



Meeting Date: 6/22/2010

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Brian Foote, AICP, Associate Planner *BF* Agenda Item No. _____

Reviewed By: City Manager _____ City Attorney *SMF* Finance *JC* Other (Specify) _____

DATE: June 10, 2010

TO: City Council

FROM: Susan L. Martin, AICP, Planning Manager *SMartin*
Development Services Department

SUBJECT: Appeal of Planning and Zoning Permit Nos. 09-300-5 (Tentative Subdivision Map) and 09-500-5 (Special Use Permit). Filed by owner and developer Raúl B. Orozco.

RECOMMENDATION

That City Council adopt resolutions upholding the appeal and approving Planning and Zoning Permit Nos. 09-300-5 (Tentative Subdivision Map) and 09-500-5 (Special Use Permit), subject to certain findings and conditions.

DISCUSSION

The proposed project requests approval of a tentative map to subdivide one acre into four residential parcels, and a special use permit to construct four detached single-family houses ranging between 2,671 and 3,610 square-feet each. Due to the irregular lot dimensions, deviations from the Code requirements are requested for the lot depth on Lot 2, and lot frontage on Lots 3 and 4, and patio placement. The proposal otherwise conforms to the General Plan and zoning designations on the subject property. The project site is located at the easterly terminus of Oneida Place, west of Ventura Road, and north of Devonshire Drive (see Attachment 1). The proposed project is exempt from environmental review in accordance with CEQA Guidelines Section 15332 for In-Fill Development Projects.

On April 15, 2010, the Planning Commission reviewed the proposed project and staff's recommendation for approval. During their deliberation, the Commission noted concerns regarding the use of pre-fabricated houses, simplicity of design, compatibility of the proposed square-footage with the surrounding properties, the number of variances requested, and the offset design of the proposed cul-de-sac. The Commission requested that the applicant reduce the sizes of the proposed houses between 10-20% in order to be more consistent with surrounding properties, enhance the architecture on the front and side elevations, revise the request for Code variances, and resubmit revised plans prior to returning for further review (see Attachments 2 & 3).

On May 20, 2010, the Commission considered the revised plans and changes to the architecture. The applicant's architect reduced the sizes of the houses by approximately 8-9%, modified the façades, modified the Site Plan by reducing the footprints, and removed encroachments into the setbacks. Commissioners against the project expressed concerns about the reductions to square-footage, modest changes to the architecture, the potential to redesign the cul-de-sac by incorporating adjacent properties, on-street parking and the potential for limited access by emergency vehicles (see Attachments 4 & 5). Those that supported the project believed that the proposed project is compatible with the neighborhood as well as the General Plan and zoning designations, the owner has a right to develop the property absent compelling reasons to deny the project, and the Commission should avoid any cul-de-sac design that might result in claims that portions of adjacent residential properties were being taken for public use. A motion to deny the project failed to pass by a vote of 3-3. The Planning Commission bylaws state that if the item fails to receive the number of required votes, then that failure constitutes a denial or recommendation for denial.

Appeal

On June 4, 2010, Raúl Orozco filed a Notice of Appeal (see Attachment 6) in response to the Commission's denial. The appellant requests that the City Council approve the project as proposed. The appellant's concerns are summarized in italics followed by staff's response.

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

The proposed project is consistent with the General Plan designation of Residential Low (RL) as well as the Zoning Map designation of Single-Family (R-1-PD).

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.

The Commission could not agree that the proposed project satisfied this finding. However, the proposal will comply with the development standards contained in the Zoning Code as well as the conditions of approval that will ensure the public health, safety, and 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.

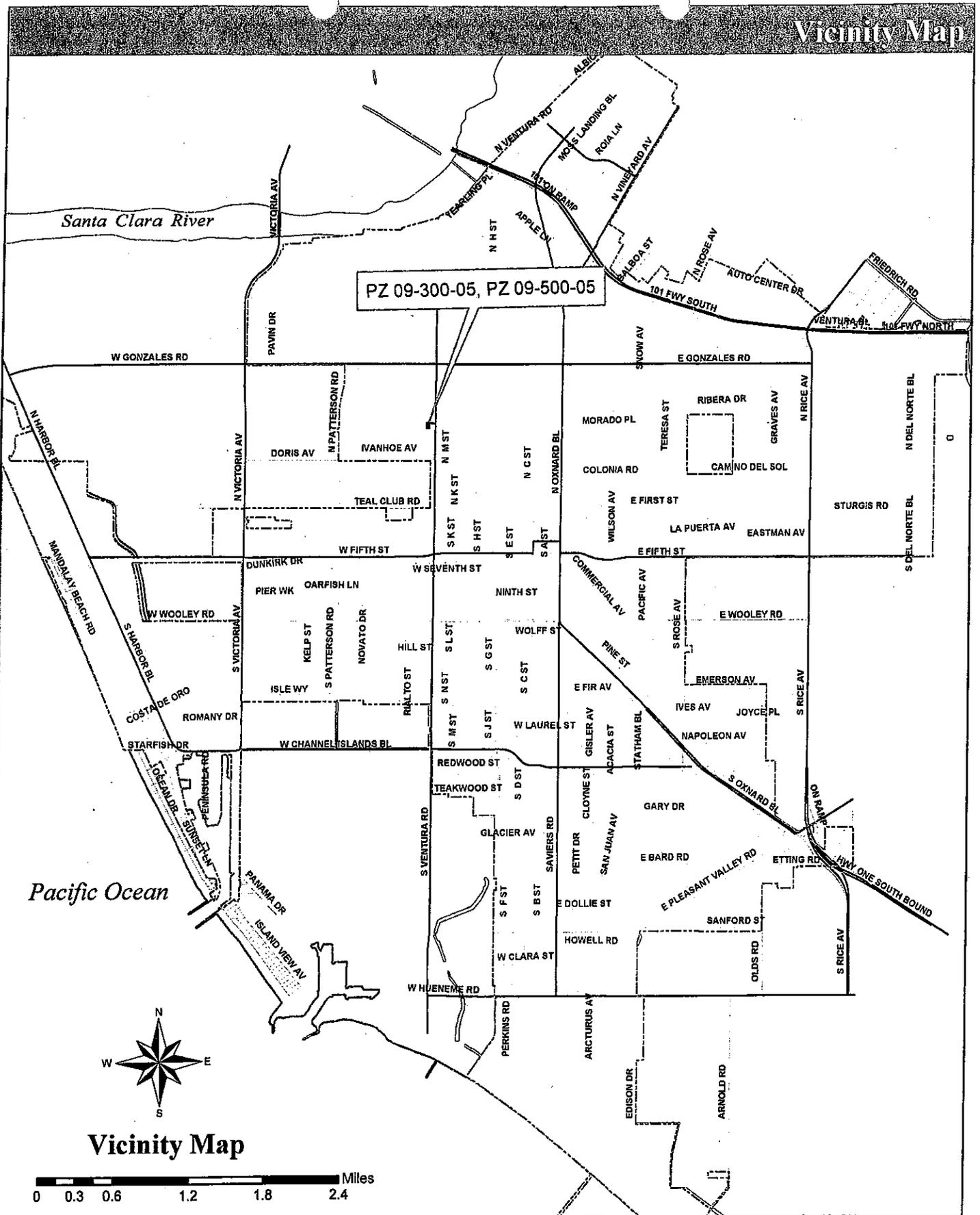
The proposed project will comply with the development standards and applicable provisions contained in the Zoning Code, and the site can accommodate the required setbacks, parking, landscaping, and other City standards.

FINANCIAL IMPACT

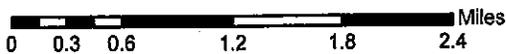
None.

Attachments:

- 1 – Vicinity, General Plan, and Zoning Maps
- 2 – Planning Commission Staff Report (April 15, 2010)
- 3 – Planning Commission Minutes (April 15, 2010)
- 4 – Planning Commission Memorandum (dated May 10, 2010 for P.C. meeting of May 20, 2010)
- 5 – Planning Commission Minutes (May 20, 2010)
- 6 – Appellant's Notice of Appeal
- 7 – Reduced Project Plans
- 8 – City Council Resolution - Tentative Map
- 9 – City Council Resolution - Special Use Permit



Vicinity Map

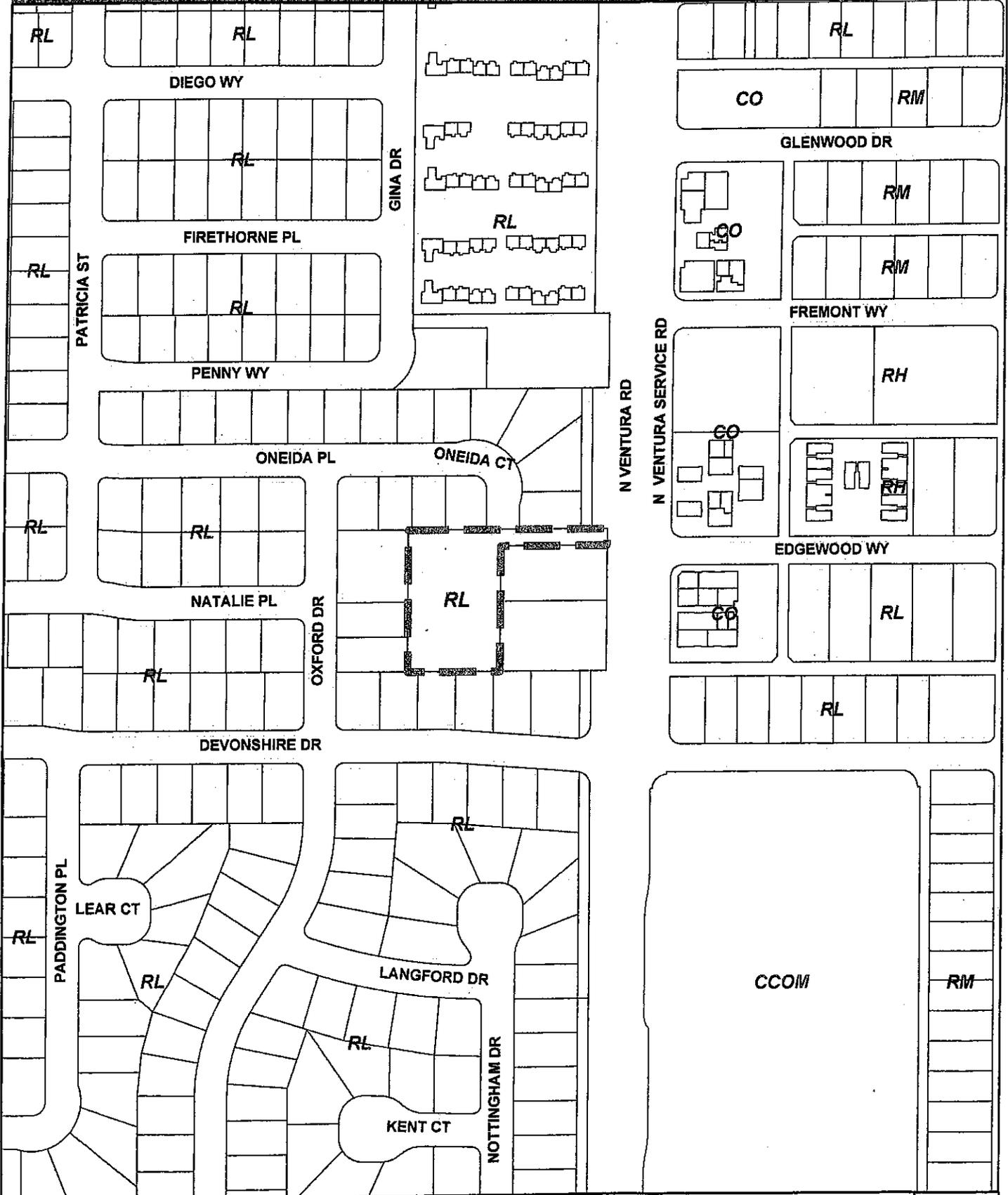


Oxnard Planning
January 4, 2010

PZ 09-500-05, 09-300-05
Location: 1071 N Ventura Rd
APN: 18101927
Oneida Court

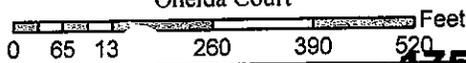
ATTACHMENT 1

PAGE 1 OF 3



Oxnard Planning
January 4, 2010

PZ 09-500-05, 09-300-05
Location: 1071 N Ventura Rd
APN: 18101927
Oneida Court



175

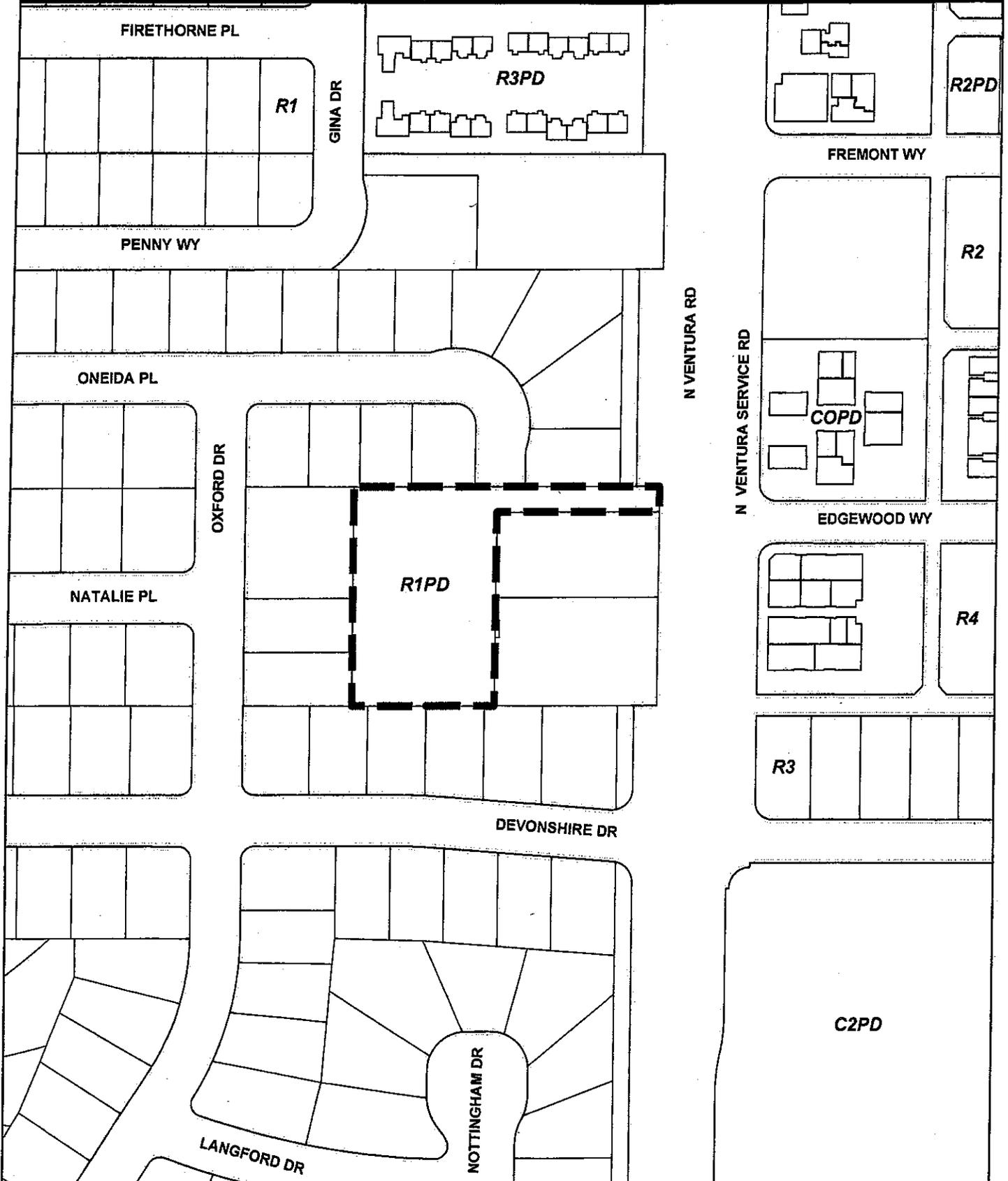
General Plan Map

ATTACHMENT
PAGE 2 OF 3



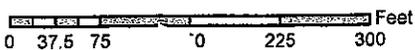
1:2,925

Zone Map



Oxnard Planning
January 4, 2010

PZ 09-500-05, 09-300-05
Location: 1071 N Ventura Rd
APN: 18101927
Oneida Court



Zone Map

ATTACHMENT 1
PAGE 3 OF 3



1:1,884



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Brian Foote, AICP, Associate Planner

DATE: April 15, 2010

SUBJECT: Planning and Zoning Permit Nos. 09-500-5 (Special Use Permit) and 09-300-5 (Tentative Subdivision Map), Located at 1071 N. Ventura Road.

- 1) **Recommendation:** That the Planning Commission:
 - a) Approve Planning and Zoning Permit No. 09-500-5 for a special use permit, subject to certain findings and conditions.
 - b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 09-300-5 for a tentative subdivision map for Tract No. 5862, subject to certain findings and conditions.

- 2) **Project Description and Applicant:** A request for approval of a tentative map to subdivide 1 acre into four residential parcels and one remainder parcel, and a special use permit to construct four detached single-family houses (one dwelling unit on each lot) ranging between 2,502 and 3,083 square-feet each. Due to the irregular lot dimensions, deviations from the Code requirements are also requested for front and rear setbacks, patio placement, and lot depth. The project site is located at the east terminus of Oneida Place, west of Ventura Road, east of Oxford Drive, and north of Devonshire Drive. Filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010.

Table 1. Proposed Lot Sizes

Lot Number	Proposed Land Use	Number of Dwelling Units	Lot Size (Approximate)
1	Single-Family Residential	1	6,695 sq.ft.
2	Single-Family Residential	1	8,317 sq.ft.
3	Single-Family Residential	1	9,367 sq.ft.
4	Single-Family Residential	1	8,130 sq.ft.
A	Cul-de-sac & Vacant	0	15,706 sq.ft.
Total		4	48,215 sq.ft. (1.1 acres)

3) Existing & Surrounding Land Uses: The project site is vacant and unimproved, and surrounded on all sides by detached single-family residences in the Cabrillo neighborhood, which were previously developed as part of Tract No. 3051-3 and Tract No. 4351.

Table 2. Surrounding Land Uses

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	R1-PD	RL	Vacant
North	R1-PD	RL	Detached Single-Family Residences
South	R1-PD	RL	Detached Single-Family Residences
East	R1-PD	RL	Detached Single-Family Residences
West	R1-PD	RL	Detached Single-Family Residences

4) Background Information: The project site is a vacant property that was never incorporated into Tract No. 3051-3 or Tract No. 4351 when those documents recorded in 1987. Tract No. 4351 created the lots to the north and west along with Oneida Place and Oneida Court. The project site, therefore, is a spare parcel of land situated between Tract No. 4351 to the north and west, Tract No. 3051-3 to the south, and two existing residences to the east that front on Ventura Road. The terminus of Oneida Court was not designed to provide access to the vacant property, and is an existing situation that the current application proposes to remedy.

On September 1, 2006, a previous owner submitted an application for a special use permit and tentative map to develop a similar project. The proposed tentative map and plans were substantially identical to the current application (i.e. a 4-lot subdivision, 1 remainder parcel, and access via the cul-de-sac from Oneida Place). That previous application was withdrawn at the applicant's request in 2007 prior to being considered by the Planning Commission.

5) Environmental Determination: In accordance with Section 15332 of the California Environmental Quality Act (CEQA) Guidelines, In-Fill Development Projects may be found to be exempt from the requirements of CEQA. This proposal involves the subdivision of approximately one acre into four residential lots, is in conformance with the General Plan and Zoning Code, all public services and utilities are available, and there are no potentially significant environmental effects. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment, and recommends that the Planning Commission accept the Notice of Exemption (Attachment C).

6) Analysis:

a) General Discussion: The proposed project will develop a 1-acre vacant property surrounded by the Cabrillo neighborhood, and is considered in-fill of the neighborhood. The application also includes a request pursuant to §16-271 to allow modification of certain development standards. Specifically, the modifications requested are: 25% reduction of lot depth for Lot 2; 20% reduction of front yard setback for Lot 2; 25% reduction of lot frontage for Lots 3 & 4; and projection of patio covers into rear setbacks for Lots 1 & 2.

- b) **General Plan Consistency:** The 2020 General Plan designates the subject property as Residential Low (RL) and is intended for single-family detached housing with density ranging between 1 to 7 dwelling units per acre. The proposed project will be consistent with the applicable General Plan policies as shown in Table 3.

Table 3. General Plan Policies & Consistency

POLICY	DISCUSSION
<p>Growth Management Policy #2(b) (page IV-21) states that the City will encourage in-fill development on vacant parcels that are adequately served by public utilities and services, which would result in a more compact urban form and reduce the need to expand current services.</p>	<p>The proposed subdivision is for an existing vacant parcel surrounded by a single-family neighborhood with adequate public utilities and services already in place. Therefore, consistency with this policy may be found.</p>
<p>Land Use Policy #4 “Major Study Area Policies” (page V-36) states that the Cabrillo Neighborhood is designated for low density single-family residences. Table V-9 (page V-50) defines Low Density as 1 to 7 dwelling units per acre, such as conventional detached homes.</p>	<p>The proposed development is for detached single-family houses (one house on each lot), with conventional yard and setback requirements. Therefore, consistency with this policy may be found.</p>
<p>Housing Policy #2.3 (page V-8) requires that sites for residential development have appropriate services and facilities, including sewage collection and treatment, domestic water supply, and other needed infrastructure.</p>	<p>The subject site is currently served by public and private utilities, including streets, storm drain facilities, water supply systems, and sewage collection systems. Therefore, consistency with this policy may be found.</p>
<p>Circulation Policy #4 (page VI-24) states that the street improvement plans of new residential developments shall avoid geometric designs that encourage through traffic.</p>	<p>The proposed subdivision includes a new cul-de-sac for the easterly terminus of Oneida Court, and completes the street grid system in that neighborhood. Therefore, consistency with this policy may be found.</p>
<p>Public Facilities Policy #33 (page VII-21) states that the City will “encourage the use of solar space and water heating technologies to lessen the demand for fossil fuels.”</p>	<p>The proposed designs incorporate day lighting features (e.g. sky lights) and include options for solar photovoltaic panels in order to lessen the demand for electricity production. Therefore, consistency with this policy may be found.</p>

c) **Conformance with Zoning Development Standards:** The proposed development is located in the Single-Family Planned Development (R-1-PD) zone district. The proposed project is consistent with the applicable development standards of the R-1-PD zone as shown in Table 4. If the project is approved as a Planned Development, then §16-271 allows the Planning Commission to modify certain numerical standards by up to 25%.

Table 4. Development Standards & Consistency

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Dwelling Size §16-24	1,000 SF min., exclusive of garages, carports, or any accessory building.	2,502 SF min.	Yes
Max. building height §16-25	2 stories, not to exceed 25 feet (max.)	2 stories & 25 feet max.	Yes
Density §16-26	6,000 sq.ft. per D.U. (min).	8,127 SF (avg.), or 4 D.U./acre	Yes
Lot Frontage §16-27	50 feet min. at curb, or 37.5 feet min. w/ PD approval.	Lots 1 & 2: 50 feet min. Lots 3 & 4: 37.5 feet min.	Yes Yes, w/ 25% PD approval
Lot Width §16-28	Interior Lots = 60 feet min. Corner Lots = 75 feet min.	60 feet min.	Yes
Lot Depth §16-29	100 feet min., or 75 feet min. w/ PD approval.	Lots 1, 3, 4: 100 feet min. Lot 2: 75 feet	Yes Yes, w/ 25% PD approval
Front yard setback §16-31	20 feet min., or 15 feet min. w/ PD approval.	Lots 1, 3, 4: 20 feet min. Lot 2: 16 feet min.	Yes Yes, w/ 20% PD approval
Side yard setback §16-32	3 feet min. & need not exceed 5 feet.	5 feet min.	Yes
Rear yard setback §16-33	25% of lot depth & need not exceed 25 ft. <i>Lots 1, 3, 4: 25 feet min. Lot 2: 18.75 feet min.</i>	25 feet min. Lots 1 & 2: 15' for patio covers	Yes Yes, w/ PD approval

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Interior yard space §16-34	15% of lot area or 900 SF, whichever is less. Area open from ground to sky.	1,600 SF min. each lot	Yes
Accessory buildings §16-35	1 story max. height & within setbacks	None	N/A
Fences, walls, hedges - front yard §16-308	Must be at least 50% open, and may not exceed 42 inches. Or if solid wall, then may not exceed 18 inches.	None	N/A
Fences, walls, hedges - side & rear yards §16-309	Not to exceed 7 feet in height.	6 feet max.	Yes
Parking spaces Resident §16-622	2 garage spaces for up to 5 bedrooms; 3 garage spaces for 6 bedrooms.	3 garage spaces for 6 bedrooms; 2 garage spaces for 4 bedrooms	Yes

d) **Site Design:** The subdivision proposes a private cul-de-sac with the street design slightly offset from Oneida Place, in order to complete the terminus of the street. All four proposed houses will face the cul-de-sac and have driveway access directly from the private street. The east side of the cul-de-sac includes spaces for future driveways for the residential properties located east of the project site. Although not a part of the current project, Ventura Road will be widened at some point in the future, and therefore the easterly residential properties adjacent to the project site will then be required to take access from the private cul-de-sac.

The narrow 25-foot wide flag portion of Parcel A will remain vacant and will not be accessible to the public. The easternmost 30 feet will be immediately dedicated to the City to accommodate the future widening of Ventura Road. The remaining segment between Ventura Road and Oneida Court (approximately 165 lineal feet) will record an irrevocable offer of dedication; however, the City will not accept the offer until expedient to do so (i.e. after Ventura Road has been widened).

The proposed drainage will be directed toward the front of the lots and toward the cul-de-sac. To accommodate the proposed drainage scheme, the rear yards of Lots 1, 2 and 3 will be elevated approximately 3 feet above the existing pad heights of the neighboring properties to the west. The south-facing rear yards of Lots 3 and 4 will be approximately 2 to 3 feet below the existing pad heights of the neighboring properties to the south. The proposed 6-foot high perimeter wall will be measured on the side of the proposed pads; therefore, the wall along

the west property line will exceed the height of the neighbor's wall by approximately 3 feet. Cross section views and wall renderings are included in the project plans.

A condition of approval has been added that requires a decorative vinyl fence along the easterly property line adjacent to the cul-de-sac (i.e. the rear property lines of the two residential properties to the east). That vinyl fence will be an interim condition until such time in the future when the two easterly properties construct driveways to the cul-de-sac to take access.

- e) **Circulation and Parking:** A small island will be provided at the center of the private cul-de-sac. Each driveway will provide space for three vehicles that will allow off-street guest parking for each property. Approximately four on-street parking spaces will be available on the west side of the cul-de-sac. The east side of the cul-de-sac will be red striped to allow access to mailboxes and two future driveways for the residences to the east of the project site.
 - f) **House Design:** The proposed houses are pre-fabricated, two stories in height, and will have contemporary designs comparable to the surrounding residences. Exterior wall finishes will utilize cement plaster, stone veneer, composite wood siding, or combinations of those three materials. Decorative trim will be placed around all doors, windows, and vents on all four sides of the houses. Roofing will be lightweight concrete tile. Walls visible from the street will use decorative concrete block consistent with the design theme. Decorative vinyl fencing is proposed along the interior lot lines.
 - g) **Landscaping and Open Space:** Each proposed lot will meet the minimum requirements for on-site landscaping and open space. Standard front yard landscape packages will be included at the time of development. Rear yards will be graded but not improved, and will include a soil-binder treatment to prevent fugitive dust.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on November 4 and December 2, 2009. Recommendations of the DAC are included in the attached resolutions.
- 8) **Community Workshop:** On December 14, 2009, the applicant mailed notices of the Community Workshop meeting to all property owners within the Cabrillo neighborhood. One notice was posted on the project site ten days prior to the meeting. A total of six persons attended the meeting, four of whom live in the Cabrillo neighborhood. The Cabrillo neighborhood chairperson had questions for the applicant, but no concerns. The three other residents own properties located immediately adjacent to the project site. Their concerns focused on the proposed perimeter wall and gap between walls, proposed grading and pad elevations, and drainage. Other comments were made concerning noise and construction activities, gophers burrowing across property lines, and dust control. All attendees indicated that they were generally in favor of the proposed project and supported moving forward. In the months since then, staff has provided additional information and revised plans to several attendees, and worked to resolve the concerns mentioned in the meeting.

9) Appeal Procedure: In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

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

Prepared by: 
BF
Approved by: 
SM

Planning Commission Attachments A, B and D omitted.

See City Council Attachment 7 for the plan reductions.



NOTICE OF EXEMPTION

Project Description:

PLANNING & ZONING PERMIT NO. 09-500-05 (Special Use Permit) and 09-300-5 (Tentative Subdivision Map). A request for approval of: a Tentative Subdivision Map to subdivide 1 acre into four residential parcels ranging between 6,695 and 9,367 square-feet each, one remainder parcel, and construct a cul-de-sac at the terminus of Oneida Place; and a Special Use Permit to construct four detached single-family houses (one dwelling unit on each lot) ranging between 2,502 and 3,083 square-feet each. The project site is located at the east terminus of Oneida Place, west of Ventura Road, east of Oxford Drive, and north of Devonshire Drive. The proposal is exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010.

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, §15332 – In-Fill Development Projects
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines §15270]
- No Possibility of Significant Effect [CEQA Guidelines §15061(b)(3)]

Supporting Reasons: In accordance with Section 15332 of CEQA, projects involving in-fill development within city limits, less than 5 acres in size, consistent with General Plan and zoning designations, and no significant environmental effects may be found to be exempt. There is no substantial evidence that the project may have a potentially significant effect on the environment. Therefore, staff has determined that the project qualifies for exemption.

(Date)

Susan L. Martin, AICP
Planning Division Manager

MINUTES

OXNARD PLANNING COMMISSION
REGULAR MEETING
APRIL 15, 2010

A. ROLL CALL

At 7:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Sonny Okada, Patrick Mullin, Deirdre Frank, Michael Sanchez, Dale Dean, and Saul Medina were present. Vice-Chairman Dean presided and called the meeting to order. Staff members present were: Susan Martin, Planning Manager, Paul Wendt, Senior Civil Engineer; Earnel Bihis, Assistant Traffic Engineer; Stephen Fischer, Assistant City Attorney; Ashley Golden, Principal Planner, Brian Foote, Associate Planner; Justin Beranich, Assistant Planner, and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

C. READING OF AGENDA

Planning Manager Martin reviewed the agenda including the applicant's request to continue Item E-1 (PZ 08-550-04) off calendar. She also suggested reordering the agenda to move Item F-1 (PZ 10-510-01) to the end of the agenda, as the applicant had not yet arrived.

Chair Dean reordered the agenda placing Item F-1 (PZ 10-510-01) at the end of the agenda.

MOTION Commissioner Frank moved and Commissioner Sanchez seconded a motion to continue Item E-1 (PZ 08-550-04) off calendar, at the request of the applicant. The question was called and the motion carried 6-0-1, Commissioner Elliott absent.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – March 18, 2010
2. Adoption of a resolution denying a Major Modification to Special Use Permit No. 479 (PZ 09-550-13) to construct and operate an automatic carwash at an existing service station (Chevron), located at 2251 North Oxnard Boulevard. Filed by Designated Agent Mark Di Cecco, AIA, 5416 North Commerce Avenue, Moorpark, CA 93021.
PROJECT PLANNER: Doug Spondello

MOTION Commissioner Frank moved and Commissioner Medina seconded a motion to approve the minutes of March 18, 2010 as presented; and to adopt a resolution denying PZ 09-550-13, a Major Modification to Special Use Permit No. 479, to construct and operate an automatic carwash with associated equipment at an existing service station located at 2251 North

Oxnard Boulevard. The question was called and the motion carried 6-0-1, Commissioner Elliott absent.

E. CONTINUED PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 08-550-04 (Special Use Permit) proposes a 3,568 square foot addition to an existing 1,500 square foot building (5,068 square feet total) to create a small multi-tenant commercial retail center. Site improvements include upgrades to existing parking, landscaping, and lighting to accommodate the proposed development improvements, located at 2100 East Pleasant Valley Road. The proposed project is exempt from environmental review under Section 15303 of the CEQA Guidelines. Filed by Renato Santizo, RGS Design Studio, Inc. on behalf of the owner, Octavio Vasquez, 1811 Zircon Avenue, Oxnard, CA 93030.
PROJECT PLANNER: Juan Martinez

ITEM E-1 (PZ 08-550-04) CONTINUED ABOVE.

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 10-500-3 (Special Use Permit) and 10-300-1 (Tentative Map for a Parcel Map Waiver) to re-subdivide three existing lots into two. The subject site, totaling 7.22 acres, consists of two structures on two parcels, and one parcel providing vehicular access from Statham Boulevard. The building addressed at 2311 Statham Boulevard will be merged with the access drive as part of this request into Parcel A (2.4 acres). This map application includes a request for condominium purposes for three tenant spaces within the building on Parcel A. In addition, the site will be upgraded with additional landscaping and parking area improvements. Parcel B (4.8 acres), a multi-tenant building, is addressed at 2325 Statham Boulevard. A small portion of this Parcel B will be merged into Parcel A. The proposed project is exempt from environmental review under Section 15301(k) and 15304(b) of the CEQA Guidelines. Filed by Gary Schein of Gruny LLC, 355 North Lantana Street #784, Camarillo, CA 93010.
PROJECT PLANNER: Ashley Golden

Principal Planner Golden presented the staff report including access onto Statham Boulevard; surrounding uses; reciprocal access agreement; public utility easement; legal non-conforming status due to landscaping; Parcel Map Waiver process; and special conditions for signage. She also displayed the vicinity map, site photos, and site plans.

Senior Civil Engineer Wendt explained that the City owned the water and sewer lines on Parcel 4, and had responsibility to maintain them.

Chairman Dean opened the public testimony. No comments were received, and the public testimony was closed.

MOTION Commissioner Okada moved and Commissioner Frank seconded a motion to adopt a resolution granting PZ 10-500-3, a Special Use Permit to allow the conversion of an existing industrial building into community ownership units and related site improvements, located at

2311 Statham Boulevard, subject to certain findings and conditions; and adopt a resolution granting PZ 10-300-1, a Tentative Parcel Map for a Parcel Map Waiver for property located at 23111, 2325 Statham Boulevard, subject to certain conditions. The question was called and the motion carried 6-0-1, Commissioner Elliott absent.

2. PLANNING AND ZONING PERMIT NO. 09-500-05 (Special Use Permit) and 09-300-5 (Tentative Subdivision Map), a request for approval of: a Tentative Subdivision Map to subdivide one acre into four residential parcels ranging between 6,695 and 9,367 square-feet each, one remainder parcel, and construct a cul-de-sac at the terminus of Oneida Place; and a Special Use Permit to construct a Planned Development with four detached single-family houses (one dwelling unit on each lot) ranging between 2,502 and 3,083 square-feet each. The project site is located at the east terminus of Oneida Place, west of Ventura Rd., east of Oxford Dr., and north of Devonshire Dr., in the R1-PD zone. The proposal is exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Raúl Orozco, 312 Camarillo Drive, Camarillo, CA 93010.
PROJECT PLANNER: Brian Foote

Associate Planner Foote presented the staff report including surrounding uses; revision to Condition No. 69 of Tentative Map, due to typo; and on Parcel A, the 30 foot section adjacent to Ventura Road would be offered to the City for dedication immediately, and an irrevocable dedication on the remainder of the parcel would be offered to the City for possible future use in widening Ventura Road. He also displayed the General Plan and zoning maps; aerial and site photos; proposed tentative map; site plan; elevations; and materials and colors photo.

Mr. Mark Pettit, architect for the applicant, gave a brief presentation including history of the site; agreed to proposed conditions; worked with surrounding neighbors; questioned why the need for two additional laterals if the two houses were already on sewer, and if they are on septic, could the developer be reimbursed after the connections were made; asked if the City used the remainder of Parcel A in the future, could the developer be paid for the property; due to the grade, a second wall would be constructed for privacy to the neighbors; wanted the opportunity to do pre-fabricated homes; and the homes were designed potentially for solar, and toward LEED certification.

Planning Commission discussed the use of pre-fabricated homes; the simplicity of design; the size of the homes; the request for reductions in front and rear setbacks, and lot depth; and why a pedestrian way couldn't have been used for the flag area.

Chairman Dean opened the public testimony.

Mr. James Reach spoke in favor of the project.

Mr. Christopher Diamond spoke in opposition to the project, and asked what would happen to the existing wall, when the new wall was constructed.

Mr. Miguel Fernandez spoke in favor of the project, stating that his family owned four homes to the west, and three homes to the north of the project. He asked that the developer be required to hire a qualified pest control service to eradicate the gophers, and that construction hours be limited to 8:00

a.m. to 4:30 p.m. for all exterior noise generating work, and 7:00 a.m. to 4:30 on finish and interior work.

Mr. Pettit agreed to eradicate the gophers and to adhere to the hours of construction.

Mr. Fernandez stated that the applicant had agreed to build the wall that would straddle their property line, with nothing in between, as it would be against the existing wall. A waterproof membrane would need to be constructed on the applicant's side of the wall to act as a barrier to prevent water from leaking onto adjoining property.

Chair Dean closed the public testimony.

Mr. Pettit asked that the project be continued to May 20, 2010 in order to allow time to work with staff in reducing the square footage of the homes by 10 to 20 percent, with conventional building, and details that are more compatible with a non-modular project.

MOTION Commissioner Sanchez moved and Commissioner Okada seconded a motion to continue PZ 09-500-05 and PZ 09-300-5 to May 20, 2010, as requested by the applicant. The question was called and the motion carried 6-0-1, Commissioner Elliott absent.

RECESS Chairman Dean called a recess at 8:35 p.m. The meeting reconvened at 8:44 p.m. with all Commissioners present, except Commissioner Elliott.

3. **PLANNING AND ZONING PERMIT NO. 10-510-01 (Special Use Permit)**, a request to permit beer and wine sales for off site consumption at an existing grocery and meat market, known as Fierros Meat Market, located at 1355 South C Street. The market encompasses 3,000 square feet of floor area and the hours of operation are between 8 A.M. and 9 P.M. Monday through Sunday. The proposed project is exempt from environmental review under Section 15301 of the CEQA Guidelines. Filed by designated Attorney in Fact Mr. Harold Jung on behalf of Reverend J. J. Taylor, 1238 East Fifth Street, Oxnard, CA 93030.

PROJECT PLANNER: Justin Beranich

Assistant Planner Beranich presented the staff report including surrounding uses; no undue concentration; would not aggravate Police problems; and the proposed Police conditions would mitigate any potential problems. He also displayed an aerial photo from 2007, and site and floor plans.

Mr. Harold Jung, designated agent, with Mr. Chung Han Seok, business owner, gave a brief presentation including the business owner's experience in operating the business; request was due to the economy; has 11 employees; primarily a meat market; no security concerns; agreed to all conditions; back of building is gated, locked, and used only for receiving merchandise; applicant is a resident of the City, is involved in the neighborhood, and makes an attempt to become acquainted with his neighbors, to the extent that the language barrier allows.

Chairman Dean opened the public testimony. No comments were received, and the public testimony was closed.

MOTION Commissioner Sanchez moved and Commissioner Okada seconded a motion to adopt a resolution granting PZ 10-510-01, a Special Use Permit to allow the sale of beer and wine for off-site consumption in an existing convenience market at 1355 South C Street, subject to certain findings and conditions. The question was called and the motion carried 6-0-1, Commissioner Elliott absent.

G. PLANNING COMMISSION BUSINESS

Commissioner Medina discussed Earth Day, and encouraged everyone to use the bus system.

Commissioner Sanchez indicated that the Oxnard High School band was holding a casino night on May 7th.

Commissioner Dean asked about noticing for the Community Workshops.

Planning Manager Martin explained that the applicant handled the written notice to property owners within the General Plan designated boundaries, which is greater than the 300 foot radius; notice is included in the neighborhood packets; and on the City's website under Planning.

Commissioner Mullin stated that the California Strawberry Festival would be held May 15 and 16, 2010, in Oxnard.

H. PLANNING MANAGER COMMENTS

Planning Manager Martin stated that due to the lack of agenda items, the meeting of May 6, 2010 would be cancelled.

I. ADJOURNMENT

At 9:14 p.m., the Planning Commission concurred to adjourn.


Dale Dean, Chairman

ATTEST: 
Susan L. Martin, Secretary



MEMORANDUM

May 10, 2010

TO: Planning Commission

FROM: Brian Foote, Associate Planner

SUBJECT: Hearing continued from April 15, 2010, for the Oneida Court project.
PZ 09-500-5 (Special Use Permit) & 09-300-5 (Tentative Subdivision Map)

Please find attached the revised resolutions and plans related to your consideration of the Oneida Court project. The following list summarizes the changes:

Site Plan & Floor Plan modifications:

- Total square-footage for each house has been reduced by the following:
 - Unit 1 has been reduced by 244 sq.ft. or 8.4% (244 / 2,922).
 - Unit 2 has been reduced by 263 sq.ft. or 9.0% (263 / 2,934).
 - Units 3 & 4 have been reduced by 372 sq.ft. or 9.3% (372 / 3,982).
- The floor plans are not to scale, and a note has been added to the plans. The floor plans show that some dimension numbers have been modified to reflect the reduced square-footage, however, the dimension lines have not been modified (i.e. some numbers and lines do not match the scale indicated on the plans). The applicant has agreed to add Condition No. 56 to the SUP resolution that limits the total size of each dwelling unit, and the architect will subsequently modify the construction drawings prior to submittal for Plan Check.
- Overall dimension numbers shown on Floor Plans match the footprints on the Site Plan; therefore, the Site Plan is accurately shown to scale.
- Site Plan has been modified to show slightly smaller footprints on all lots, and the structure on Lot 2 will not encroach into the front setback.
- The request for Planning Development reductions has been modified to exclude encroachments into setbacks, and now includes only lot depth on Lot 2 (75 feet or a 25% reduction) and lot frontage on Lots 3 and 4 (37.5 feet or a 25% reduction).
- Parcel A (the portion between the cul-de-sac and Ventura Road) will be approximately 3,975 sq.ft. after the 50-foot dedication specified in tentative map Condition No. 68. This notation is also applicable to the tentative map.

Architecture modifications:

- Elevations for unit 1 show bay windows on the façade (both 1st and 2nd stories) with stone veneer trim, stone veneer replacing the plaster on the chimney, and mullion within the 1st story windows have been slightly modified to match the 2nd story windows.
- Elevations for unit 2 show a new balcony and doorway inserted on the façade with a projecting center gable roof, two sets of dual wood columns on the façade rising from the ground to the roofline, one additional window on the façade, stone veneer replacing the wood siding on the chimney, and mullion within the 1st story windows have been slightly modified to match the 2nd story windows.
- Elevations for unit 3 show plaster replacing the stone veneer finish on the chimney, and composite wood siding replacing plaster on the west side of the 2nd story façade.
- Elevations for unit 4 show plaster replacing the stone veneer finish on the chimney and patio cover posts, stone veneer replacing plaster around the 1st story façade, and window sills have been added to the 2nd story façade to match windows on the side and rear elevations.
- Garage doors have been modified to indicate roll-up sectional type doors.

Special Use Permit resolution:

- Updated Condition No. 2 with the submittal date for the revised plans.
- Added Condition No. 56 specifying the approved square-footage of the houses and stating that this condition shall prevail over any omissions, conflicting notations, specifications, dimensions, etc. that may or may not be shown on the approved plans.
- Renumbered conditions following 56.
- Modified Condition No. 61 to include language modifying the hours of operation to state 8:00 a.m. – 4:30 p.m. for specified exterior grading/construction activities.
- Added Condition No. 62 requiring the developer to hire a pest control service to remove any gophers and other pests from within the property.
- Renumbered conditions following 62.

Tentative Subdivision Map resolution:

- Updated Condition No. 2 with the submittal date for the revised plans.
- Modified Condition No. 12 to include language specifying that all walls around the perimeter (where applicable) shall be constructed as close as possible to existing walls on adjacent properties.
- Modified Condition No. 14 to include language specifying that all retaining walls around the perimeter (where applicable) shall include a waterproof membrane on the interior side.
- Modified Condition No. 20 to include language modifying the hours of operation to state 8:00 a.m. – 4:30 p.m. for specified exterior grading/construction activities.
- Added Condition No. 21 requiring the developer to hire a pest control service to remove any gophers and other pests from within the property.
- Renumbered conditions following 21.
- Modified Condition No. 68 to state that 50 feet shall be dedicated to match the existing Ventura Road right-of-way.
- Modified Condition No. 70 to correctly refer to Condition No. 68.

Green Building Strategies:

The architect has provided a completed "LEED for Homes Project Checklist" that itemizes the green building features that are to be incorporated into the project. Several standard requirements contained in the Conditions of Approval include some of the items identified in the LEED checklist. In addition, the current California Building Code specifies certain design features and fixtures that maximize energy efficiency.

While the developer will not seek official LEED certification, the checklist indicates that the project could achieve the equivalent of Gold Certification (based on the number of points identified in the checklist). The following list identifies some of the features to be incorporated into the project and site design:

- Site Selection (meet all of the following):
 - Built above 100-year floodplain defined by FEMA.
 - Not built on habitat for threatened or endangered species.
 - Not built within 100 ft. of water, including wetlands.
 - Not built on land that was parkland prior to acquisition.
 - Not built on lands with prime soils, or soils of state significance.
- Erosion controls during construction:
 - Stockpile and protect disturbed topsoil from erosion.
 - Control the path and velocity of runoff with silt fencing or equivalent.
 - Protect sewer inlets, streams, and lakes with straw bales, silt fencing, etc.
- Basic landscaping design:
 - Any turf must be drought-tolerant.
 - Do not use turf in densely shaded areas.
 - 20% of softscape area that is turf.
 - 80% of installed plants are drought-tolerant.
 - 45% reduction in estimated irrigation water demand.
- Reduce local heat island effects by installing light-color materials for 50% of hardscapes.
- Surface water management:
 - 30% vegetative landscape.
 - 30% permeable paving.
 - 30% impermeable surfaces directed to infiltration features.
 - 10% other impermeable surfaces (areas not counted toward credits).
 - Install permanent stormwater controls to manage runoff from roof on-site.
- High-efficiency irrigation system:
 - Use drip irrigation for 50% of planting beds.
 - Install timer or controller for each watering zone.
 - Install pressure-regulating devices.
 - Install moisture sensor or rain delay controller.
- High-efficiency fixtures or fittings:
 - Average flow rate of lavatory faucets is not more than 2 gallons per minute.
 - Average flow rate for all showers is not more than 2 gallons per stall.
 - Average flow rate for all toilets is not more than 1.3 gallons per flush.
- Framing efficiencies:
 - Pre-cut framing packages to be used.
 - Detailed cut list and lumber order corresponding to framing plans.

- Energy Efficiency:
 - Windows
 - Windows and glass doors meet Energy Star BOP window specifications.
 - Skylights meet Energy Star requirements for skylights.
 - Skylight glazing area is not more than 3% of floor area.
 - Lighting:
 - Indoor lighting – 3 additional Energy Star lights in high-use rooms.
 - Advanced Lighting Package – 80% of lamps are Energy Star CFL's.
 - Appliances:
 - Energy Star labeled ceiling fans in living/family room and all bedrooms.
 - Energy Star labeled dishwasher using 6 gallons per cycle or less.
 - Heating & Coolant Equipment:
 - Install Energy Star programmable thermostat.
 - Install efficient heating and cooling equipment.
 - Refrigerant Management:
 - Use non-HCFC refrigerants.
- Builder conducted inspection using durability inspection checklist.
- One hour walk-through with occupants.

PC Memo resolutions are omitted.

See City Council Attachments 8 and 9 for resolutions.

MINUTES

DRAFT

OXNARD PLANNING COMMISSION
REGULAR MEETING
MAY 20, 2010

A. ROLL CALL

At 7:02 p.m., the regular meeting of the Oxnard Planning Commission convened in the Council Chambers. Commissioners Sonny Okada, Patrick Mullin, Deirdre Frank, Michael Sanchez, Chairman Randall Elliott, Dale Dean, and Saul Medina were present. Chairman Elliott presided and called the meeting to order. Staff members present were: Susan Martin, Planning Manager, Paul Wendt, Senior Civil Engineer; Jason Samonte, Traffic Engineer; Stephen Fischer, Assistant City Attorney; Brian Foote, Associate Planner, and Lori Maxfield, Recording Secretary.

B. PUBLIC COMMENTS

Mr. Hamid Lashkari stated that he was told that regulations required that his dumpsters be larger than those of his neighbors, and asked the he be allowed to have smaller dumpsters, as the public frequently used his dumpsters due to their corner location. He indicated that he would include landscaping; a gate; and a lattice roof with the smaller dumpsters.

Mr. Marvin Boos, part of the Fremont North pride program that helps clean up the Fremont North Neighborhood, confirmed that Mr. Lashkari was having trouble with the public dumping their trash in his dumpsters. He stated that the beat officer had been made aware of the problem, and that it wasn't fair that Mr. Lashkari had to pay for trash pick-up for everyone using his dumpsters.

Planning Manager Martin stated that staff would look into the issue.

C. READING OF AGENDA

Planning Manager Martin reviewed the agenda including that Item F-1 was being removed from the agenda, and would go directly to City Council.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – April 15, 2010

MOTION Commissioner Frank moved and Commissioner Okada seconded a motion to approve the minutes of April 15, 2010 as presented. The question was called and the motion carried unanimously.

E. CONTINUED PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 09-500-05 (Special Use Permit) and 09-300-5 (Tentative Subdivision Map), a request for approval of: a Tentative Subdivision Map to subdivide one acre into

four residential parcels ranging between 6,695 and 9,367 square-feet each, one remainder parcel, and construct a cul-de-sac at the terminus of Oneida Place; and a Special Use Permit to construct a Planned Development with four detached single-family houses (one dwelling unit on each lot) ranging between 2,502 and 3,083 square-feet each. The project site is located at the east terminus of Oneida Place, west of Ventura Rd., east of Oxford Dr., and north of Devonshire Dr., in the R1-PD zone. The proposal is exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines. Filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010.

PROJECT PLANNER: Brian Foote

Chairman Elliott recused himself as he was absent from the meeting of April 15, 2010.

At 7:10, Chairman Elliott was absent, and Vice-Chair Dean presided.

Associate Planner Foote presented the staff report including surrounding uses; previous request that had been withdrawn prior to agreement with the parties consisting of a land swap; nine percent reduction in the size of the homes; setbacks; dedications on Parcel A; explained why the cul-de-sac couldn't be connected to the sidewalk on Ventura Road; six foot perimeter walls and fencing; grade differentials; and summarized the changes made since the previous meeting. He also displayed the General Plan and zoning maps; site plan; concept plan for the new wall; revised elevations; and site photos of adjacent homes in the neighborhood.

Chairman Dean opened the public testimony.

Mr. Mark Pettit, architect for the applicant, gave a brief presentation including the reduction in the square footage of the homes; conventional building, rather than pre-fabricated; architectural changes; and provided staff with information on gold level for LEED certification.

Mr. Chris Dimond spoke in opposition to the project indicating it would remove open land; create more traffic, people, and parked cars; cause long term damage to his nearby property; a provision to protect the large trees on the border of the property was to be included; commended the Fernandez family for their comments; concerned about contaminated fill dirt, and damage to the fence due to inadequate drainage; concerned about parking at the throat of the cul-de-sac; discrepancy in the drawings did not correctly show the location of the project; and the extent of the wood and fencing were not shown correctly.

Mr. James Reach spoke in favor of the project stating that the architect did a good job of making changes, and commended him for including the conservation elements.

Chairman Dean closed the public testimony.

Planning Commission discussed the issues with the two adjacent properties; architectural concerns; homes still too large; not the best project for the site; limited parking in the cul-de-sac; a bottleneck would be created with the street leading to the cul-de-sac; development would create a landlocked situation, that would prevent any future opportunity to improve traffic flow on Ventura Road.

Mr. Pettit stated that the development would be part of two homeowner's associations.

Assistant City Attorney Fischer indicated that there were typically provisions that allow the City to enforce CC& R's with respect to safety issues.

MOTION Commissioner Frank moved and Commissioner Sanchez seconded a motion to adopt a resolution denying PZ 09-500-05 (Special Use Permit), and PZ 09-300-05 (Tentative Subdivision Map) to subdivide approximately one acre of vacant land into four residential lots, and to allow the construction of four detached single-family dwellings on the four lots within Tentative Subdivision Map No. 5862; located at 1071 North Ventura Road. The question was called and the motion failed (3-3-1, Commissioners Dean, Okada, Mullin voting no; Commissioner Elliott absent).

F. NEW PUBLIC HEARINGS

1. PLANNING AND ZONING PERMIT NO. 10-500-02 (Modification to Special Use Permit No. 671), a request to eliminate Condition No. 11 of City Council Resolution No. 6763, which currently requires the recordation of a parking covenant for a lot addressed at 316 South D Street to provide off-street parking for uses located at 321 South C Street. Release of this covenant would allow the property owner to sell the vacant property, and allow for possible future development. As allowed by the City Code [Section 16-152(G)], the applicant proposes to meet the parking requirements by using on-street and/or public parking facilities. No development is proposed as part of this request. The proposed project is exempt from environmental review under Section 15061(b)(3) of the CEQA Guidelines. Filed by Mr. Doug Kubiske, 750 South B Street, Oxnard, CA 93030.
PROJECT PLANNER: Justin Beranich

G. PLANNING COMMISSION BUSINESS

Commissioner Medina asked when the "green" policies would come before the Planning Commission.

Commissioners Frank and Sanchez asked for the status on the Housing Element and the General Plan.

H. PLANNING MANAGER COMMENTS

Planning Manager Martin stated that the City began a series of four General Plan workshops (May 19th, Ormond Beach; June 16th, Housing Element and Economic Development; July 21st, Public Facilities and Services and Schools; September 15th, Del Norte Expansion Area and Jones Ranch), and staff would return to City Council after the workshops had been held.

Ms. Martin indicated that the meeting of June 3rd would probably be cancelled, due to lack of agenda items.

Commissioner Mullin stated that he would be out of town July 19th-July 31st. Commissioner Dean stated he would be out of town for three weeks beginning the middle of July.

I. ADJOURNMENT

At 8:20 p.m., the Planning Commission concurred to adjourn.

Dale Dean, Chairman

ATTEST: _____
Susan L. Martin, Secretary

10 JUN -6 PM 4:36

**PLEASE PROVIDE AN ORIGINAL AND 2 COPIES
A \$500 FEE MUST ACCOMPANY THIS APPEAL**

TO: Oxnard City Clerk

NOTICE OF APPEAL
(from member of the public)

I, Raul B. Orzco, am aggrieved or directly affected by
(name of person filing appeal)

and appeal the May 20, 2010 decision from the Planning Commission regarding Project No.
(date of PC meeting)

09-500-05, 09-300-05, more particularly described as follows:

ALLOW SUBDIVISION OF APPROXIMATELY 1 ACRE OF VACANT LAND INTO 4 RESIDENTIAL LOTS,
ALLOW THE CONSTRUCTION OF 4 DETACHED SINGLE FAMILY DWELLINGS ON 4 LOTS.

The grounds for appeal are:

I request the following relief:

that the City Council reverse the decision of the Planning
Commission and allow the subdivision and construction
of 4 detached single family dwellings on 4 lots as Proposed.

Raul B. Orzco
(signature)

Date: 5/31/10

312 Camarillo Dr.
Camarillo, CA 93010
(address)

cc: City Attorney
Project Planner
Development Services Department
Applicant

Raul B. Orozco
312 Camarillo Dr.
Camarillo, CA 93010

CITY OF OXNARD
CITY CLERK
10 JUN -4 PM 4:36

TO: Oxnard City Clerk

Notice Of Appeal
(from member of the public)

I, Raul B. Orozco, am aggrieved or directly affected by and appeal the May 20, 2010 decision from the Planning Commission regarding Project No. 09-500-05 and 09-300-05, more particularly described as follows:

To allow a subdivision of approximately 1 acre of vacant land into four residential lots and allow the construction of four detached single-family dwellings on four lots within tentative subdivision map no. 5862, located at 1071 North Ventura Road.

The grounds for appeal , based on the Planning Commissioners comments dated 5-20-10:

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.

I request the following relief:

That the City Council reverse the decision of the Planning Commission and allow the subdivision and construction of four detached single family dwellings on four lots as proposed.

ATTACHMENT 6
PAGE 2 OF 3

Thank you very much for your thoughtful consideration of this matter.

Sincerely,

Raul B. Orozco

6/4/10

Raul B. Orozco
312 Camarillo Dr.
Camarillo, CA 93010

Cc: City Attorney
Project Planner
Development Services Department
Applicant

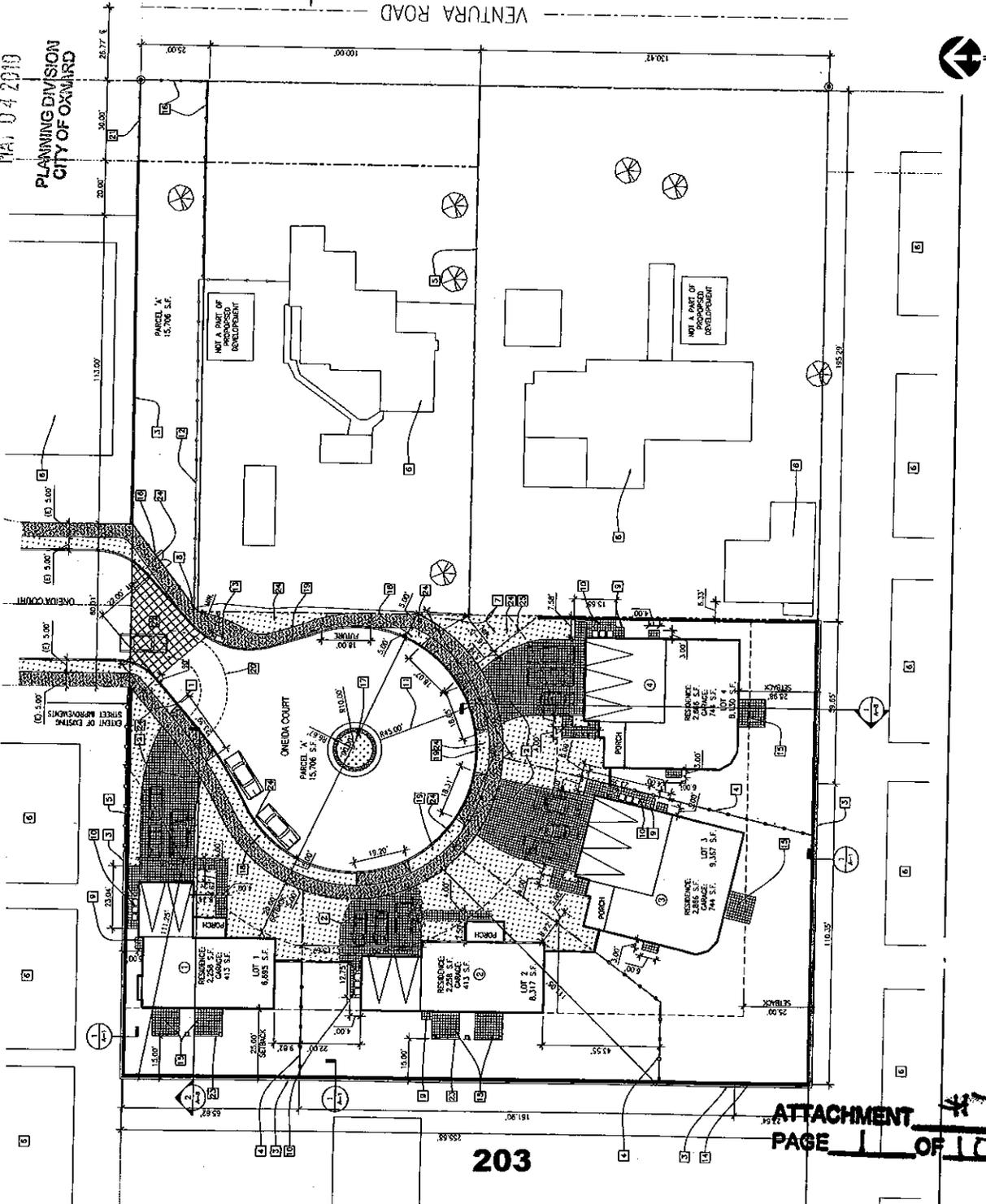
ATTACHMENT 6
PAGE 3 OF 3

PZ 09-500-5
& 09-300-5

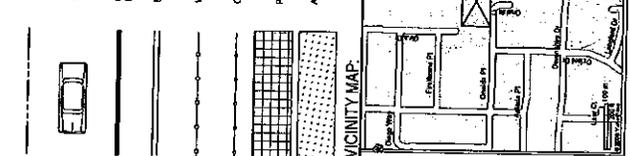
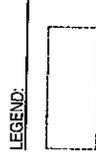
RECEIVED

MAY 04 2010

PLANNING DIVISION
CITY OF OXNARD



- KEYNOTES:**
1. SIDEWALK PER CITY STANDARDS
 2. SIDEWALK APPROX. W/ PERMANENT ACCESS COMPLAINT AS REQUIRED
 3. EXISTING CHAIN LINK FENCE TO REMAIN
 4. PROPOSED WOOD FENCING TO REMAIN
 5. EXISTING BUILDING TO REMAIN
 6. EXISTING DRIVEWAY TO REMAIN
 7. REMOVE PORTION OF EXISTING DRIVEWAY
 8. 3' X 4' PERMISSIBLE CONCRETE PER FIRE DEPARTMENT STANDARD PER FIRE DEPARTMENT STANDARD
 9. EXISTING CHAIN LINK FENCE TO REMAIN
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 30. EXISTING DRIVEWAY TO REMAIN
 31. EXISTING DRIVEWAY TO REMAIN
 32. EXISTING DRIVEWAY TO REMAIN



- SHEET INDEX:**
- 1-1 SITE PLAN
 - 1-2 PRELIMINARY GRADING PLAN
 - 1-3 EXISTING AND PROPOSED DRIVEWAYS
 - 1-4 FLOOR PLANS LOTS 1-4
 - 1-5 ELEVATIONS LOT 1
 - 1-6 ELEVATIONS LOT 2
 - 1-7 ELEVATIONS LOT 3
 - 1-8 ELEVATIONS LOT 4
 - 1-9 SECTIONS GRADE INTERFERE

GENERAL NOTES:

1. CERTAINING AND BEST CONTROL CONTAINING WILL BE REQUIRED BECAUSE OF THE PROXIMITY OF THE PROJECT TO THE ADJACENT PROPERTY AND THE PROXIMITY OF THE PROJECT TO THE ADJACENT PROPERTY AND THE PROXIMITY OF THE PROJECT TO THE ADJACENT PROPERTY.
2. EXISTING PAINT/FINISH FLOOR ELEMENTS SUBJECT TO CHANGE.

- POSSIBLE GREEN BUILDING STRATEGIES:**
- LIGHT COLORED REFLECTIVE PAINTING
 - PERMEABLE PAVING
 - CHUTE SYSTEMS EXTERIOR AND THROUGH
 - NON-LIGHT POLLUTING EXTERIOR LIGHTING
 - WATER EFFICIENT PLUMBING PRODUCTS INCLUDING DROUGHT TOLERANT PLANTS
 - DUAL-FLUSH TOILETS
 - PRODUCTS WITH REDUCED VOC CONTENT (OPTION)
 - MATERIAL (FINISH FLOORING), RECYCLED MATERIAL OR CERTIFIED WOOD WHERE POSSIBLE
 - LOW VOC PAINTS AND ADHESIVES
 - LOW VOC PAINTS AND ADHESIVES
 - SUSTAINABLE STRATEGIES - PROVIDE LAUNDRY MACHINES, POSSIBLE SPOULERS
 - ENERGY EFFICIENT LIGHTING

SITE PLAN

ONEIDA COURT HOUSING
FOUR CUSTOM SINGLE FAMILY HOMES
ONEIDA COURT - OXNARD, CALIFORNIA, 93030

Raul Orozco
12 Cimarron Drive, Camarillo, CA 93010

LAUTERBACH & ASSO.
ARCHITECTS
300 MONTEVISTA AVE. - OXNARD, CA - 93030 - TEL: 805-308-0912 - FAX: 805-308-0913
DATE: 2010-05-03
PLI. NO. 20-090805

ATTACHMENT #1
PAGE 1 OF 10

203

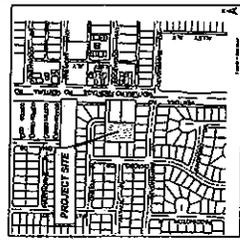
PRELIMINARY LAND USE DATA:

A. GROSS AREA	1.11 AC	4 DU / 1.10 AC = 3.63 DU/AC
B. NET AREA	1.18 AC	1.18 AC >
C. AREA BREAKDOWN	0.18 AC	
	0.27 AC	
	0.18 AC	
	0.74 AC	
NET DENSITY:	4 DU / 0.74 AC = 5.40 DU/AC	

GENERAL PLAN DESIGNATION AND ZONING:
 EXISTING GENERAL PLAN RESIDENTIAL
 PROPOSED GENERAL PLAN RESIDENTIAL
 PROPOSED CONCEPT PLAN RESIDENTIAL
 PROPOSED ZONING
 RESIDENTIAL LOW DENSITY
 R1-10B
 R1-10B
 R1-10B
 R1-10B
 NO CHANGE
 NO CHANGE

- CONSTRUCTION NOTES:**
1. CONSTRUCT RESIDENTIAL CONCRETE DRINKING.
 2. CONSTRUCT CONCRETE WALKWAY.
 3. CONSTRUCT 8" HIGH 8" CONCRETE WALL FOR LANDSCAPE PLANTS.
 4. INSTALL 8" PVC GROUND BURN.
 5. INSTALL 8" PVC WATER MAIN.
- NOTE: SEE ARCHITECT'S PLANS FOR BUILDING DETAILS.

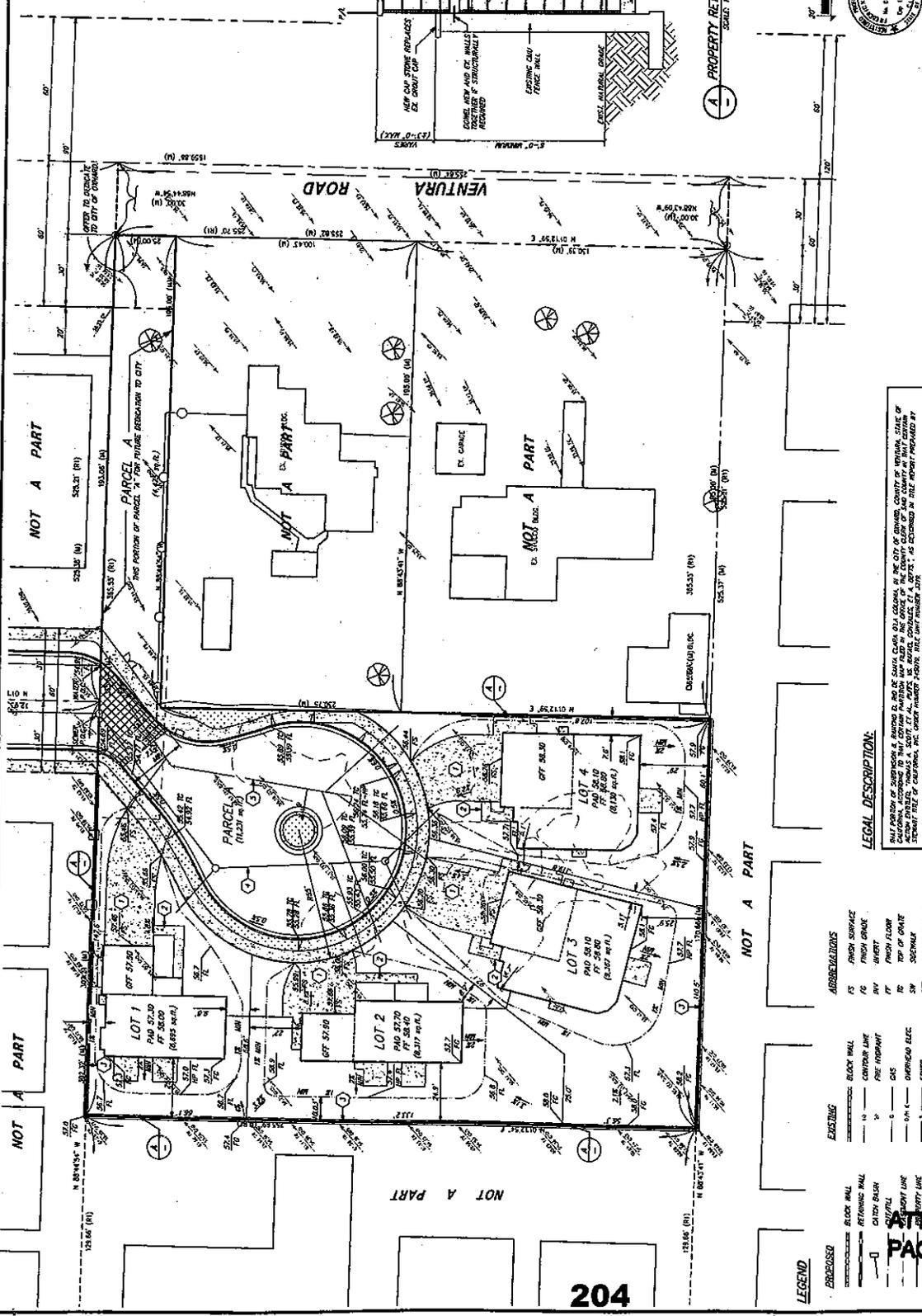
NOTE:
 1. ALL NEW CONCRETE SHALL BE FINISHED WITH A POLISHED CONCRETE FINISH.
 2. PARCEL "1" TO BE OWNED, SECURED & MAINTAINED BY HOME OWNERS ASSOCIATION.



VICINITY MAP
 1" = 300'

ONEIDA COURT
TENTATIVE TRACT MAP NO. 5862
 APN 1810-191-275
 1063 N VENTURA ROAD OXNARD, CA 93030
 COUNTY OF VENTURA STATE OF CALIFORNIA

CITY OF OXNARD	LEGAL DESCRIPTION: SEE REPARATION MAP
DATE: May 04, 2010	SCALE: 1" = 30'
BY: JIM LAY / 4389	SHEET 1
BY: DWG. MANC. 05/04/10/lay	OF 1



REVISION	DATE	SUBMITTER/OWNER
FILE	07/14/2009	RAUL GROSZO
		377 CAMARILLO DRIVE
		CAMARILLO, CA 93010
		(951) 866-9912
		(951) 866-9912
		WWW.GROSZO.COM
		OWNER

LEGAL DESCRIPTION:
 ALL PARTS OF SECTION 16, TOWNSHIP 10N, RANGE 10E, COUNTY OF VENTURA, STATE OF CALIFORNIA, PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

LEGEND

	BLOCK WALL
	CONCRETE WALL
	CHAIN LINK FENCE
	STREET LIGHT
	POWER POLE
	TELEPHONE POLE
	WATER MAIN
	SEWER MAIN
	GAS MAIN
	STORM DRAIN
	WATER VALVE
	TELEPHONE VALVE
	FENCE

ABBREVIATIONS

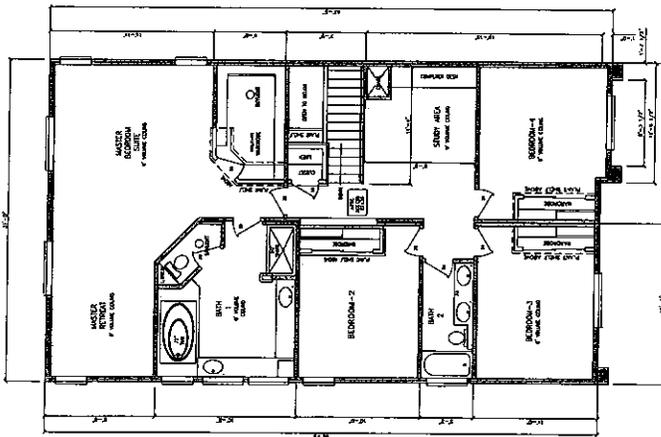
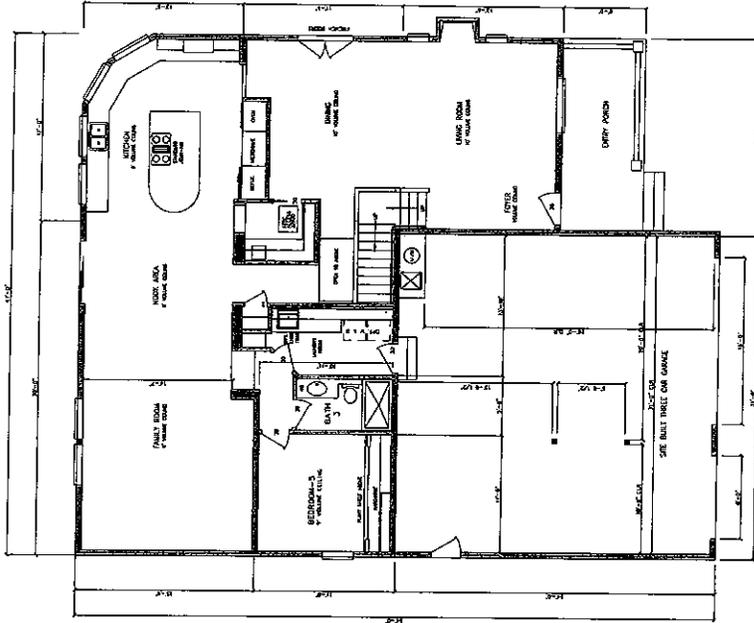
FS	FINISH SURFACE
FS	FINISH GRADE
FS	FINISH FLOOR
FS	TOP OF GRADE
SW	SOFTWOOD
GF	GRAVEL FINISH FLOOR
CS	CASTING
FL	FINISH FLOOR
PR	PREPARE

EXISTING

	BLOCK WALL
	CONCRETE WALL
	CHAIN LINK FENCE
	STREET LIGHT
	POWER POLE
	TELEPHONE POLE
	WATER MAIN
	SEWER MAIN
	GAS MAIN
	STORM DRAIN
	WATER VALVE
	TELEPHONE VALVE
	FENCE

PROPOSED

	BLOCK WALL
	CONCRETE WALL
	CHAIN LINK FENCE
	STREET LIGHT
	POWER POLE
	TELEPHONE POLE
	WATER MAIN
	SEWER MAIN
	GAS MAIN
	STORM DRAIN
	WATER VALVE
	TELEPHONE VALVE
	FENCE



SECOND FLOOR

NOT TO SCALE

1383 SQ. FT. SECOND FLOOR
 1483 SQ. FT. FIRST FLOOR
 2866 SQ. FT. TOTAL LIVING AREA
 744 SQ. FT. GARAGE
 3510 SQ. FT. GRAND TOTAL AREA

FIRST FLOOR

NOT TO SCALE

- NOTES:
1. OPENINGS INCLUDING THE GARAGE MUST HAVE AN APPROVED SPRINKLER SYSTEM.
 2. ALL EXTERIOR FINISHES MUST MEET CITY CODE TABLE FOR EXTERIOR FINISHES.

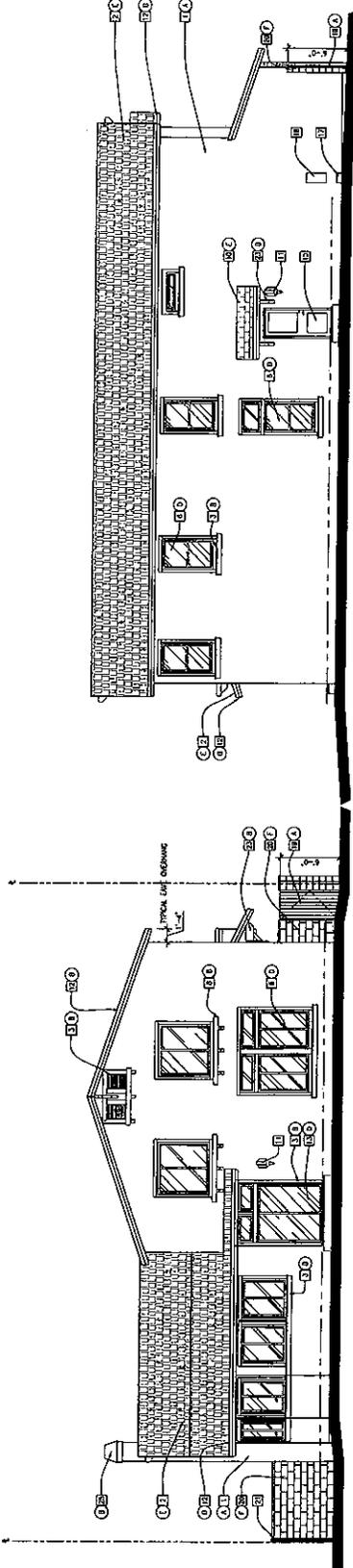
FLOOR PLANS - LOTS #3" AND #4" A-2

LAUTERBACH & ASSOCIATES
 ARCHITECTS, INC.
 300 HORTONWAY AVE. LAWRENCE, CA 94548 TEL: (925) 942-1100 FAX: (925) 942-1101
 Date: 2010-05-03 PRL: NO. 20-000805 Mark S. Pezall, Architect

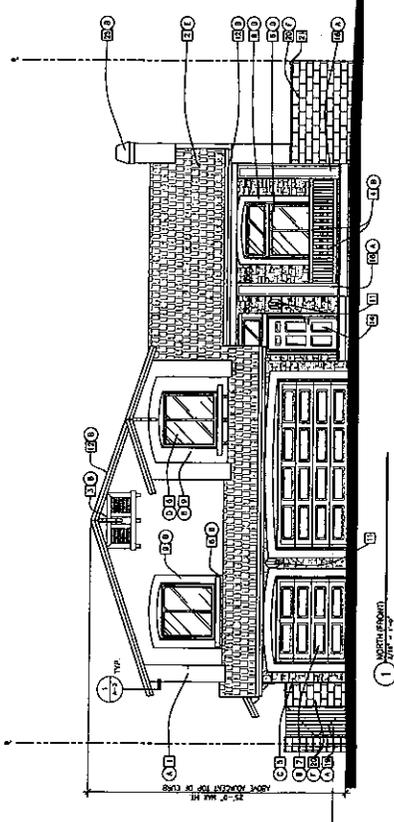
ONEIDA COURT HOUSING
 FOUR CUSTOM SINGLE FAMILY HOMES
 ONEIDA COURT - OXNARD, CALIFORNIA, 93030

Raul Orozco
 8800 GARDEN DRIVE, OXNARD, CA 93030

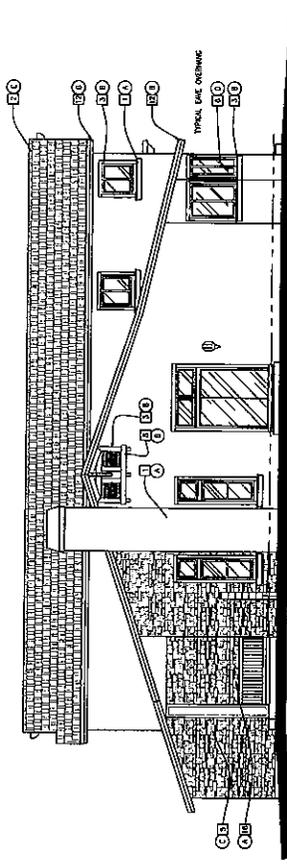
ATTACHMENT PAGE 5 OF 10



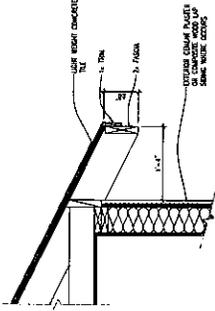
3 SOUTH REAR



1 NORTH ELEVATION



2 WEST ELEVATION



1 TYPICAL LEAVE DETAIL

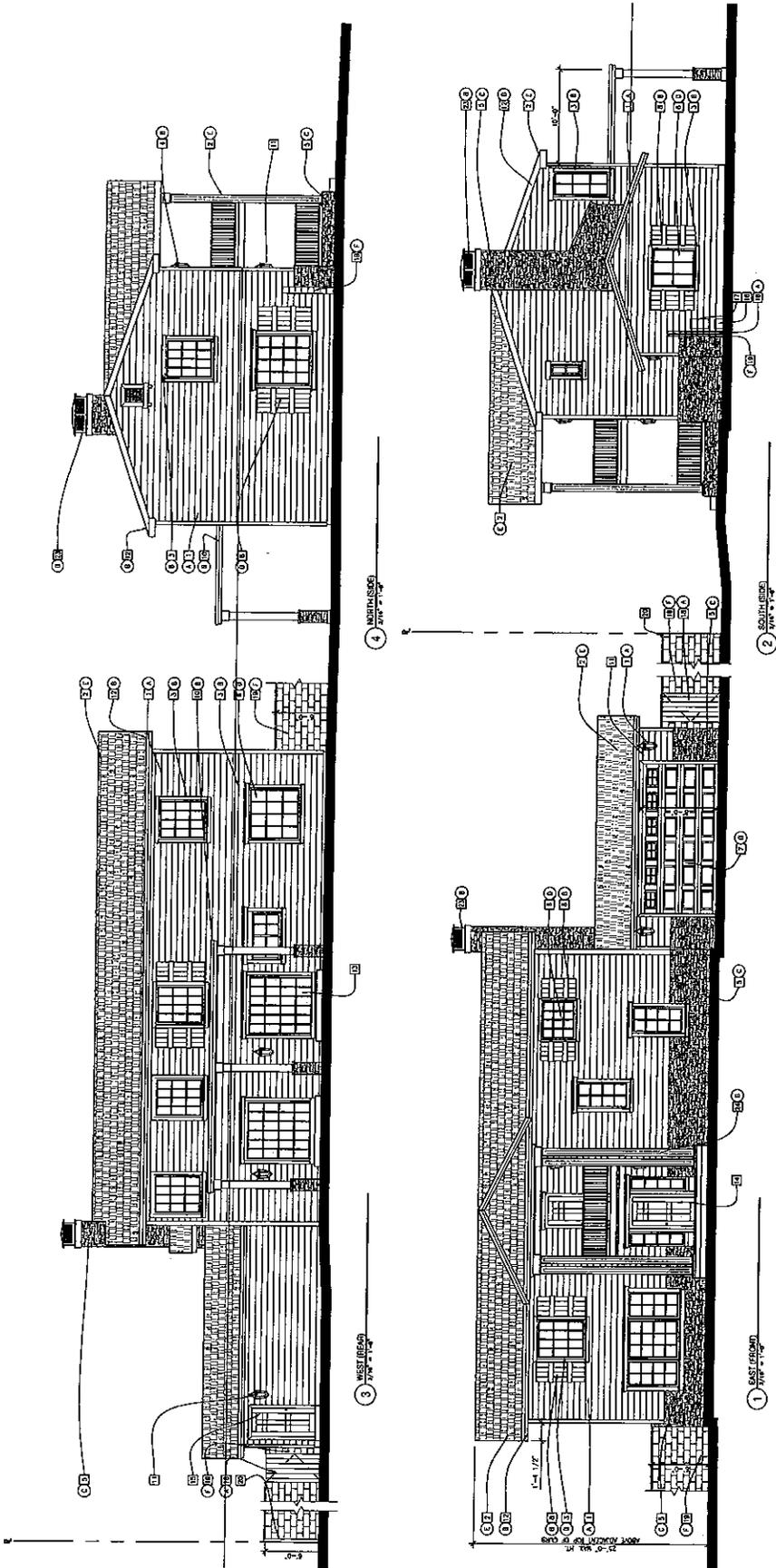
- REVISIONS:**
- 1 REVISION: NEW FRONTS; EXTERIOR PLASTER WITH BRUSH FINISH; TYPICAL LEAVE OPENING
 - 2 REVISION: TYPICAL LEAVE OPENING
 - 3 REVISION: TYPICAL LEAVE OPENING
 - 4 REVISION: TYPICAL LEAVE OPENING
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 - 100 REVISION: TYPICAL LEAVE OPENING
- COLORMATERIALS:**
- 1 PAINT FINISH: RED
 - 2 PAINT FINISH: WHITE
 - 3 PAINT FINISH: TAN
 - 4 PAINT FINISH: BLUE
 - 5 PAINT FINISH: GREEN
 - 6 PAINT FINISH: PURPLE
 - 7 PAINT FINISH: PINK
 - 8 PAINT FINISH: BROWN
 - 9 PAINT FINISH: GREY
 - 10 PAINT FINISH: BLACK
 - 11 PAINT FINISH: SILVER
 - 12 PAINT FINISH: GOLD
 - 13 PAINT FINISH: COPPER
 - 14 PAINT FINISH: BRASS
 - 15 PAINT FINISH: IRON
 - 16 PAINT FINISH: STEEL
 - 17 PAINT FINISH: ZINC
 - 18 PAINT FINISH: ALUMINUM
 - 19 PAINT FINISH: CHROME
 - 20 PAINT FINISH: NICKEL
 - 21 PAINT FINISH: PLATINUM
 - 22 PAINT FINISH: DIAMOND
 - 23 PAINT FINISH: EMERALD
 - 24 PAINT FINISH: JADE
 - 25 PAINT FINISH: SAPPHIRE
 - 26 PAINT FINISH: RUBIN
 - 27 PAINT FINISH: TOPAZ
 - 28 PAINT FINISH: GEMSTONE
 - 29 PAINT FINISH: METAL
 - 30 PAINT FINISH: WOOD
 - 31 PAINT FINISH: STONE
 - 32 PAINT FINISH: BRICK
 - 33 PAINT FINISH: TILE
 - 34 PAINT FINISH: GLASS
 - 35 PAINT FINISH: PAPER
 - 36 PAINT FINISH: FABRIC
 - 37 PAINT FINISH: LEATHER
 - 38 PAINT FINISH: SUEDE
 - 39 PAINT FINISH: VELVET
 - 40 PAINT FINISH: WOOL
 - 41 PAINT FINISH: COTTON
 - 42 PAINT FINISH: LINEN
 - 43 PAINT FINISH: RAYON
 - 44 PAINT FINISH: NYLON
 - 45 PAINT FINISH: POLYESTER
 - 46 PAINT FINISH: ACETATE
 - 47 PAINT FINISH: SPANDEX
 - 48 PAINT FINISH: ELASTIC
 - 49 PAINT FINISH: KIDNEY
 - 50 PAINT FINISH: TURTLE
 - 51 PAINT FINISH: SNAKE
 - 52 PAINT FINISH: LION
 - 53 PAINT FINISH: TIGER
 - 54 PAINT FINISH: ELEPHANT
 - 55 PAINT FINISH: ZEBRA
 - 56 PAINT FINISH: GIRAFFE
 - 57 PAINT FINISH: KANGAROO
 - 58 PAINT FINISH: WALLABY
 - 59 PAINT FINISH: COYOTE
 - 60 PAINT FINISH: WOLF
 - 61 PAINT FINISH: DOG
 - 62 PAINT FINISH: CAT
 - 63 PAINT FINISH: BIRD
 - 64 PAINT FINISH: FISH
 - 65 PAINT FINISH: INSECT
 - 66 PAINT FINISH: PLANT
 - 67 PAINT FINISH: ROCK
 - 68 PAINT FINISH: METEORITE
 - 69 PAINT FINISH: COMET
 - 70 PAINT FINISH: GALAXY
 - 71 PAINT FINISH: UNIVERSE
 - 72 PAINT FINISH: TIME
 - 73 PAINT FINISH: SPACE
 - 74 PAINT FINISH: ENERGY
 - 75 PAINT FINISH: MATTER
 - 76 PAINT FINISH: FORCE
 - 77 PAINT FINISH: MOTION
 - 78 PAINT FINISH: SOUND
 - 79 PAINT FINISH: LIGHT
 - 80 PAINT FINISH: HEAT
 - 81 PAINT FINISH: COLD
 - 82 PAINT FINISH: WIND
 - 83 PAINT FINISH: WATER
 - 84 PAINT FINISH: FIRE
 - 85 PAINT FINISH: EARTH
 - 86 PAINT FINISH: AIR
 - 87 PAINT FINISH: SPACE
 - 88 PAINT FINISH: TIME
 - 89 PAINT FINISH: ENERGY
 - 90 PAINT FINISH: MATTER
 - 91 PAINT FINISH: FORCE
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- REVISIONS:**
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ELEVATIONS - LOT "4"

LAUTERBACH & ASSOCIATES
ARCHITECTS INC.
1000 UNIVERSITY AVE • OXNARD, CA 93030
TEL: (805) 461-1100
FAX: (805) 461-1101
DATE: 2010-04-01

ONEIDA COURT HOUSING
FOUR CUSTOM SINGLE FAMILY HOMES
ONEIDA COURT - OXNARD, CALIFORNIA, 93030

Paul Orozco
ARCHITECT
1000 UNIVERSITY AVE, OXNARD, CA 93030



- REMARKS:**
- 1. EXTERIOR WALL FINISHES: CONCRETE WOOD SHINGLES
 - 2. PAINT FINISH: FULLY
 - 3. PAINT FINISH: FULLY
 - 4. PAINT FINISH: FULLY
 - 5. PAINT FINISH: FULLY
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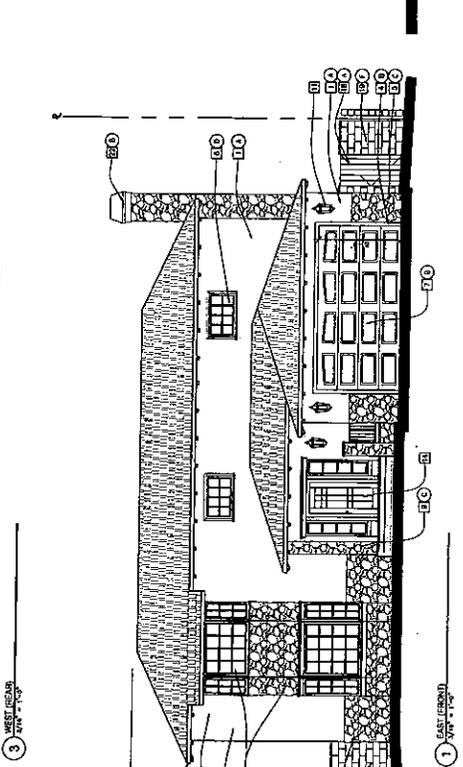
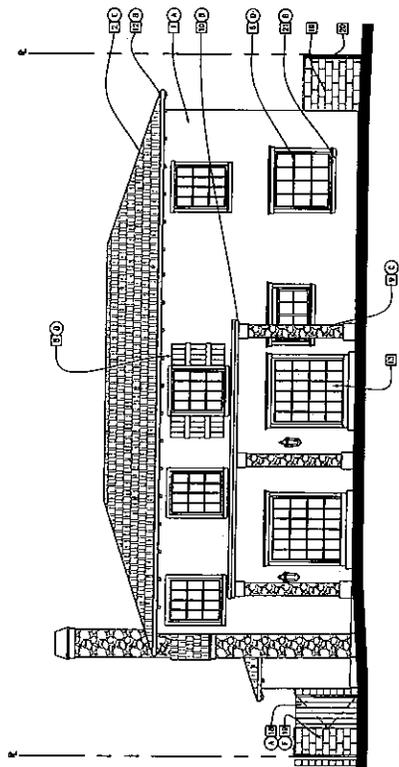
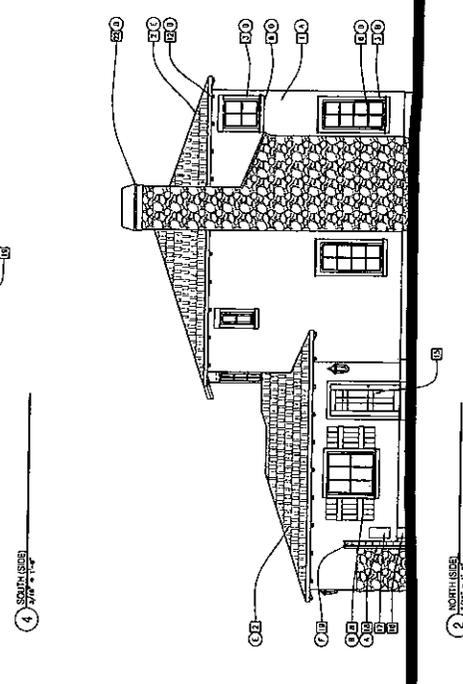
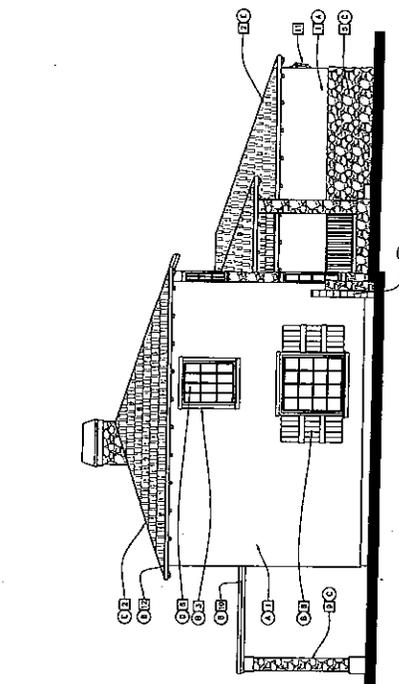
ELEVATIONS - LOT "2" A-6

LAUTERBACH & ASSOCIATES
 ARCHITECTS, INC.
 300 WASHINGTON AVENUE - CORNARD, CALIFORNIA 95030
 TEL: (415) 885-1100 FAX: (415) 885-1101
 DATE: 2010-02-03 PH: (415) 885-1101
 Mark S. Patti, Architect

ONEIDA COURT HOUSING
 FOUR CUSTOM SINGLE FAMILY HOMES
 ONEIDA COURT - CORNARD, CALIFORNIA, 95030

Raul Orozco
 8755 Centerline Drive, Cornard, CA 95030

ATTACHMENT # 7
 PAGE 7 OF 10



- REVISIONS:**
- 1 EXTERIOR WALL FINISHES, LUTERBACH CONCRETE PLASTER FINISH
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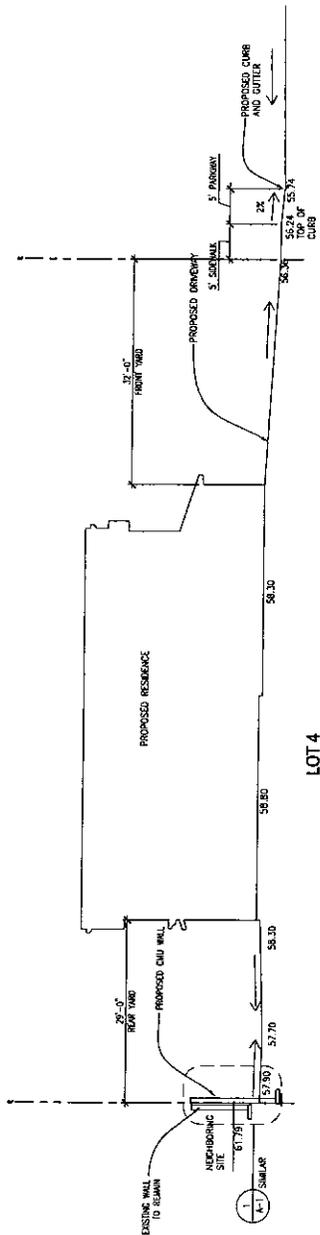
ELEVATIONS - LOT "A"

LAUTERBACH & ASSOCIATES
 ARCHITECTS
 1111 N. C. ST.
 OXNARD, CALIF. 93056
 PRJ. NO. 20-05808
 DATE: 2/10/05

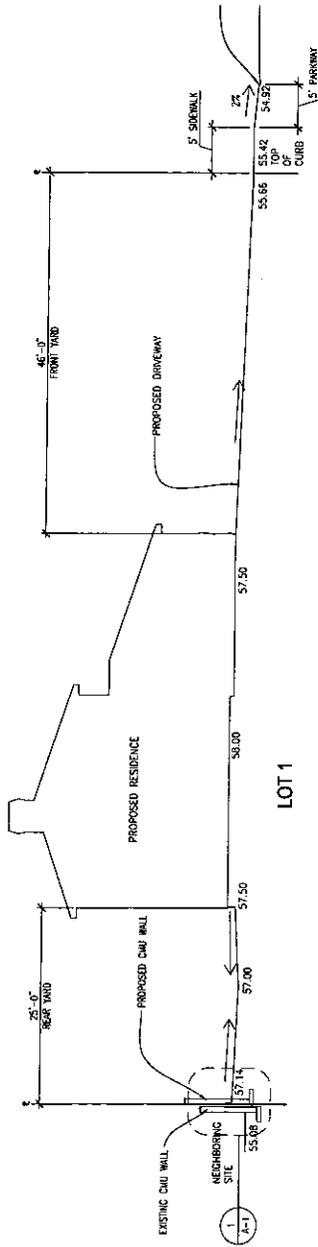
ONEIDA COURT HOUSING
 FOUR CUSTOM SINGLE FAMILY HOMES
 ONEIDA COURT - OXNARD, CALIFORNIA, 93050

Paul Orozco
 3715
 OXNARD, CALIF. 93056

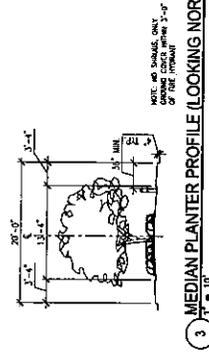
ATTACHMENT # 1
 PAGE 8 OF 10



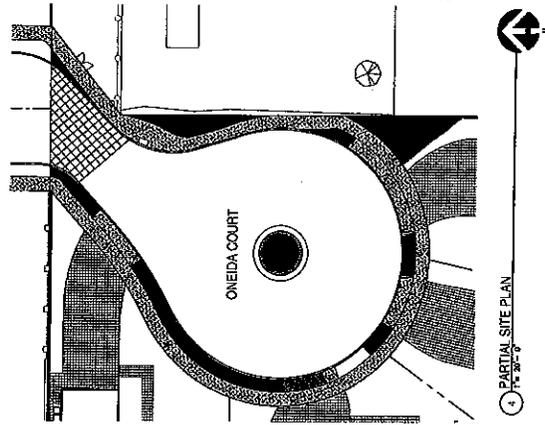
1 SECTION - GRADE DIFFERENTIALS (LOOKING WEST)



2 SECTION - GRADE DIFFERENTIALS (LOOKING NORTH)



3 MEDIAN PLANTER PROFILE (LOOKING NORTH)



4 PARTIAL SITE PLAN

UNUSUAL MARKS TO BE
REMOVED BY CONTRACTOR

SECTIONS - GRADE DIFFERENTIALS LOTS 1" AND 4" A-8

ONEIDA COURT HOUSING
FOUR CUSTOM SINGLE FAMILY HOMES
ONEIDA COURT - OXNARD, CALIFORNIA, 93030

LAUTERBACH & ASSOCIATES
ARCHITECTS
11 N. C.
300 WASHINGTON ST. OXNARD, CA 93030
PH: 805.326.0980
Date: 2/10/08

Raul Orozco
371 SERRANO DRIVE, CHANING, CA 93010

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING AN APPEAL, AND APPROVING PLANNING AND ZONING PERMIT NO. 09-300-05 (TENTATIVE SUBDIVISION MAP) TO ALLOW SUBDIVISION OF APPROXIMATELY 1 ACRE OF VACANT LAND INTO FOUR RESIDENTIAL LOTS ON TENTATIVE TRACT MAP NO. 5862, LOCATED AT 1071 NORTH VENTURA ROAD (APN: 181-0-191-27), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY RAÚL B. OROZCO, 312 CAMARILLO DRIVE, CAMARILLO, CA 93010.

WHEREAS, on May 20, 2010 the Planning Commission of the City of Oxnard recommended denial of an application for Planning and Zoning Permit Nos. 09-300-05 (Tentative Subdivision Map) and 09-500-05 (Special Use Permit), filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010; and

WHEREAS, a motion at the Planning Commission was made to deny the project and all associated entitlements, and the motion of the Planning Commission failed; and

WHEREAS, in accordance with the Bylaws of the Planning Commission, failure of an item to receive the votes required for approval constitutes denial or recommendation for denial of the item under consideration; and

WHEREAS, on June 4, 2010, the applicant filed a timely appeal of the Planning Commission's action, filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010; and

WHEREAS, the City Council has considered the appeal and has carefully reviewed the decision of the Planning Commission and has considered an application for Planning and Zoning Permit Nos. 09-300-05 and 09-500-05; and

WHEREAS, the City Council has carefully reviewed the Planning Commission action thereof, the staff report, and minutes of testimony at the public hearings; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to the appeal of Planning & Zoning Permit Nos. 09-300-05 and 09-500-05; and

WHEREAS, said Tentative Subdivision Map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the City Council finds the proposed Tentative Subdivision Map conforms to the City's General Plan and elements thereof; and

WHEREAS, the City Council finds that the proposed division of land complies with the requirements established by the Subdivision Map Act and Chapter 15 of the Oxnard City Code,

including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection; and

WHEREAS, the City Council finds that the proposed site is suitable for the type and density of development requested and is not likely to cause substantial environmental damage, serious public health problems, or conflict with any publicly acquired easements or access; 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 City Council 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; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of Tentative Subdivision Map No. 5862 (Planning and Zoning Permit No. 09-300-05), for property located at 1071 North Ventura Road (APN 181-0-191-27).

NOW, THEREFORE, the City Council of the City of Oxnard resolves that Planning and Zoning Permit No. 09-300-05 (Tentative Subdivision Map) is hereby approved, subject to the conditions set forth in Exhibit A.

PASSED AND ADOPTED this 22nd day of June 2010, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden
Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

Exhibit A

**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	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 dated May 4, 2010, (“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. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
6. Any covenants, conditions, and restrictions (CC&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)
7. 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)
8. 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)

PLANNING SPECIAL CONDITIONS

9. 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)
10. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of the private cul-de-sac, 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)
11. Developer shall provide a fence along the easterly property line, between the wall at the northeast corner of Lot 4 and the southwest corner of Parcel A (approximately 125 lineal feet), to be constructed of vinyl or other decorative material. Final design and placement shall be subject to the review and approval of the Planning Manager. (PL)
12. Developer shall construct the new perimeter walls along all property lines as near to the existing walls on the adjacent properties as practicable to eliminate any gap between walls. A material approved by the Development Services Manager may be used to fill any remaining gap as a part of the required building and safety permit for the wall. Developer shall obtain the notarized signature of each affected property owner on a Letter of Agreement regarding the structural connection between the two walls. The Letter of

Agreement shall be submitted prior to issuance of a grading permit for the site or issuance of a Building permit for the new wall whichever occurs first. If Developer provides to the Planning Manager proof that Developer has diligently pursued obtaining a Letter of Agreement and that they are unable to obtain a reasonable agreement, as determined by the Planning Manager, Developer may propose an alternative wall construction technique as determined appropriate by the Planning Manager that does not create a structural connection and provides a sufficient gap between the walls to meet Building and Safety requirements. (DS/PL)

13. The new perimeter wall along the northerly property line of Lot 1 shall be limited to a maximum height of 18 inches for approximately 10 lineal feet between the front property line of Lot 1 and the existing 6' wall on the adjacent property. (PL)
14. The developer shall be required to install an approved waterproof membrane lining adjacent to the interior side of the new retaining wall along all property lines, where applicable. (PL)
15. Throughout grading and construction activities, 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)
16. 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)
17. 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)
18. 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)
19. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)
20. All exterior work (grading, wall construction, framing, paving, etc.) shall be limited to the hours of 8:00 a.m. to 4:30 p.m. on weekdays, including Saturday. All interior and finish 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)

21. Prior to any grading or construction on the vacant property, Developer shall hire a qualified pest control service to remove and dispose of any gophers and other pests within the property. (PL)

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

22. 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)
23. 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)
24. 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)
25. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
26. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
27. 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)
28. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
29. 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)
30. 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)
31. 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)

32. 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)
33. 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)
34. 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)
35. 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)
36. 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)

37. 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)
38. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
39. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
40. 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)
41. 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)
42. "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)
43. 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)
44. 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)

45. 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)
46. 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)
47. 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)
48. 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)
49. 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)
50. 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)
51. 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)
52. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
53. 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)
54. 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)

55. 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)
56. 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)
57. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
58. 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)
59. 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)
60. 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)
61. 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)
62. 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)
63. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)
64. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

STORMWATER QUALITY CONDITIONS

65. 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 Best Management Practices (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)

66. 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

67. Developer shall dedicate to the City a public vehicular and pedestrian access easement and a public utility easement over the Oneida Court street improvements. All roadway and sidewalk improvements shall be perpetually owned and maintained by the homeowners association but sewer and water lines shall be dedicated to the City. Developer shall provide proof that maintenance of the roadway and sidewalks constructed within Parcel A has been included in the homeowner association maintenance responsibilities. Dedication of this easement shall be reflected on the final map. (DS)
68. Prior to issuance of a site improvement/grading permit, Developer shall provide an irrevocable offer of dedication for right-of-way and public utility purposes for Ventura Road to the City over the most easterly 50 feet of Parcel A. This offer shall be rejected by the City at the time of map recordation but shall remain open for acceptance by the City at a future date without further action by the underlying property owner. (DS)
69. Developer shall dedicate to the City all rights of ingress and egress to Ventura Road from Parcel A except the general right of travel that is available to the public. This dedication shall be reflected on the final map. (DS)
70. Prior to issuance of a site improvement/grading permit, Developer shall provide an irrevocable offer, in fee simple, to the City for the portion of proposed Parcel A easterly of the back of sidewalk of the extension of Oneida Court excluding the portion included within the irrevocable offer for right-of-way and public utility purposes for Ventura Road included in Condition No. 68. (DS)

71. Developer shall construct a paved storage location for three refuse containers that is out of view of the street. Developer shall provide a paved path from the storage location to the street curb that does not require entering the garage. All gates or doors along the path shall be constructed with a minimum of 36 inches of clear space to allow passage of the City issued containers. Storage location and path shall be shown on the fine grading plans. (DS)
72. Developer shall design lot fine grading to drain stormwater to the street via surface swales. No area drains shall be used within proposed residential units. (DS)
73. Developer shall implement Low Impact Development (“LID”) strategies in the design of lot grading, drainage and paved surfaces. Project shall include the use of permeable pavement (underlain by sand or other permeable base material) for all driveways, sidewalks, and patio areas within private lots. Additional LID strategies such as; a) Minimizing impervious area; b) Use of permeable pavements within portions of the street; c) Onsite rainwater retention, treatment, and infiltration (rain gardens); and d) Stormwater planters shall be implemented as deemed technically feasible. Developer is directed to the San Mateo County Sustainable Green Streets and Parking Lots Design Guidebook or similar publications for design details. Concurrent with submittal of infrastructure construction documents, Developer shall submit a written LID implementation proposal that includes site specific LID related soils design recommendations prepared by geotechnical engineer. (DS)
74. Developer shall dedicate to the City an irrevocable offer of an access easement over the portion of proposed lot 4 depicted on sheet A-1 for a future driveway to serve the lot east of proposed lot 4. The irrevocable offer shall clearly indicate that the access easement is transferrable to the owner of the lot intended to be served by the driveway. (DS)
75. Developer shall construct sewer laterals for the future use of the two adjacent parcels easterly of this project. Laterals shall terminate either at property line or 5 feet behind sidewalk whichever is shorter. (DS)
76. Developer shall not construct sewer laterals within proposed driveways unless no feasible alternative is available. Final determination of lateral location shall be approved by the Development Services Manager. (DS)

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING AN APPEAL, AND APPROVING PLANNING AND ZONING PERMIT NO. 09-500-05 (SPECIAL USE PERMIT) TO PERMIT THE CONSTRUCTION OF FOUR DETACHED SINGLE-FAMILY DWELLINGS ON FOUR LOTS WITHIN TENTATIVE TRACT MAP NO. 5862, LOCATED AT 1071 NORTH VENTURA ROAD (APN: 181-0-191-27), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY RAÚL B. OROZCO, 312 CAMARILLO DRIVE, CAMARILLO, CA 93010.

WHEREAS, on May 20, 2010 the Planning Commission of the City of Oxnard recommended denial of an application for Planning and Zoning Permit Nos. 09-300-05 (Tentative Subdivision Map) and 09-500-05 (Special Use Permit), filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010; and

WHEREAS, a motion at the Planning Commission was made to deny the project and all associated entitlements, and the motion of the Planning Commission failed; and

WHEREAS, in accordance with the Bylaws of the Planning Commission, failure of an item to receive the votes required for approval constitutes denial or recommendation for denial of the item under consideration; and

WHEREAS, on June 4, 2010, the applicant filed a timely appeal of the Planning Commission's action, filed by Raúl Orozco, 312 Camarillo Drive, Camarillo CA 93010; and

WHEREAS, the City Council has considered the appeal and has carefully reviewed the decision of the Planning Commission and has considered an application for Planning and Zoning Permit Nos. 09-300-05 and 09-500-05; and

WHEREAS, the City Council has carefully reviewed the Planning Commission action thereof, the staff report, and minutes of testimony at the public hearings; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to the appeal of Planning & Zoning Permit Nos. 09-300-05 and 09-500-05; 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 City Council finds, after due study, deliberation and public hearing, that the following circumstances exist:

ATTACHMENT ~~#09~~
PAGE 1 OF 10

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 City Council 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, the City Council of the City of Oxnard resolves that Planning and Zoning Permit No. 09-500-05 (Special Use Permit) is hereby approved, subject to the conditions set forth in Exhibit A.

PASSED AND ADOPTED this 22nd day of June 2010, by the following vote:

AYES:

NOES:

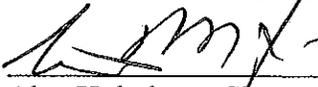
ABSENT:

 Dr. Thomas E. Holden
 Mayor

ATTEST:

 Daniel Martinez, City Clerk

APPROVED AS TO FORM:



 Alan Holmberg, City Attorney

Exhibit A

**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	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 dated May 4, 2010, (“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 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. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. 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)
13. 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)
14. 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

15. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
16. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
17. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
18. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
19. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
20. 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

21. 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.
22. All landscaping and irrigation shall comply with Ordinance No. 2822, which adopted the Landscape Water Conservation Standards.
23. Developer shall join the existing Strawberry Fields Landscape Maintenance District and pay its prorated share for joining the district and for maintenance of the Strawberry Fields Landscape maintenance areas.
24. A Home Owners Association shall be established and shall include: (1) the landscape parkways (including the mail box enclosure) on Oneida Court; (2) the future driveway area between lot 4 and an adjacent existing lot; (3) the landscape traffic island in the middle of Oneida Court; and Parcel "A" until such time it is turned over to the City.

25. Staff accepts and approves the December 19, 2006 arborist's tree report appraisal value of \$29,058 as prepared for the value of the existing Pinus pinea tree located at 1063 Ventura Rd. This tree shall remain at its present location and shall be protected at all times from ongoing site development.
26. During grading and construction activities, developer shall ensure that any adjacent existing tree(s) and/or tree root systems shall not be negatively impacted. Prior to issuance of any permits for grading or walls, the developer shall pay for the services of a certified arborist to survey the site and prepare a written report that identifies the findings and recommendations. The report shall be submitted to the Planning Division and approved prior to permit issuance. The arborist shall determine the extent of any tree root removal or method of severing roots, and perform any pruning and appropriate tree crown reduction that may be required. This condition shall be included on the perimeter wall plan and grading plan submitted to the Development Services Department.

FIRE DEPARTMENT STANDARD CONDITIONS

27. 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)
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. 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)
31. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
32. The turning radius of all project property driveways and turnaround areas used for access shall be approved by the City Traffic Engineering Department.
33. 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)
34. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturers specifications. It 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.

PLANNING DIVISION STANDARD CONDITIONS

37. 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)
38. 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)
39. 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)
40. 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)
41. Developer may not modify any use approved by this permit unless the Planning Division Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, PL-7)
42. 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)
43. 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)
44. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
45. Developer shall provide a rear patio concrete slab of at least 100 square feet. (PL/B, PL-26)
46. 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)
47. 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)
48. 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)
49. Developer shall provide automatic garage door openers for all garages. (PL/B, PL-20)
50. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, PL-21)
51. 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)
52. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, PL-29)

53. Developer shall provide masonry walls on street side yards and along project perimeter property lines. Developer shall install interior lot line fences, to be constructed of wood or other material, subject to the approval of the Planning Division Manager. (PL/B, *PL-31*)
54. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of the private cul-de-sac, 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*)
55. 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*)

PLANNING DIVISION SPECIAL CONDITIONS

56. 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)
57. Dwelling units on Lots 1 and 2 shall be limited to a maximum of 2,671-sq.ft. inclusive of a 413-sq.ft. garage. Dwelling units on Lots 3 and 4 shall be limited to a maximum of 3,610-sq.ft. inclusive of a 744-sq.ft. garage. 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 approved plans and the construction plans. (PL)
58. For that portion of proposed Parcel A easterly of the back of sidewalk of the extension of Oneida Court and subject to the irrevocable offer to the City, all property owners and residents shall be prohibited from parking vehicles, installing paving or improvements, installing structures, or establishing any other land use. (PL)
59. 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)
60. 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)

61. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (PL)
62. All exterior work (grading, wall construction, framing, paving, etc.) shall be limited to the hours of 8:00 a.m. to 4:30 p.m. on weekdays, including Saturday. All interior and finish 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)
63. Prior to any grading or construction on the vacant property, Developer shall hire a qualified pest control service to remove and dispose of any gophers and other pests within the property. (PL)

ENVIRONMENTAL RESOURCES DIVISION

64. 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.
65. 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.
66. 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.