RESOLUTION NO. 2011 – 20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 11-535-1 (DENSITY BONUS) FOR AN AFFORDABLE HOUSING PROJECT WITH A TOTAL OF 72 APARTMENT DWELLING UNITS ON EXISTING LOTS OF RECORD, LOCATED AT 5637 – 5727 CYPRESS ROAD (A.P.N.'S: 222-0-070-110, -155, -185, -190), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY MCCARTHY COMPANIES ON BEHALF OF RAMONA PROPERTY PARTNERS LLP, 633 VENTURA BOULEVARD, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning & Zoning Permit No. 11-535-01 (Density Bonus) filed by McCarthy Companies on behalf of Ramona Property Partners LLP, in accordance with Section 16-561 of the Oxnard City Code; and

WHEREAS, the California Environmental Quality Act (CEQA) provides categorical exemption from preparation of environmental review pursuant to Sections 15332, 15192 & 15194 for in-fill development and construction of affordable housing projects in urban areas, and all findings for these exemptions can be made; and

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

1. That the proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard, with the approval of the requested density bonus.

2. That the project meets the criteria set out in Government Code section 65915(b) as it provides a total of seventy two (72) dwelling units for households defined as low and very-low income.

3. The applicant has provided satisfactory method to guarantee that the rental prices will be established as stated in the application.

4. The applicant has agreed to execute the agreement referred to in section 16-421 of the City Code.

5. The seventy two (72) affordable units have a proportionate number of bedrooms as other units in the development and do not differ in appearance, size and amenities from other units of the same size in the project.

WHEREAS, the Planning Commission recommends that the City Council approve the following density bonus incentive for the proposed development, in accordance with Section 16-419(C)the City Code : 1) allow a minimum width of 5 feet for the balcony or patio of each unit.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council grant a density bonus permit for the affordable housing development to allow thirteen (13) additional units for a maximum of 72 dwelling units on the site, a 22% density increase, including the incentives listed above, subject to the conditions of approval listed below.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL CONDITIONS

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

2. This permit is granted for the plans dated March 16, 2011, ("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 36 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. (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 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*)

7. This permit is granted subject to the approval of Planned Development permit PZ 11-540-01 and Zone Change PZ 11-570-1. (PL)

8. Prior to issuance of building permits, developer shall enter an agreement in a form approved by both the City Attorney and the Housing Director ensuring the continued affordability of 72 units which qualified the applicant for the density bonus. The affordability shall be as follows: 21 units for up to 50% AMI (very low income), 50 units for up to 60% AMI (low income), and one rent-free unit for an on-site property manager, as adjusted for family size as provided in 25 California Code of Regulations Section 6932. The agreement shall be recorded in the Office of the Ventura County Recorder. The term of the agreement shall be a minimum of thirty (30) years.

   The agreement shall establish specific compliance standards and specific remedies available to the City if such compliance standards are not met. The agreement shall, among other things, specify the number of very low and low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, standards for maximum rents, a required annual report, and monitoring fees.

9. 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 and 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 constriction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, *G-6*)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of April, 2011, by the following vote:

AYES: Commissioners Guevara, Huber, Medina, Murguia, Mullin, Nash, Stewart

NOES:

ABSENT:

_____
Patrick Mullin, Chair

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2011 – 21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING & ZONING PERMIT NO. 11-540-1 (PLANNED DEVELOPMENT) TO ALLOW THE CONSTRUCTION OF TWELVE STRUCTURES WITH A TOTAL OF 72 AFFORDABLE APARTMENT DWELLING UNITS, ON-SITE AMENITIES, AND COMMUNITY ROOMS ON EXISTING LOTS OF RECORD, LOCATED AT 5637 – 5727 CYPRESS ROAD (A.P.N.'S: 222-0-070-110, 222-0-070-155, 222-0-070-185, 222-0-070-190), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY MCCARTHY COMPANIES ON BEHALF OF RAMONA PROPERTY PARTNERS LLP, 633 VENTURA BOULEVARD, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning & Zoning Permit No. 11-540-1, filed by McCarthy Companies on behalf of Ramona Property Partners LLP, in accordance with Sections 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the California Environmental Quality Act (CEQA) provides categorical exemption from preparation of environmental review pursuant to Sections 15332, 15192 & 15194 for in-fill development and construction of affordable housing projects in urban areas, and all findings for these exemptions can be made; and

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

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.

2. The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

3. The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.

4. The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.

5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing 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 16-545 of the Oxnard City Code.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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	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 dated March 16, 2011, ("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 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 36 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. (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 obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

10. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, *G-12*)

11. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)

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

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

13. 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*)

14. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section on the site improvement plans. (*DS-2*)

15. 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*)

16. 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*)

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

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

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

20. 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*)

21. 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*)

22. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (*DS-11*)

23. 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*)

24. 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*)

25. 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*)

26. 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*)

27. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (*DS-19*)

28. 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*)

29. 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*)

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

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

32. 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*)

33. "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*)

34. 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*)

35. 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*)

36. In order to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way, Developer shall construct required drainage facilities concurrently with the rough grading operations, or with prior approval of the City Engineer, provide interim drainage improvements on a temporary basis. (*DS-31*)

37. 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*)

38. 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*)

39. 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*)

40. 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*)

41. 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*)

42. 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*)

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

44. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (*DS-47*)

45. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2020 General Plan, and any applicable specific plan. (*DS-48*)

46. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (*DS-51*)

47. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, applying the appropriate traffic index specified in City standards. (*DS-53*)

48. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (*DS-54*)

49. 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*)

50. As part of the master utility plans, Developer shall submit a street lighting plan. On City's approval of the plan, Developer shall install streetlights in accordance with the plan. (*DS-60*)

51. 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*)

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

53. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (*TR-73*)

STORMWATER QUALITY CONDITIONS

54. 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*)

55. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (*DS-81*)

56. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Program and Developer provides an executed copy for recordation. (*DS-82*)

57. Developer shall clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning. (*DS-83*)

58. 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*)

59. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (*DS-85*)

60. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (*DS-86*)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

61. 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*)

62. Developer shall dedicate to the City approximately 4 feet of right-of-way along the entire Cypress Road frontage required to construct the improvements listed in these conditions of approval. (DS)

63. Developer shall reconstruct Cypress Road along the project frontage and provide approved transitions that result in a street half width of 18 feet (36' overall curb to curb width) with an additional 6 foot parkway and 5 foot sidewalk. Sidewalk and parkway configuration shall extend along the entire project frontage. Portions of the parkway may be paved to provide temporary transitions to adjacent existing sidewalks. (DS)

64. Developer shall construct a minimum 7 foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. (DS)

65. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)

66. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS)

67. Developer shall construct all trash enclosures with a pedestrian entrance that does not require residents to open the main enclosure doors to deposit refuse. Pedestrian entrance shall include a self-closing door and shall be connected to an accessible pedestrian path from the project buildings. (DS)

68. Developer has opted to pursue obtaining water service from the City in lieu of service from the Cypress Mutual Water Company. Prior to issuance of a site improvement permit, Developer shall provide the City Engineer with a written waiver from the Cypress Mutual Water Company for loss of service area for the portion of this project that will be served with City water. If Developer cannot obtain such a waiver, the City may allow Developer to execute an undertaking in a form approved by the City Attorney to indemnify, defend, and hold harmless the City and its officers, and employees as to all claims for compensation resulting from City's encroachment into the service area of the mutual water company. Acceptance of the undertaking by City in lieu of a written waiver by the Cypress Mutual Water Company is at the sole discretion of the City. (DS)

69. Prior to issuance of a building permit, Developer shall provide proof that the property has been annexed into the Calleguas Municipal Water District if the project is served by the City Water system. (DS)

70. Developer shall construct all onsite distribution water pipes of a minimum 8 inch diameter. The pipeline within Cypress Road shall be constructed with a minimum of a 12 inch diameter. The Cypress Road pipeline shall be installed in the City's standard street location and shall extend at a minimum along the entire project frontage. If determined necessary by the City Engineer, Developer shall extend the waterline within Cypress Road northerly (approximately 180 feet) to the intersection of Clara Avenue and Cypress Road to connect to the waterline proposed at this intersection as depicted on drawing 2005-019A. (DS)

71. Developer shall provide onsite fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards (including minimum fire flows) and shown on the civil engineer's improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over the waterline using standard City format. (DS)

72. Developer shall locate all fire department connections (FDCs) in locations that are easily accessible to a fire engine and shall not be located behind a vehicle parking space. (DS)

73. Project drainage report shall include an evaluation of the drainage pattern of the properties northerly of this project to determine if any stormwater is currently conveyed onto this property. Developer is responsible for conveying any historic discharge to a safe point of disposal. (DS)

74. Developer shall design the grass swale filter in accordance with the 2002 Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)

75. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass swale filter areas and that the proposed landscaping conforms to SQUIMP standards for grass swale filters. (DS)

76. Developer shall provide a 6 inch minimum vertical drop between the flow line of the parking lot concrete gutter and the flow line of the grass swale filter at each location where stormwater enters the filter swale. The transition between gutter flow line and swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)

77. Developer shall install a perforated underdrain below all grass swale filter constructed with a longitudinal slope of less than 1%. Underdrain shall connect to a point of safe discharge as approved by the Development Services Manager. (DS)

78. If Developer constructs infiltration based treatment BMPs (e.g. infiltration trenches, basins, or proprietary infiltration devices) then Developer shall provide site specific analysis and recommendations from a geotechnical engineer and a landscape architect for design and implementation of proposed stormwater infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not be limited to, determination of site soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and methods (e.g. Pre-treatment) to minimize long-term occlusion of soil porosity. Landscape architectural recommendations shall include, but not be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Design plans shall implement approved design recommendations. Grading plans shall implement temporary fencing or other similar barriers to prevent compaction of the soil in the infiltration devices during construction. (DS)

79. Developer shall stripe and sign a school bus stop along the project frontage. Final design and location of the bus stop shall be approved by the City Traffic Engineer. (DS)

80. Prior to issuance of a site improvement/grading permit, Developer shall provide proof that all underlying lots of this project have been merged into one legal lot. (DS)

81. Prior to issuance of a site improvement/grading permit, Developer shall provide a 100-scale base map for addressing purposes. The map shall be drawn on 18" by 24" mylar and shall

show the standard address amp title block, north arrow, street names, tract numbers, and lot numbers. The City will assign all addresses. (DS)

82. Developer shall clearly mark visitor parking spaces with the painted designation "Visitors Only" per Section 16-622 of the City Code. Project management regulations shall include the requirement to maintain visitor designation and actively prohibit use of visitor parking stalls by residents. (TR)

83. Developer shall supply and install crossing arms and associated safety equipment in both directions for the nearby Cypress Road railroad crossing. Developer may explore other traffic control systems in accordance with the California Manual on Uniform Traffic Control Devices. All proposed traffic control systems, including installation of crossing arms, shall be determined by an engineering study and are subject to approval by the railroad owner and the City Traffic Engineer. (TR)

LANDSCAPE STANDARD CONDITIONS

84. 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*)

85. 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*)

86. 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*)

87. 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*)

88. 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*)

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

LANDSCAPE SPECIAL CONDITIONS

90. Developer shall pay Park Mitigation Fees (fees for park Acquisition and Improvement) before issuance of building permits. The amount of the fee shall be determined by the Planning Division at the time of payment. (PK)

91. Prior to issuance of a building permit, the Park Mitigation Fee calculation worksheet shall be reviewed and verified by the Development Services Landscape Architect. (PK)

92. The Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK)

93. All landscaping and irrigation shall comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards. (PK)

94. Within sixty days of approval of the project, the Developer shall provide the Parks and Facilities Superintendent with a complete, detailed Landscape Maintenance District Master Plan for all phases of the project and shall deposit fees (not to exceed $13,700) as directed by Parks and Facilities Superintendent. Deposit fee is to pay for staff time, attorney time, and the engineer's report necessary to prepare all documents and hold hearings in order to join the existing assessment district #58 and impose an assessment formula and assessments on property within the project to pay the costs of maintaining the designated landscaping in the district. (PK)

95. The Landscape Maintenance District Master Plan shall be drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a landscape maintenance district; (b) a homeowners association; and/or (c) the City. After Superintendent approves such plan, Developer shall provide to Superintendent a mylar (minimum 3 mil) original drawing of the maintenance district master plan. (PK)

96. At the time of Plan Check submittal, the developer shall provide written documentation from the Parks and Facilities Superintendent that confirms that the developer is in the process of joining the existing Landscape Maintenance District #58. (PK)

97. Staff concurs with the Arborist's Tree Report appraisal value of $45,067 as the value of the trees which are designated to be removed from the site. The value of $45,067 shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box. (PK)

98. At the time of Landscape/ Irrigation Plan Check submittal, the landscape plans shall contain a Tree Tabulation Calculation Chart showing how the removed tree value is being put back into new tree sizes for the project in addition to meeting the City's minimum tree size of 24" box. A priority shall be given to upsizing trees along the frontage of the project and then all other tree within the project. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

99. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)

100. 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*)

101. 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*)

102. 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. The tests must be certified by a mechanical, civil, or fire protection engineer. 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*)

103. 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*)

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

105. At all times during construction, Developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)

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

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

108. The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, *F-11*)

109. 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*)

110. Developer shall install in each structure in the project an alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station

monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, *F-13*)

111. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer's specifications. It shall be hardwired with a battery backup.(FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

112. Fire sprinkler coverage is required for the following. (FD)

    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.

113. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department. (FD)

114. Developer shall ensure Fire Department access through man-gates, either by Knox lock devices or other Fire Department approved means. (FD)

115. Developer shall provide a minimum ten foot separation between service/maintenance enclosure and trash enclosure on northeast corner of project property. (FD)

    a. Service building and trash enclosure must be of non-combustible construction.
    b. Service building must be less than 500 square feet, and is restricted to storage only. No maintenance or repair of gasoline powered equipment shall be allowed.

PLANNING DIVISION STANDARD CONDITIONS

116. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, *PL-1*)

117. 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*)

118. 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*)

119. 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*)

120. 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*)

121. 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*)

122. Developer shall provide graphic site directories at principal access walkway points. (PL/B, *PL-10*)

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

124. 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*)

125. 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*)

126. 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*)

127. 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)*

128. 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)*

129. 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*)

130. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Division for approval prior to issuance of building permits. (PL, *PL-28*)

131. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)

132. 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*)

133. Developer shall prohibit the parking of recreational vehicles in the project. (B, *PL-39)*

134. 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

135. This permit is granted subject to the approval of a Zone Change (PZ No. 11-570-1) for the project property. (PL)

136. This permit is granted subject to the approval of a Density Bonus (PZ No. 11-535-1) for the project property. The density bonus approval pursuant to Government Code §65915 includes three concessions to allow modification of the development standards pertaining to minimum side yard setback, minimum rear yard setback, and minimum dimensions of second-floor balconies to permit less than 10 feet in depth.

137. Unless otherwise exempted by the State density bonus law (Government Code Sections 65915 – 65918), Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as shown on the site plan dated March 16, 2011. (PL)

138. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)

139. 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. (PL/DS)

Air Quality

140. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment. (PL)

141. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (PL)

142. 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)

143. During construction, Developer shall control dust by the following activities. (PL)
    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    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.

144. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (PL)

145. 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)

Cultural Resources

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

Noise

147. Construction activities shall be subject to the City's noise ordinance contained in City Code Chapter 7, Article XI (Sound Regulation), and shall be limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays, including Saturday. (PL)

148. All habitable structures shall comply with the recommendations for noise reduction contained in the noise report dated July 27, 2007, prepared by Rincon Consultants Inc. (PL)

Geology & Soils

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

Traffic & Transportation

150. Prior to issuance of a building permit, the Developer shall pay the applicable City and County cumulative impact traffic mitigation fee. (PL)

ENVIRONMENTAL RESOURCES DIVISION

151. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall submit a "Solid Waste Management & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to Planning Division and Environmental Resources Division 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 Solid Waste Management and Recycling Plan form.

152. Developer shall follow the plan and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete the Solid Waste Management & Recycling report and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Solid Waste Management and Recycling C&D Report form prior to issuance of a certificate of occupancy.

153. 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.

154. Developer and operator shall install clearly labeled storage containers in the kitchen base cabinet within each apartment to facilitate separate disposal of recyclable and non-recyclable waste typically generated by residents. 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.

155. Developer and operator shall provide recycling containers near the point of use in common areas for 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.

156. Developer and operator shall provide literature in each apartment (including on the door of the storage cabinet) explaining the importance of recycling, what can be recycled, and providing suggestions for source reduction, as well as water and energy conservation. City contacts for waste reduction, water conservation, and energy savings shall be listed in the literature.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of April, 2011, by the following vote:

AYES: Commissioners Guevara, Huber, Medina, Murguia, Mullin, Nash, Stewart

NOES:

ABSENT:

Patrick Mullin, Chair

ATTEST:

Susan L. Martin, Secretary

RESOLUTION NO. 2011 – 22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL ADOPTION OF PLANNING & ZONING PERMIT NO. 11-570-01 (ZONE CHANGE), TO CHANGE THE ZONE DISTRICT TO MULTIPLE-FAMILY RESIDENTIAL PLANNED DEVELOPMENT (R-2-PD) FOR A.P.N.'S 222-0-070-110, 222-0-070-155 AND 222-0-070-190, LOCATED ON CYPRESS ROAD, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY MCCARTHY COMPANIES ON BEHALF OF RAMONA PROPERTY PARTNERS LLP, 633 VENTURA BOULEVARD, OXNARD, CA 93036.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning & Zoning Permit No. 11-570-01, filed by the McCarthy Companies on behalf on behalf of Ramona Property Partners LLP, to amend the zoning of Assessor Parcel Numbers 222-0-070-110 and 222-0-070-190 from Single Family Residential (R-1) to Multiple-Family Residential Planned Development (R-2-PD), and to amend the zoning of Assessor Parcel Number 222-0-070-155 from Residential Planned Development (RPD) to Multiple-Family Residential Planned Development (R-2-PD); and

WHEREAS, the California Environmental Quality Act (CEQA) provides categorical exemption from preparation of environmental review pursuant to Sections 15332, 15192 & 15194 for in-fill development and construction of affordable housing projects in urban areas, and all findings for these exemptions can be made; and

WHEREAS, the Planning Commission has held public hearings and received and reviewed written and oral comments related to proposed Planning & Zoning Permit No. 11-570-01; and

WHEREAS, the Planning Commission finds after due study and deliberation that the proposed zoning designation of Multiple-Family Residential Planned Development (R-2-PD) will bring the subject properties into conformance with the General Plan designation of Residential Low-Medium.

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of Planning & Zoning Permit No. 11-570-01.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of Planning & Zoning Permit No. 11-570-01, amending the City's official Zoning Map to change the zoning designation of said parcels as shown in Exhibit "A", attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of April, 2011, by the following vote:

AYES: Commissioners Guevara, Huber, Medina, Murguia, Mullin, Nash, Stewart

NOES:

ABSENT:

_____
Patrick Mullin, Chair

ATTEST: _____
Susan L. Martin, Secretary

EXHIBIT A

All that certain real property situated in the County of Ventura, State of California, described as follows:

Assessor's Parcel No. 222-0-070-110

A part of Lot 10 of Garden City Acres, in the City of Oxnard, County of Ventura, State of California, as per Map recorded in Book 11, Page 104 of Maps, in the office of the County Recorder of said County, described as follows:

Beginning at a point on the Westerly line of said Lot 10, distant Southerly thereon 68.55 feet from the Northwesterly corner thereof;

1st: South 0° 02′ East 137.11 feet; thence,

2nd: North 89° 53′ East 75.00 feet; thence, parallel with the Westerly line of said Lot;

3rd: North 0° 02′ West 137.11 feet; thence, parallel with the Northerly line of said Lot;

4th: South 89° 53′ West 75 feet to the point of beginning.

Assessor's Parcel No. 222-0-070-155

A portion of Parcel C, Subdivision 83 of Rancho El Rio De Santa Clara O'La Colonia, in the City of Oxnard, County of Ventura, State of California, as per map recorded in Book 3 Page 14 of Maps, in the Office of the County Recorder of said County, more particularly described as follows:

Beginning at a point on the Westerly line of Cypress Road, 50.00 feet wide, as said road is shown on a map of Garden City Acres, in the City of Oxnard, County of Ventura, State of California, as per map recorded in Book 11 Page 104 of Maps, in the Office of the County Recorder of said County, said point also bears North 0° 02′ 00″ West 96.63 feet from the Northwesterly line of that strip of land 25.00 feet wide as conveyed to Ventura County Railway, recorded in Book 106 Page 540 of Deeds; thence from said Point of beginning,

1st: South 89° 58′ 00″ West 56.92 feet to a point on the Southwesterly line of Lot 10 of said Garden City Acres; thence along said Southeasterly line,
2nd: North 37° 10′ 45″ East 94.15 feet to a point on the Westerly line of said Cypress Road; thence along said Westerly line,
3rd: South 0° 02′ 00″ East 75.00 feet to the point of beginning.

Except therefrom Parcels 1 thru 6 above all water pipe lines, gates and valves and other property now installed in, through and across said land which belong to or comprise portions of the irrigation and/or water systems used in connection with said Subdivision, as reserved by Mary Farrell, a widow, in deed recorded June 9, 1943 in Book 676 Page 6, of Official Records.

Assessor's Parcel No. 222-0-070-190

A part of Lot 10 of Garden City Acres, in the City of Oxnard, County of Ventura, State of California, as per Map recorded in Book 11, Page 104 of Maps, in the office of the County Recorder of said County, described as follows:

Beginning at a point on the Westerly line of said Lot 10, distant Southerly thereon 68.55 feet from the Northwesterly corner thereof;

1st: South 0° 02′ East 137.11 feet; thence,

2nd: North 89° 53′ East 75.00 feet; thence, parallel with the Westerly line of said Lot;

3rd: North 0° 02′ West 137.11 feet; thence, parallel with the Northerly line of said Lot;

4th: South 89° 53′ West 75 feet to the point of beginning.

End of Exhibit A