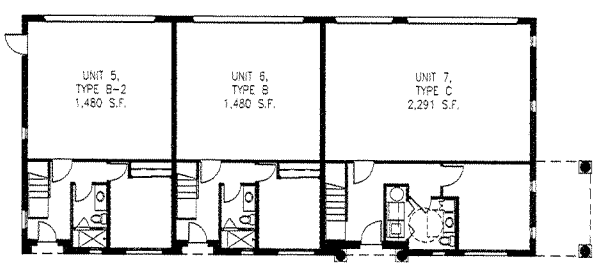
SCALE: 1/8" = 1' - 0"



THIRD FLOOR



SECOND FLOOR




GROUND FLOOR

TRUE PROJECT

**BUILDING 2 FLOOR PLANS**

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


J.E. ARMSTRONG
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805-644-8180


PROJECT TITLE:

**OXNARD CONDOMINIUMS**

FOR

YOLANDA A. MORTON

5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:

**BUILDING PLANS**

REVISIONS:

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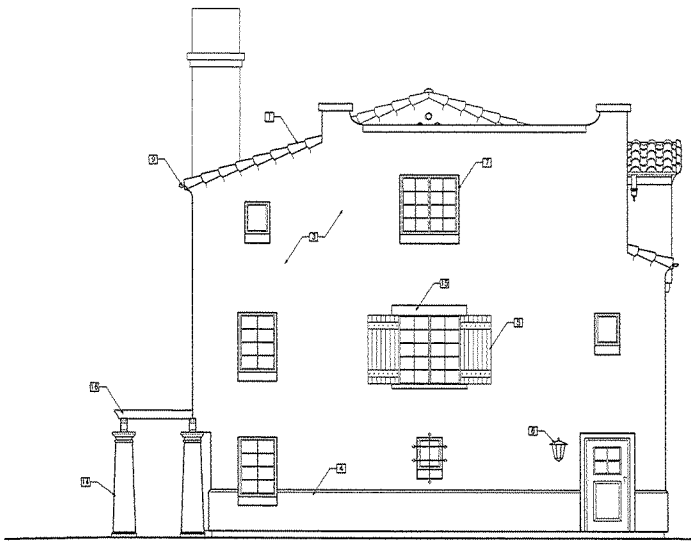
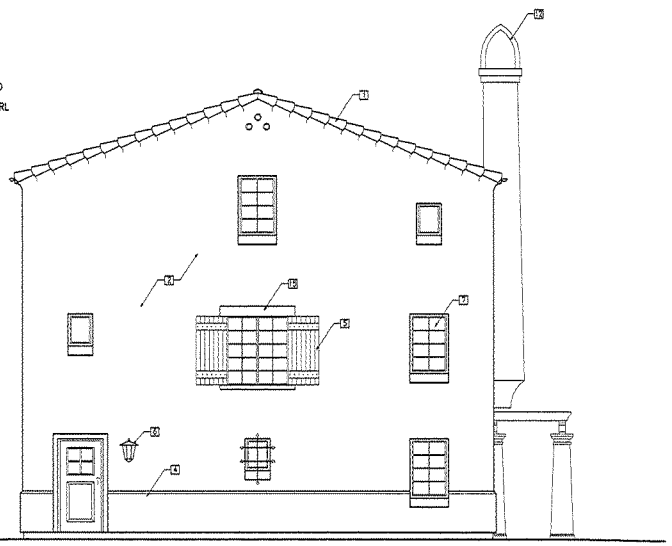
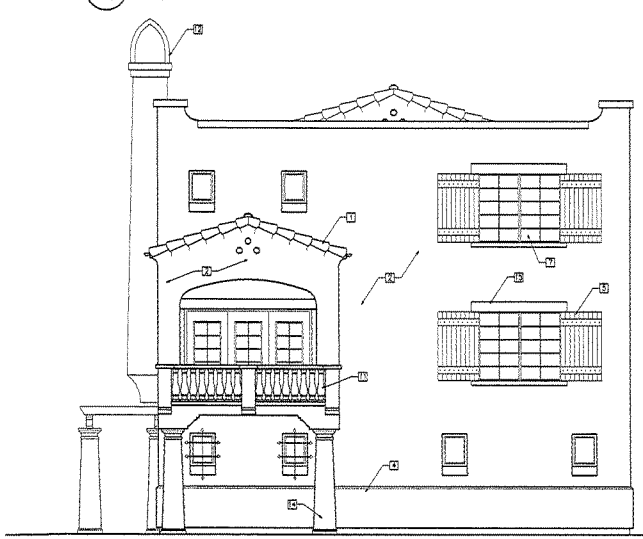


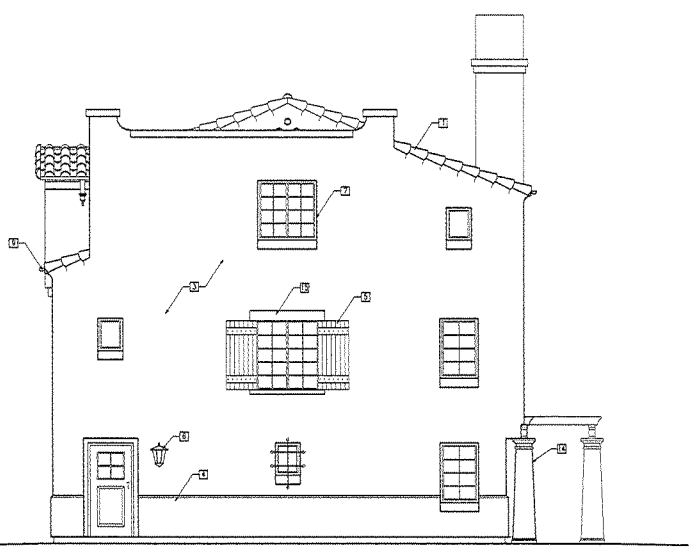
## KEYNOTE LEGEND

1. CLASS "A" CLAY TILE ROOF, U.S. TILE, IN STANDARD RED
2. SMOOTH FINISH STUCCO PAINTED DUNN EDWARDS PALOMA TAN
3. SMOOTH FINISH STUCCO PAINTED DUNN EDWARDS FINE SAND
4. SMOOTH FINISH STUCCO PAINTED DUNN EDWARDS PALE PEARL
5. SHUTTERS PAINTED DUNN EDWARDS BLACK WALNUT, WITH BLACK WROUGHT IRON
6. EXTERIOR LIGHT FIXTURE BY MARVIS IN BLACK FINISH WITH TINTED GLASS
7. EAGLE FRENCH DOORS AND WINDOWS IN SAGE
8. WOOD ENTRY DOORS PAINTED DUNN EDWARDS WEATHERED BROWN
9. COPPER GUTTER
10. ROLL-UP GARAGE DOORS PAINTED DUNN EDWARDS BLACK WALNUT
11. PREFAB CONCRETE BALLUSTRADES
12. COPPER CHIMNEY CAP
13. 3" HIGH SELF-ILLUMINATED ADDRESS NUMBERS
14. PRECAST CONCRETE COLUMN
15. FAUX FOAM WOOD PAINTED DUNN EDWARDS BLACK WALNUT
16. WOOD TRELLIS AND TRIM PAINTED DUNN EDWARDS BLACK WALNUT



A BUILDINGS 1 & 2 WEST EXTERIOR ELEVATION
SCALE: 1/4" = 1' - 0"





B BUILDINGS 1 & 2 EAST EXTERIOR ELEVATION
SCALE: 1/4" = 1' - 0"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805-644-8180


PROJECT TITLE:
OXNARD CONDOMINIUMS
FOR
YOLANDA A. MORTON
5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:
BUILDINGS 1 & 2 EXTERIOR ELEVATIONS

REVISIONS:
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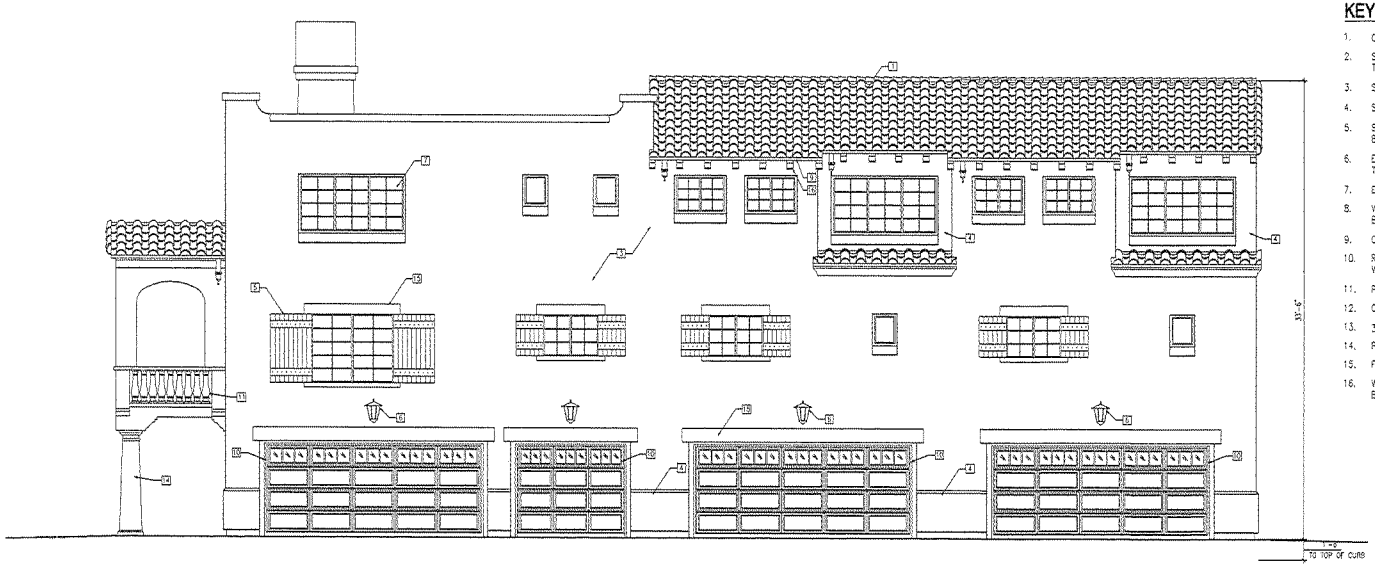
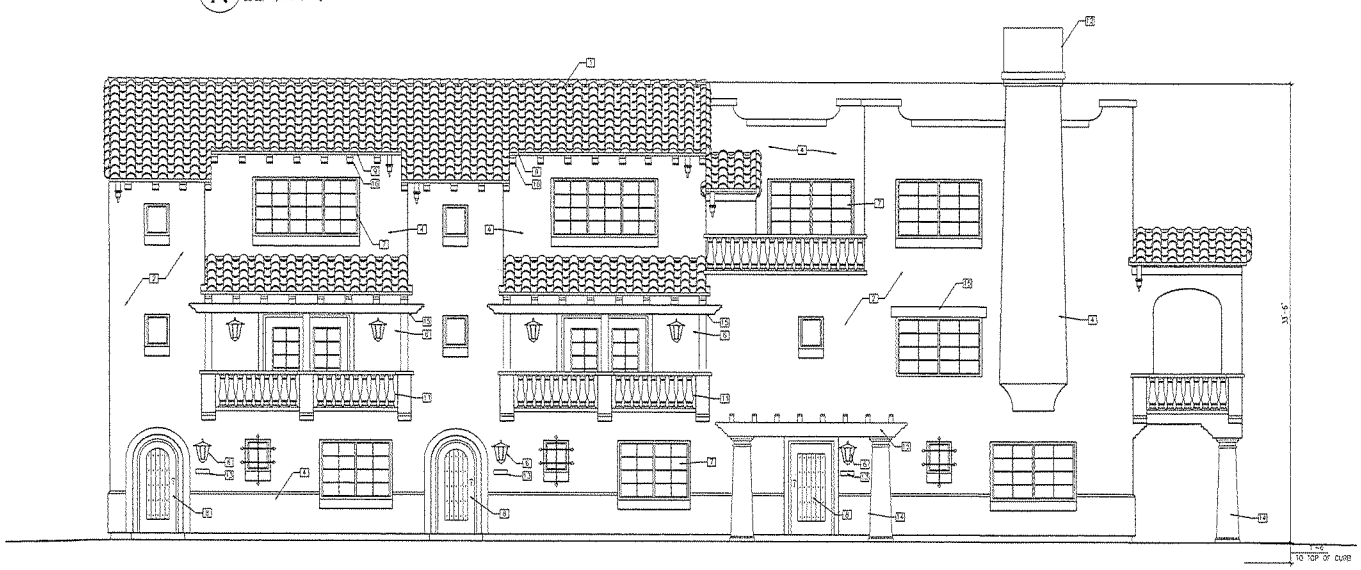



A BUILDING 2 NORTH EXTERIOR ELEVATION
SCALE: 1/4" = 1' - 0"




B BUILDING 2 SOUTH EXTERIOR ELEVATION
SCALE: 1/4" = 1' - 0"

## KEYNOTE LEGEND

1. CLASS "A" CLAY TILE ROOF, U.S. TILE, IN STANDARD RED
2. SMOOTH FINISH STUCCO PAINTED DUNN EDWARDS PALOMA TAN
3. SMOOTH FINISH STUCCO PAINTED DUNN EDWARDS FINE SAND
4. SMOOTH FINISH STUCCO PAINTED DUNN EDWARDS PALE PEARL
5. SHUTTERS PAINTED DUNN EDWARDS BLACK WALNUT, WITH BLACK WROUGHT IRON
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16. WOOD TRELLIS AND TRIM PAINTED DUNN EDWARDS BLACK WALNUT

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VENTURA, CA. 93003
805-644-8180

PROJECT TITLE:
OXNARD CONDOMINIUMS
FOR
YOLANDA A. MORTON
5103 WOOLEY ROAD
OXNARD, CA
93035

SHEET TITLE:
BUILDING 2 EXTERIOR ELEVATIONS

REVISIONS:
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| CONSULTANT'S #: N/A | REVIEWED BY: JEA |

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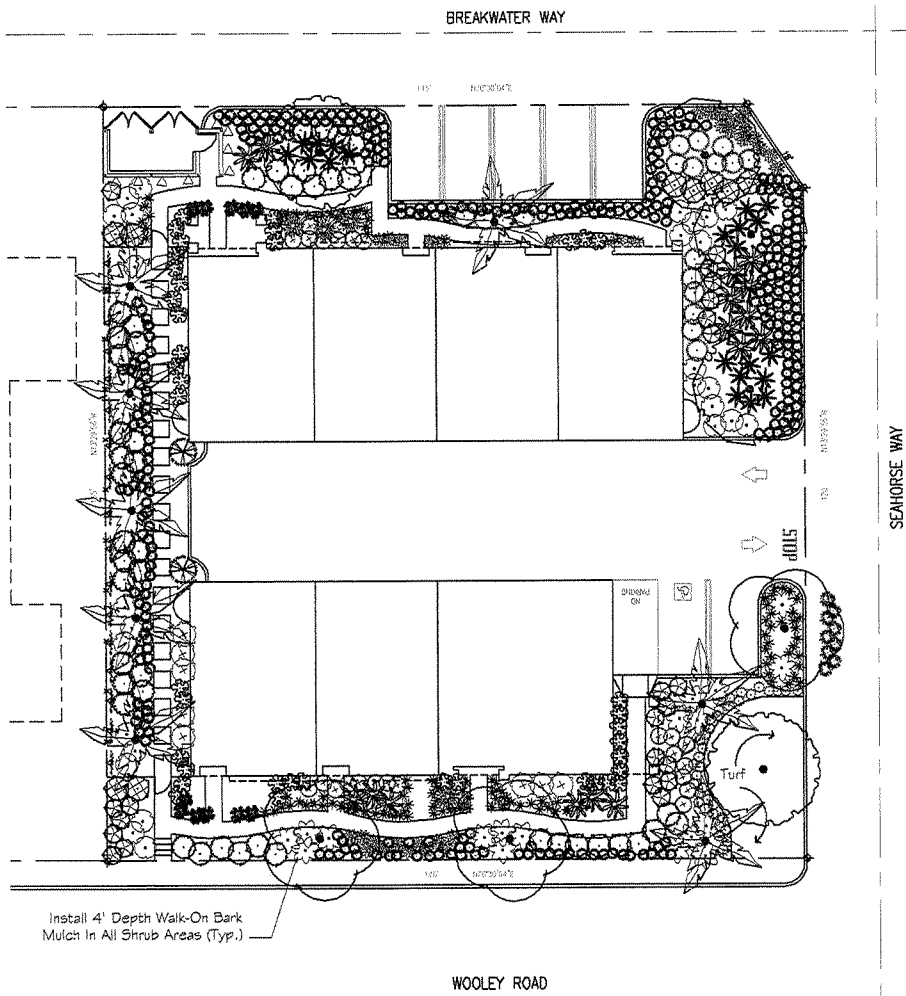


## PLANT SCHEDULE

| TREES | BOTAN. CA./COMMON | CONT. |
|---|---|---|
| | Arecastrum romanzoffianum / Queen Palm | 30' BOX |
| | Cupressus sempervirens / Italian Cypress | 15 gal |
| | Erythrina bella "Compactana" / Mexican Tree Compactana Longer | 24" box |
| | Erythrina caffra / Coral Tree | 36" box |
| | Metrosideros excelsus / New Zealand Christmas Tree | 24" box |
| | Phoenix roebelenii / Pygmy Date Palm | 15 gal |
| SHRUBS | BOTAN. CA./COMMON | CONT. |
| | Agapanthus africanus "Peter Pan" / Dwarf Blue Lily of the Nile | 5 gal |
| | Agave americana / Agave | 5 gal |
| | Aloe saponaria / Soap Aloe | 5 gal |
| | Aloe vera / Medicinal Aloe | 5 gal |
| | Anigozanthos hybrid "Pink Kory" / Pink Kory Kangaroo Paw | 5 gal |
| | Asparagus densiflorus "Myers" / Foxtail Fern | 5 gal |
| | Carex divulsa / Berkeley Sedge | 5 gal |
| | Cycas revoluta / Sago Palm | 15 gal |
| | Dietes bicolor / Fortnight Lily | 5 gal |
| | Festuca ovina glauca "Elijah Blue" / Blue Fescue | 5 gal |
| | Hemerocallis hybrid "Stella de Oro" / Stella de Oro Daylily | 5 gal |
| | Lavandula angustifolia "Munstead" / Munstead English Lavender | 5 gal |
| | Nandina domestica / Heavenly Bamboo | 5 gal |
| | Nerium oleander "Petite Pink" / Petite Pink Oleander | 5 gal |
| | Pennisetum setaceum / Fountain Grass | 5 gal |
| | Phormium tenax "Maori Queen" / New Zealand Flax | 5 gal |
| | Rhamnopsis indica "Delaney" / Indian Hawthorne | 5 gal |
| | Strelitzia reginae / Bird Of Paradise | 15 gal |
| | Teucrium fruticans "Silver Lace" / Silver Lace Bush Germander | 1 gal |
| | Xylosma congestum "Compacta" / Compact Xylosma | 5 gal |
| VINE/SCANDENS | BOTAN. CA./COMMON | CONT. |
| | Bougainvillea x "San Diego Red" / San Diego Red Bougainvillea Vine | 15 gal |
| | Ficus pumila minima / Creeping Fig | 5 gal |

NOTE:
LANDSCAPING WILL COMPLY WITH CURRENT PARKS AND RECREATION STANDARDS.

PARKS DIVISION STANDARD NOTES

1. COMPLETE LANDSCAPE AND IRRIGATION SYSTEMS MUST BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PARKS.

2. CHANGES TO LANDSCAPING AND/OR IRRIGATION PLANS MUST BE APPROVED BY PARKS AND RECREATION DEPARTMENT PRIOR TO INSTALLATION.

3. THE LANDSCAPE CONVERSION FACTOR IS AN ESTIMATED 30% IRRIGATION CONVENTIONAL AND 70% LOW VOLUME SHRUBS. FIVE GALLON SIZE MINIMUM.

4. ALL SPECIMEN AND FEATURE PLANTS SHALL BE APPROVED BY THE CITY'S PARKS AND RECREATION DEPARTMENT PRIOR TO PLANTING. (AS NOTED NOTE 18 BELOW).

5. ALL CONSTRUCTION SHALL CONFORM TO APPROPRIATE SPECIFICATIONS OF THE STANDARD SPECIFICATIONS OF THE PUBLIC WORKS CONSTRUCTION, LATEST EDITION, ON FILE WITH THE CITY CLERK AND PARKS DIVISION.

NOTE:

1. ALL DESIGNATED STREET TREES SHALL BE INSPECTED BY PARKS DIVISION.

2. PARKING AND DRIVEWAYS SHALL BE SCREENED BY LANDSCAPE MOUNDING WITH FLOWERING SHRUBS. DO NOT BLOCK VISUAL SCREENING AT TIME OF PLANTING.

3. ALL LANDSCAPE FINGER PLANTERS SHALL INCLUDE SHRUBS IN ADDITION TO THE DESIGNATED GROUND COVER. SHRUBS IN LANDSCAPE FINGER PLANTERS SHALL BE SELECTED FROM PLANT LIST AND OTHER LANDSCAPE MATERIAL MAY BE USED WITH PARKS AND RECREATION DIVISION APPROVAL.

4. ALL SAP TOOL TREES WITHIN FINGER PLANTERS SHALL BE INSTALLED AT AND KEPT LIMBED UP TO 6 FEET IN HEIGHT AND MAINTAINED AT AN OVERALL HEIGHT NOT EXCEEDING 14 FEET.

J.E. ARMSTRONG
ARCHITECT, INC
LICENSE C22059
2300 KNOLL DRIVE, SUITE A
VENTURA, CA. 93003
805-644-8180

REGISTERED LANDSCAPE ARCHITECT
ERIC E. GRIPP
3239
signature
Renewal Date
1/31/08
STATE OF CALIFORNIA

Eric Gripp
E.G.L.A.
LANDSCAPE ARCHITECTURE
2844 RANCHO PANCHO
CARLSBAD, CA 92009

PROJECT TITLE:
OXNARD
APARTMENTS
FOR
YOLANDA A. MORTON
5102 WOOLEY ROAD
OXNARD, CA
93033

SHEET TITLE:
**Conceptual Landscape Plan**

REVISIONS:
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OWNERSHIP OF DOCUMENTS:
[illegible]

| DATE: 05-02-2008 | FILENAME: |
|---|---|
| JEA'S PROJECT #: 0743 | DRAWN BY: ERIC GRIPP |
| CONSULTANT'S #: 07E009 | REVIEWED BY: EDWARD GRIPP |

[illegible]

SHT. PL-1 OF 1X

# Attachment C
## Notice of Exemption

# NOTICE OF EXEMPTION

***Project Description:***

PLANNING & ZONING PERMIT NO(s). 07-400-09 (Coastal Development Permit) and 07-300-23 (Tentative Tract Map for Tract No 5797) a request to develop seven residential condominiums on a 16,825 square foot property in the Coastal Garden Apartment (R3C) zone locate in the Oxnard Shores Neighborhood at 5103 and 5107 Wooley Road. The proposed project is exempt from environmental review under Section 15332 of the CEQA Guidelines. Filed by Candice Forehand of 2300 Knoll Drive, Suite A, Ventura, CA 93003 on the behalf of the owner Yolanda Morton.

***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 15332 of the California Code of Regulations, projects involving "in-fill development" may be found to be exempt from the requirements of CEQA. The proposal is within an area designated for in-fill development by the City of Oxnard Coastal Land Use Plan. At .385 acres the property is less than five acres and is surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species as it is too small, surrounded by development, and is significantly disturbed by trespass from adjacent uses. The approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality as the project impacts relate to the City of Oxnard's adopted threshold guidelines. 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

Planning Division
214 South C Street, Oxnard, CA 93030 ♦ (805) 385-7858 ♦ FAX (805) 385-7417

# Attachment D
## Resolutions

RESOLUTION NO. 2008 – [PZ 07-400-09]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 07-400-09 (COASTAL DEVELOPMENT PERMIT), TO ALLOW THE CONSTRUCTION OF SEVEN RESIDENTIAL CONDOMINIUMS, LOCATED AT 5103 & 5107 WOOLEY ROAD WITHIN THE OXNARD SHORES NEIGHBORHOOD (APN 191-0-076-075 & 191-0-076-085), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY CANDICE FOREHAND, ON BEHALF OF OWNER YOLANDA MORTON, 2300 KNOLL DRIVE, SUITE A, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 07-400-09, filed by Candice Forehand in accordance with Section 17-57 through 17-61 of the Oxnard City Code; and

WHEREAS, Section 15332 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.

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 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 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 is granted for the plans stamped Received May 27, 2008, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. 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&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

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*)

15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, *G-15*).

**LANDSCAPE STANDARD CONDITIONS**

16. 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*)

17. 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*)

18. 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*)

19. 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*)

20. 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*)

21. 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*)

22. 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*)

23. 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*)

24. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

**FIRE DEPARTMENT STANDARD CONDITIONS**

25. 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*)

26. 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*)

27. 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*)

28. 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*)

29. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)

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

31. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)

32. 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*)

33. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)

34. 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**

35. 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.

36. 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.

37. Prior to the issuance of a certificate of occupancy, the Developer shall contact the Fire Department to confirm whether or not it is necessary to install a Knox Box key vault on the building in a location to be determined by the Fire Department.

**PLANNING DIVISION STANDARD CONDITIONS**

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

39. 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*)

40. 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*)

41. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1\2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

42. 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*)

43. 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*)

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. (B/DS, *PL-11*)

45. During construction, Developer shall control dust by the following activities:
    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    b. 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. (B/DS, *PL-12*)

46. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)

47. 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*)

48. 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*)

49. 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*).

50. 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 Division Manager prior to issuance of building permits. (PL, *PL-18)*

51. 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 Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19)*

52. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)

53. 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 Division Manager. (PL, *PL-22*)

54. 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*)

55. 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*)

56. 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*)

57. 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*)

58. Developer shall pay Quimby Fees (fees for park acquisition and improvement) prior to the issuance of building permits in accordance with City Council Ordinance 2683. 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*)

59. 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 DIVISION SPECIAL CONDITIONS

60. 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 Division 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)

61. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 13,103.

## ENVIRONMENTAL RESOURCES DIVISION

62. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources 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 Plan form.

63. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling 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 and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed 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 Work Completed Report prior to issuance of a certificate of occupancy.

64. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling to an authorized facility.

65. Covenants, conditions and restrictions ("CC&Rs") shall be developed for the project that require the homeowner's association to make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan" ("Occupancy Plan") to the City's Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a final inspection. The CC&Rs shall require the homeowner's association to submit to the Environmental Resources Division a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report" annually on the anniversary date of the certificate of the final inspection for approval.

66. 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.

67. RECYCLING: Developer and operator shall install clearly labeled storage containers in the kitchen base cabinet within each guest room to facilitate separate disposal of recyclable and non-recyclable waste typically generated by guests. The location and specifications (size, materials, etc.) of such storage unit shall be shown on the construction document floor plans submitted to the City for building permits. Recycling guidelines shall be clearly posted on the door of the storage cabinet. The intent of this mitigation measure is to create a situation wherein recycling is as convenient for project guests as disposing of trash.

68. RECYCLING: Developer and operator shall provide recycling containers near the point of use in common areas for guests and residents to dispose of their recyclable waste (examples: indoors for newspapers and beverage containers; outdoors for beverage containers). Containers used exclusively for recycling shall be clearly identified as "recycling only" with clear icons or other graphics on each container appropriate to the container's content.

**DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS**

69. 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)

70. 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 the Development Services Division. (DS-3)

71. 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)

72. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)

73. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)

74. 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)

75. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)

76. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)

77. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

78. 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)

79. 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)

80. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (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-16)

81. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached

thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)

82. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

83. 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)

84. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

85. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

86. 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)

87. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)

88. "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)

89. 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)

90. 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)

91. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

92. 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)

93. 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)

94. By title sheet dedication at the time of filing the subdivision map, Developer shall dedicate all water rights for the project property to City. (DS-39)

95. 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)

96. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time City issues building permits. There shall be no interconnections between structures. (DS-42)

97. 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)

98. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

99. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)

100. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)

101. Prior to release of the final map or parcel map for recordation, Developer shall post a bond or other security satisfactory to the City Attorney, guaranteeing that all monuments will be set as required by the Government Code and the City Code. (DS-57)

102. 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)

103. 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)

104. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

**STORMWATER QUALITY CONDITIONS**

105. 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-78)

106. Developer shall construct double-bin trash enclosures (one bin for recycle use) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division . The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS-79)

107. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots 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. Developer may not discharge any cleaning agent into the storm drain system. (DS-84)

108. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall prepare a Stormwater Pollution Control Plan ("SWPCP") on the form provided by City. The SWPCP shall be developed and implemented in accordance with requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System Permit. The SWPCP 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 pollutants from the construction site entering the storm drain system. The SWPCP shall be reviewed and approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the SWPCP updated to reflect current site conditions at all times and shall keep a copy of the SWPCP on the site and make it available for City or designated representative to review upon request. (DS-87)

**DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS**

109. 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)

110. Developer shall provide recommendations from a geotechnical engineer to enhance the infiltration potential of porous concrete areas of the project. Recommendations should include, but not be limited to, soil enhancement, base material design, and compaction limits. (DS)

111. Developer shall design the site grading and roof downspout locations to maximize stormwater infiltration. (DS)

112. Breakwater Way, Wooley Road, and Seahorse Way were recently resurfaced and are subject to the City street cut policy for streets less than 10 years old. All street repairs to a street less than 10 years old shall be repaired in accordance with City Standard Plate 602 sheet 2 of 3. (DS)

113. Developer to construct a 6" curb along the Breakwater Way and Seahorse Way frontages of the project at locations where asphalt adjoins landscaping. (DS)

114. Developer to redesign pedestrian walks to provide direct connections from each unit to the existing Wooley Road sidewalk and eliminate parallel walks. Redesign shall minimize the amount of impervious area created while providing an appropriate path from each unit to the public sidewalk and to the trash enclosure. Design shall also include compliance with ADA requirements for pedestrian connections to handicap parking spaces. Final pedestrian walk design to be approved by the Development Services Manager. (DS)

115. Developer shall locate trash enclosure such that open doors do not encroach into right-of-way along Breakers Way and a minimum of 5 feet from a parking space. Developer shall also provide a pedestrian entrance to the enclosure that is separate from the main access doors. (DS)

116. Developer shall record the Tract 5797 final map prior to issuance of a building permit for the project. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of August, 2008, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

_____
Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2008 – [PZ 07-300-23]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF A TENTATIVE TRACT MAP OF TRACT NO. 5797 (PLANNING AND ZONING PERMIT NO. 07-300-23), FOR PROPERTY LOCATED AT 5103 & 5107 WOOLEY ROAD (APN 191-0-076-075 & 191-0-076-085), SUBJECT TO CERTAIN CONDITIONS. FILED BY CANDICE FOREHAND, ON BEHALF OF OWNER YOLANDA MORTON, 2300 KNOLL DRIVE, SUITE A, VENTURA, CA 93003.

WHEREAS, the Planning Commission of the City of Oxnard has considered the tentative tract map of Tract No. 5797 (Planning and Zoning Permit No. 07-300-23), filed by Candice Forehand 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, Section 15332 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 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 tract 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 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*).

**PLANNING SPECIAL CONDITIONS**

2. This permit is granted for the plans dated May 22, 2008, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. (PL, *G-2*)

3. 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)

**DEVELOPMENT SERVICES CONDITIONS**

4. Developer shall record the Tract 5797 final map prior to issuance of a building permit for the project. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 7th day of August, 2008, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

_____
Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary