Planning Division

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Brian Foote, AICP, Associate Planner

DATE: August 5, 2010

SUBJECT: Anacapa Townhomes Development – Planning and Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Subdivision Map), and 09-590-01 (Coastal Zone Variance). Located at 5001 W. Wooley Road, at the northeast corner of Harbor Boulevard & Wooley Road.

1) **Recommendation:** That the Planning Commission:
   - **a)** Adopt a resolution approving Planning and Zoning Permit No. 08-400-04 for a Coastal Development Permit, subject to certain findings and conditions.
   - **b)** Adopt a resolution approving Planning and Zoning Permit No. 09-590-01 for a Coastal Zone Variance, subject to certain findings.
   - **c)** Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 09-300-01 for a Tentative Subdivision Map, subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to construct the "Anacapa Townhomes" on a 3.96-acre vacant property located at the northeast corner of Harbor Boulevard and Wooley Road, in the Oxnard Dunes neighborhood. A tentative subdivision map proposes creating five parcels and subdividing for 70 air-rights condominium units; a Coastal Development Permit to construct five, multifamily, three-story structures with a total of 70 condominium dwelling units, parking garages, pool and recreation building, amenities, and associated site improvements; and a Coastal Zone Variance to modify the development standards for specified front, side, and rear yard setbacks to permit architectural projections and stairways. Filed by Mike Marlow, Oxnard Shores Development Co. LLC, 1015 S. Harbor Boulevard, Oxnard, CA 93035.

3) **Existing & Surrounding Land Uses:** The project site is vacant and undeveloped. Harbor Boulevard is adjacent to the site on the west side, Wooley Road is adjacent to the site on the south side, and Canal Street bisects the easterly half of the site. The existing Oxnard Dunes subdivision is adjacent to the site on the north side. The Edison canal is adjacent to the site on the east side.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	R-3-C	Coastal Zone	Vacant
North	R-2-C	Coastal Zone	Oxnard Dunes neighborhood
South	RP	Coastal Zone	Open Space
East	CR	Edison Canal	Edison canal, agriculture beyond
West	CNC	Coastal Zone	Retail Center

4) **Background Information:** The City Council adopted Ordinance No. 2159 on April 19, 1988, approving a Development Agreement between the City of Oxnard and the Oxnard Shores Company for the subject property on Wooley Road. The ordinance approved a transfer of development rights from 22 beachfront parcels (the sending area) to the subject property (the receiving area) as prelude to the Settlement Agreement. The Settlement Agreement transferred ownership of numerous beachfront parcels to the State of California (acting through the State Lands Commission and California Coastal Commission), avoided potentially significant environmental impacts that may have otherwise resulted from future development, preserved coastal resources and recreation areas, and formally established several public access areas. The Development Agreement allows up to 70 dwelling units on the subject property, and expires in the year 2015 or at the completion of development.

   The City Council adopted Ordinance No. 2169 on July 5, 1988, changing the zones for the properties included in the Development Agreement and Settlement Agreement. The subject property changed from Coastal Multiple-Family (R-2-C) to Coastal Medium Density Multiple-Family (R-3-C) in order to accommodate the density of development envisioned in the Development Agreement. The beachfront properties changed from Single-Family Beach (R-B-1) to Coastal Recreation (RC) affirming their use as public beach and recreation areas, precluding future development, and establishing conformity with the Development Agreement.

5) **Environmental Determination:** The proposed development is subject to review in accordance with the California Environmental Quality Act (CEQA). An Initial Study was prepared to analyze the potential for any significant adverse environmental effects of the proposed project. The draft Mitigated Negative Declaration (MND No. 09-03), consisting of the Initial Study and mitigation measures, was circulated for public review and comment from January 25, 2010, through February 23, 2010. The State Clearinghouse assigned number 2010011069 for circulation to State agencies. The topics analyzed in the Initial Study identified the levels of impact as one of the following: a) no impact; or b) less than significant impact; or c) less than significant impact after mitigation. None of the topics were identified as having potentially significant impacts, and an Environmental Impact Report is not required. Therefore, staff recommends that the Planning Commission adopt a Mitigated Negative Declaration (see Attachment C) for the proposed project.

Impacts Less Than Significant After Mitigation

Ten areas of concern were identified as potentially being affected, and mitigation measures have been included to reduce or avoid the potentially significant impacts. The following sections in the Initial Study include mitigation measures: air quality, biological resources, cultural resources, geology/soils, hydrology, noise, public services, recreation, transportation/traffic, and utilities/service systems. The short-term impacts (i.e. construction activities) that are less than significant after mitigation are air quality, biological resources, cultural resources, geology/soils, hydrology, and noise. For example, the mitigation measure requiring pad foundations will avoid all noise and soils impacts that would otherwise result if the developer were to install pile foundations. The mitigation measures for biological resources will require pre-construction surveys in order to detect and relocate any sensitive species that might be present on the site when grading and construction begins. The long-term impacts that are less than significant after mitigation are public services, recreation, traffic, and utilities/service systems. The proposed Mitigated Negative Declaration (Attachment C) lists all mitigation measures. On September 8, 2009, the applicant agreed to the proposed mitigation measures recommended by staff.

Public Review & Comments

Comments on the draft environmental document were submitted by the California Department of Fish & Game, U.S. Fish & Wildlife Service, Ventura County Air Pollution Control District, Ventura County Public Works Agency, Ventura County Watershed Protection District, and two local residents. The Ventura County Air Pollution Control District recommended a mitigation measure adding language emphasizing four standard regulations, which has been added to the MND. The Ventura County Department of Airports recommended one additional mitigation measure for a standard avigation easement, which has been added to the MND. The Ventura County Public Works Agency and Watershed Protection District submitted letters indicating agreement with the Initial Study and mitigation measures.

The City received comments from the California Department of Fish & Game and the U.S. Fish & Wildlife Service regarding the Biological Resources section, specifically, the potential for the presence of threatened or endangered species on the project site such as Silvery Legless Lizard, Least Bell's Vireo, and Ventura Marsh Milkvetch. In response to the public comments, the applicant's consultant PCR Services Corporation conducted further investigations of the project site in April 2010, and submitted an addendum to the Biological Resources Assessment report. In addition, the City retained Rincon Consultants to independently review and analyze the Biological Resources Assessment report, its findings and recommendations, the addendum and the proposed mitigation measures. Two additional mitigation measures are now included, and specify that pre-construction surveys will be conducted to verify that no sensitive species will be present when construction begins, as well as monitor and protect any sensitive species living in nearby habitat areas during construction. The applicant has agreed to the additional mitigation measures. City staff has revised the Biological Resources section of the Initial Study to incorporate the additional analysis and mitigation measures, and will prepare a response letter to CDFG indicating that their comments have been incorporated into the project.

The City also received written comments from two City residents, which were concerned with the proposed density of development and related issues such as traffic, noise, parking, and structure height. Staff has analyzed the proposed project for consistency with the Coastal Land Use Plan and Coastal Zoning Ordinance, and staff believes the project has been designed and conditioned in such a way that addresses the concerns. For a description of staff's analysis, see Section 6 of this Staff Report. All comment letters are included with the environmental document.

6) Analysis:

a) *General Discussion:* According to the terms of the Settlement Agreement, the subject property is an in-fill parcel allowing up to 70 condominium units, in exchange for the 23 beachfront parcels that were precluded from future development and transferred to the State Lands Commission to remain in perpetuity as public beach areas. The proposed project is consistent with the allowable density of the Coastal Land Use Plan, the R-3-C zone, the Development Agreement, and the Transfer of Development Rights program.

Ordinance No. 2006 established the Transfer of Development Rights program in 1984 and specifically designated the Oxnard Shores as a "sending area" from which development credits could be transferred to inland "receiving areas." The current project proposes development of the subject property that was designated as a receiving area. The TDR program limits the maximum number of transfer credits to 6 units per acre, in addition to the baseline number of units allowed by the zoning. At the time the Development Agreement was executed in 1988, the original zoning of the subject property was R-2-C and permitted a maximum of 47 dwelling units (in 1988 the parcel was estimated to be 3.91 gross acres). The TDR program permits up to 23 (6 x 3.91) dwelling units in addition to the base density of 47 units. Therefore, the current proposal for 70 units is consistent with the exchange rate defined in the TDR program, and is consistent with the maximum density of 18 units per acre allowed in the R-3-C zone.

Description	Density Allowed	Maximum # of Dwelling Units
R-2-C Zone.....	7 to 12 D.U. per acre	47
TDR Program...	Up to 6 additional D.U. per acre	23
Max. Potential Development.....	Equivalent to 18 D.U. per acre	70
Proposed Development.....	*Equivalent to 17.9 D.U. per acre*	*70*

On October 31, 1989, the Development Agreement recorded as Instrument No. 89-174751 of official records of Ventura County. The current application for a Coastal Development Permit is an opportunity for the Planning Commission to determine that the proposed project is consistent and implement the Development Agreement.

b) *Coastal Land Use Plan Consistency:* The project is consistent with a number of policies contained in the Coastal Land Use Plan, as discussed in the following table.

POLICY	DISCUSSION
Coastal Policy #8 (page III-13) states that the City may permit an increase in the allowable density of non-resource areas in return for the preservation of the resource area.	Approval of this project will ensure consistency with this policy. The Wooley Road property is the designated Receiving Area under the terms of the Settlement Agreement and Development Agreement, and therefore, preserves the resource area consisting of public beach and recreation uses.
Coastal Policy #23 (page III-20) states that new multi-family residential development shall be limited to a density of no more than 18 units per acre.	The project proposes a residential density of 17.9 units per acre, based on the original calculation of 3.91 gross acres (70 / 3.91 = 17.9). Therefore, the project will be consistent with this policy.
Coastal Policy #37 (page III-23) states that all new development in the coastal zone shall be designed to minimize impacts on the visual resources in the area.	Approval of this project will ensure consistency with this policy. The Wooley Road property is the designated Receiving Area under the terms of the Settlement Agreement and Development Agreement, and therefore, preserves the visual resources of the beachfront parcels that are utilized as public beach and recreation areas by the public.
Coastal Policy #38 (page III-23) states that height restrictions as defined by the City Zoning Ordinance shall be used to avoid blocking views.	The project proposes a maximum height of 34.5 feet, which is less than the maximum allowable height of 35 feet in the R-3-C zone of the Coastal Zoning Ordinance. Therefore, the project will be consistent with this policy.
Coastal Policy #39 (page III-24) states that all applications for subdivisions shall be reviewed for threats from hazards such as seismic activity, liquefaction, tsunami, beach erosion, flood, storm wave runup, and expansive soils.	Approval of this project, as mitigated, will ensure consistency with this policy. The project Initial Study documents the environmental review, hazard analysis, and mitigation measures to be incorporated into the development. In addition, the Wooley Road property is the designated Receiving Area under the terms of the Settlement Agreement and Development Agreement, and therefore, avoids all environmental impacts that would have otherwise resulted if the beachfront parcels had been developed with residential uses.
Coastal Policy #40 (page III-25) states that any person developing property within the 100-year flood line shall agree to indemnify and hold the City harmless from any	Approval of this project, as mitigated, will ensure consistency with this policy. The project Initial Study documents the environmental review (including 100-year flood hazard), and mitigation measures have been included to minimize the risk.

liability or damages resulting from the construction of his development.	In addition, the Wooley Road property is the designated Receiving Area under the terms of the Settlement Agreement and Development Agreement, and therefore, avoids all potential flood hazards that might have otherwise resulted if the beachfront parcels had been developed with residences.
Coastal Policy #41 (page III-28) states that all new development shall employ the most recent water conservation methods and devices.	The project will be designed and constructed to comply with the water conservation standards contained in the California Building Code (e.g. low-flow fixtures and appliances) and the City's landscape design guidelines. The project will be consistent with this policy.
Coastal Policy #42 (page III-25) states that proposed projects shall include consideration of the remaining water and sewer service capacities, and projects may be approved only when sufficient water/sewer services are available.	Approval of this project, as mitigated, would be consistent with this policy. The project Initial Study documents the environmental review (including water and sewer service capacities based on current data and information), and mitigation measures have been included to ensure sufficient levels of service.
Coastal Policy #47 (page III-34) states that all new development shall occur in a manner consistent with the Ventura County AQMP.	Approval of this project, as mitigated, will ensure consistency with this policy. The project Initial Study documents the environmental review (including air quality analysis), and mitigation measures have been included to ensure compliance with the Ventura County AQMP.
Coastal Policy #71 (page III-53) states that the City shall ensure public use of the vacant oceanfront lots in the Oxnard Shores Neighborhood, including use of the Transfer of Development Rights program.	The Wooley Road property is the designated Receiving Area according to the Transfer of Development Rights program, and ensures public use of specified vacant oceanfront lots in the Oxnard Shores Neighborhood under the terms of the Settlement Agreement and Development Agreement. Therefore, the project will implement this policy.
Coastal Policy #92 (page III-62) states that transfer of development rights may be permitted to provide a procedure for relocating development that would otherwise adversely affect coastal access and recreation.	The Wooley Road property is the designated Receiving Area according to the TDR program, and relocates future development from specified vacant oceanfront lots to the Wooley Road property under the terms of the Settlement Agreement and Development Agreement. Therefore, project will implement this policy.

c) ***Conformance with Coastal Zoning:*** The proposed development is located in the Coastal Medium Density Multiple-Family (R-3-C) zoning district, and the proposed development may be permitted with a Coastal Development Permit and Tentative Subdivision Map. The project complies with the applicable development standards of the R-3-C zone as listed in the following table.

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Building Height §17-14(D)(1)	Not to exceed 3 stories or 35 feet	3 stories & 34.9 ft.	Yes
Maximum Density §17-14(D)(2)	1 unit per 2,400 sq.ft. (min.) of lot area. Equivalent to 18 units per acre.	1 unit per 2,433 sq.ft. of lot area; 17.9 units / acre.	Yes
Minimum lot width §17-14(D)(3)	60 feet minimum	Approx. 200 feet each lot	Yes
Front yard setback §17-14(D)(5)	15 feet if all vehicle access is off alley	15 feet (avg.) & 0 feet (min.)	Yes, if Variance approved
Side yard setbacks §17-14(D)(7)	10 feet for three-story structures	10 feet (avg.) & 4 feet (min.)	Yes, if Variance approved
Rear yard setback §17-14(D)(6)	25 feet	25 feet (avg.) & 5 feet (min.)	Yes, if Variance approved
Extension of Open Stairways §16-306	Open, unenclosed stairways not covered by a roof may extend into a required front yard not more than 30 inches.	Extend 15 feet to front property lines	Yes, if Variance approved
Interior Yard Space §17-14(D)(4) & §17-14(E)	25% of lot area as IYS; and 25% of required IYS may be on building decks having min. dimension of 10 feet and min. area of 200 sq.ft.	42,574 sq.ft. (27%) as common IYS; 6,000 sq.ft. (4%) as private IYS.	Yes
Fences, walls, hedges – front yard §16-308	Must be at least 50% open, and may not exceed 42 inches. If a solid wall, then may not exceed 18 inches in height.	Garden walls: Greater than 18 inches high. Pilasters: vary, 2.5 – 5 ft. high. Screen wall at transformers:	Yes, if Variance approved

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
		4 to 5 feet max.	
Fences, walls, hedges – side & rear yards §16-309(A)	Not to exceed 7 ft. in height, and not located within required setback areas. If located within the required front or side yard, see §16-308.	6 feet (max.)	Yes
Building Separation §16-362(B)	Equal to the height of the taller structure (35 ft. minimum).	30 feet (not including stairs)	Yes, if Variance approved
Source: Coastal Zoning Ordinance Section 17-14.			

In addition to the R-3-C development standards, City Council Resolution No. 7658 provides advisory standards that are intended to encourage amenities that enhance the livability of condominiums. The proposed project complies with several of the advisory standards as listed in the following table.

ADVISORY STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Number of Bedrooms	Each unit shall have no fewer than 2 separate bedrooms	10 units w/ 3BR, 51 units w/ 2 BR, 9 units w/ 1 BR.	No
Dwelling Size	Each unit shall not be smaller in area than 1,000 sq.ft.	1,006 sq.ft. minimum	Yes
Distance to Parking Spaces	– Resident Parking: 50 ft. max. distance to spaces from the dwelling units they serve. – Visitor Parking: 100 ft. max. distance to spaces from the dwelling units they serve.	Resident parking spaces more than 50 feet to the units they serve; spaces are within same building as the unit served. Visitor spaces are within 100 ft.	No Yes
Private Patios	– Minimum outdoor patio area not less than 20% of GFA of the unit it serves. – Min. dimensions 10 ft. by 10 ft. – Immediately adjacent and direct access to the unit served. – Minimize overview to adjacent patios. – Lights not to exceed 6 ft. height. – Patios adjacent to common open areas used by residents.	– Varies between 6.5% to 27% per unit – Min. 10' x 10' – Adjacent and accessible to each unit – Patios adjacent to common open space area	No

ADVISORY STANDARD	REQUIREMENT	PROPOSED	COMPLIES
Common Areas	– Formal: Jacuzzi, spa, clubhouse, barbecues, picnic tables, etc. – Informal: Lawn area with min. dimensions of 45 ft. and area not less than 3,500 sq.ft. – Children: Tot lot, jungle gym.	Jacuzzi / spa, pool, clubhouse, tot lot, and barbecue areas.	Yes
Storage	– 1 private storage area per unit. – Minimum area: 225 cubic ft.($ft.^3$). – Minimum width: 4 ft.	– All units have storage areas – Min. 225 $ft.^3$ – Min. width 4 ft.	Yes, as conditioned
Security	– Lockable entrances – Electric garage door openers – Similar features	– Gates & locks at entrances – Electric garage gate openers	Yes
Handicap Accessibility	Elevators shall be provided in structures of 3 or more stories	1 per building (up to second floor)	Yes, as conditioned
Source: City Council Resolution No. 7658.			

d) *Site Design:* The site layouts on Lots 1 – 4 were influenced by the shape of the property and means of access from the alley. Each building will face the street frontages on Wooley Rd, Harbor Blvd, or Canal Street. Parking areas will be completely screened from view from Wooley Rd and Harbor Blvd by structure placement and walls. By utilizing the alley for all vehicle access, the minimum building front setback may be achieved at 15 feet. Lot 5 will take access directly from Canal Street. The minimum requirements for the side, street-side, and rear setbacks are also provided, except for the specified architectural projections and stairways subject to the Variance. Common open space areas and amenities are provided throughout the site for easy access by the residents, and will be maintained by the Homeowner's Association. The proposed lot sizes are listed in the following table.

Lot Number	Proposed Land Use	Number of Units	Lot Size
1	Residential Condominiums	14	39,640 sq.ft. / 0.91 acre
2	Residential Condominiums	14	27,007 sq.ft. / 0.62 acre
3	Residential Condominiums	14	27,878 sq.ft. / 0.64 acre
4	Residential Condominiums	14	27,007 sq.ft. / 0.62 acre
5	Residential Condominiums	14	32,670 sq.ft. / 0.75 acre
-	Wooley Rd. dedication	-	8,704 sq.ft. / 0.20 acre
-	Canal St. dedication	-	9,012 sq.ft. / 0.22 acre
	Total	*70*	3.96 acres (gross) *3.54 acres (net after dedications)*

e) ***Circulation and Parking:*** On-site circulation for Lots 1 – 4 is provided by the alley between Harbor Boulevard and Canal Street. Resident parking will be provided within enclosed garages located on the first floor of each structure, access will be provided from the alley, and spaces will be designated for each unit. The parking area for Lot 5 has a driveway to Canal Street without an alley. Visitor parking will be open and uncovered on all lots. The project meets the requirements for all parking standards as listed in the following table.

PARKING STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Number of Resident Spaces §16-622	For units with 2 or more bedrooms: 2 garage spaces per unit, and assigned to a specific unit. *Minimum: 131*	150 spaces	Yes
Number of Visitor Spaces §16-622	1 space per unit for the first 30 units, and 0.5 space per unit thereafter. *Minimum: 50*	50 spaces	Yes
Residential Subterranean Garages §16-626	Permitted for residential developments with minimum lot size of 25,000 sq.ft. All visitor parking must be provided at grade level.	None – garages on first floor.	N/A
Dimensions §16-638	Standard: 9 ft. wide & 19 ft. long.	9 ft. by 19 ft.	Yes
Landscaping §16-641	Minimum of 5% of the parking area shall be landscaped.	5,633 sq.ft. (22%)	Yes

A traffic study was prepared for the project and approved by the City's Traffic Engineer, and no significant impacts will occur after implementation of mitigation measures. A number of off-site improvements will be constructed with the project in order to improve traffic circulation in the vicinity, including the following: dedication and construction of a right-turn lane on westbound Wooley Road; a new 6-foot wide Class II bike lane on both sides of Wooley Road; modification of traffic signals at the intersection of Harbor Boulevard and Wooley Road; new sidewalks, ramps, curb/gutter, storm drains, and street repaving adjacent to the project site; and placing utility lines underground along the north side of Wooley Road adjacent to the project site.

f) ***Building Design:*** A total of five structures are proposed with a Spanish Mediterranean style, and will be compatible with the retail center across Harbor Boulevard. The proposed height, at three stories and 35 feet maximum, complies with the requirements of the R-3-C zone. Adjacent multi-family dwellings in the Dunes Neighborhood in the R-2-C zone are one and two stories high, and the placement of the proposed structures will not have a towering effect on adjacent residences. The density of the proposed development is similar to the

adjacent neighborhood, and the proposed façade design will help contain the activities, noise, light, parking areas, etc. The prominent entrances that will be visible from Harbor Boulevard and Wooley Road are designed as curving staircases that rise to the second floor. Doors to the individual units are provided from the interior common areas, and therefore, the design successfully conceals the entries to the units, common courtyards, recreational amenities, and resident activities. The ancillary structures such as the recreation buildings, mailbox kiosk, and screen walls are designed to match the Spanish Mediterranean theme.

There will be a total of 11 floor plans that provide variation to the square-footage and interior layouts. Six of the 11 floor plans have the same layout, except with minor variations such as the placement of stairways or orientation of rooms. The alternates are provided for models A/A1, B/B1, C/C1, H/H2, J/J1, and L/L1 (see pages 24 and 25 of the full-size plans for illustrations).

Unit Type	Total Floor Area (Square Feet)	Number of Bed / Baths	Unit Quantity
A	1,849	2 / 3	3
A1	1,858	2 / 3	1
B	1,818	2 / 3	5
B1	1,848	2 / 3	1
C	1,742	2 / 2	10
C1	1,672	2 / 2	1
D	1,551	1 / 2	1
E	1,006	1 / 1	8
F	1,410	2 / 2	8
G	1,433	2 / 2	2
H	1,561	2 / 2½	2
H2	1,562	2 / 2½	8
J	1,546	2 / 2½	6
J1	1,550	2 / 2½	4
K	1,951	3 / 2½	5
L	1,939	3 / 2½	1
L1	1,987	3 / 2½	4
Total			*70*

Development Services Division staff has reviewed the conceptual drawings and noted that the third floor of each structure may not comply with requirements for handicap accessibility and elevators. A licensed architect will be required to prepare and submit construction drawings for building permits. It has not yet been determined if the potential need for elevators up to the third floors may affect the proposed designs of the interior courtyards, exteriors of the structures, or rooflines.

g) ***Landscaping and Open Space:*** The development standard for Interior Yard Area requires a minimum of 25% (38,732 square-feet) of the site area and minimum dimensions of 15 feet, and is satisfied by providing approximately 26% (40,492 square-feet). The common open space includes on-site amenities such as a pool, spa, tot lot, and recreation room. The full-size plans (page 2.2) include a full-color site plan illustrating the interior yard areas. Private open space, in the form of a private patio and/or balcony, is provided for every unit and varies between 102 and 271 square-feet each. The patio/balcony areas totaling approximately 8,307 square-feet are in addition to the common open space areas. A minimum of 5% of the parking lot area must be landscaped (not included in the IYS area calculation) and 22% will be provided. Although the project is not required to construct a public park or dedicate land for a public park, the developer will be required to pay the applicable Quimby Fee prior to issuance of any building permits.

h) ***Tentative Subdivision Map:*** The proposed subdivision is consistent with the Subdivision Map Act, City Code (Chapter 15 – Subdivisions), Coastal Land Use Plan, Coastal Zoning Ordinance and the Development Agreement. The Development Agreement allows up to 70 dwelling units on the property, specifically, condominiums or apartments. The proposal complies with the requirements for lot area, density, improvement and design, floodwater drainage control, public roads and improvements, water and sewer facilities, and environmental protection.

i) ***Coastal Development Permit Request:*** The proposed use is consistent with R-3-C zoning as defined in the Coastal Zoning Ordinance, as well as the policies and objectives of Coastal Land Use Plan. The project will not impair the integrity and character of the zone or general area, and will be compatible with existing and future land uses in the vicinity. The project site is physically suitable for the proposed development, and adequate public services are available to serve the project. Approval of the project will implement the Development Agreement, will protect and maintain coastal resources, will ensure public access to the coast and beaches, and will avoid or reduce cumulative environmental impacts.

j) ***Coastal Variance Request:*** A variance is requested for: a) five stairways (one per building) within the 15-foot front setback, and b) designated architectural projections into the street-side, interior side, and rear setback areas due to the shape of the property. The average distances for exterior walls will comply with the setback requirements, however, certain architectural projections and wall sections do not comply. The specific areas are listed in the following table, and include seven staircases, two sets of vertical columns, portions of two rear walls, and a portion of one side wall. The full-size plans (page 2.1) include a full-color site plan illustrating locations of the Variance numbers.

Variance Number	Description	Minimum Setback (ft)	Proposed Setback (ft)	Variance Request (ft)
1	Stairway	10	5	5
2	Rear Wall	25	5	20
3	Stairway	15	3	12
4	Rear Wall	25	19	6
5	Stairway	15	0	15
6	Column	25	23	2
7	Column	25	23	2
8	Stairway	15	0	15
9	Column	25	23	2
10	Column	25	23	2
11	Column	10	3	7
12	Stairway	10	4	6
13	Stairway	15	0	15
14	Column	10	8.5	1.5
15	Side Wall	10	4	6
16	Column	10	6	4

k) ***Coastal Commission Jurisdiction:*** According to the *Post-LCP Permit and Appeal Jurisdiction Map No. 131 (Oxnard Quadrangle)* adopted on November 20, 1985, a portion of the project site is within the permit/appeal jurisdiction of the California Coastal Commission. The project may be appealed to the Coastal Commission, and the Coastal Commission also has the discretion to require that the developer obtain a coastal permit prior to construction.

Coastal Commission staff is currently in the process of updating the map, and is considering a proposal to remove the subject property from the permit jurisdiction area (i.e. the developer would not need to obtain a permit directly from the Coastal Commission). The subject property would remain within the appeal jurisdiction area, similar to the majority of other properties in the vicinity. Coastal Commission staff expects the map update to be presented at a Coastal Commission hearing in December 2010.

l) ***In-Lieu Affordable Housing Fee:*** The City Council approved Pre-Application No. 09-600-1 on April 21, 2009, authorizing the developer to submit an affordable housing payment (estimated to be approximately $350,000) in lieu of providing affordable units within the proposed project. There will be no dwelling units that will be specifically designated for households defined as very low, low, or moderate income.

7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on March 25, 2009. No significant changes to the project design or site layout were necessary as a result of the DAC review. Requirements and conditions of the DAC are included in the attached resolutions.

8) **Community Workshop:** The Community Workshop was conducted on August 17, 2009. The applicant mailed notices of the Community Workshop meeting to all property owners within the Oxnard Dunes and Oxnard Shores neighborhoods, and two signs were posted on the project site 10 days prior to the meeting. Approximately 15 members of the public attended the meeting, most of whom were residents of the Oxnard Dunes or Oxnard Shores neighborhoods. The comments and concerns focused on the proposed number of units (i.e. density), structure height, potential traffic impacts, parking, proposed roadway improvements, and potential impacts to public parks. Subsequently, staff revised the project Initial Study in order to provide additional information and address environmental concerns.

Appeal Procedure: The Planning Commission's action is a recommendation, and the applications will be considered by the City Council in a noticed public hearing at a later date.

Attachments:

A. Maps (Vicinity, Zoning, Aerial)
B. Reduced Project Plans
C. Mitigated Negative Declaration No. 09-03, with comments
D. Resolutions

Prepared by: BF

Approved by: SM

Vicinity Map

Vicinity Map

N
W
E
S

0 0.25 0.5 1 1.5 2 Miles

Oxnard Planning
October 6, 2008

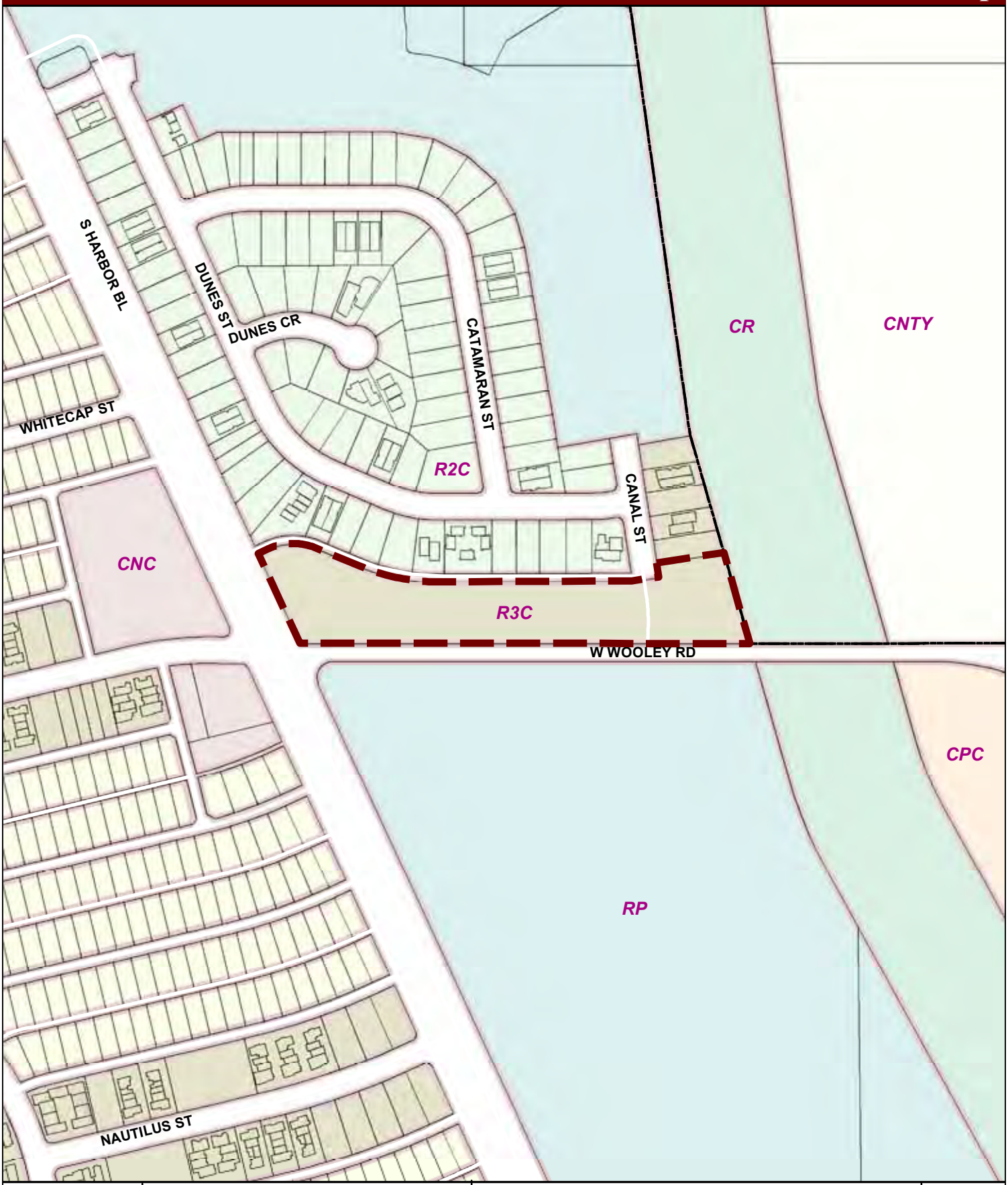
PZ 08-400-04
Location: NE Harbor Bl & Wooley Rd.
APN: 196003329
The Shores Townhouses

Vicinity Map

Oxnard Planning
October 6, 2008

PZ 08-400-04
Location: NE Harbor Bl & Wooley Rd.
APN: 196003329
The Shores Townhouses

Zone Map



Oxnard Planning
October 6, 2008

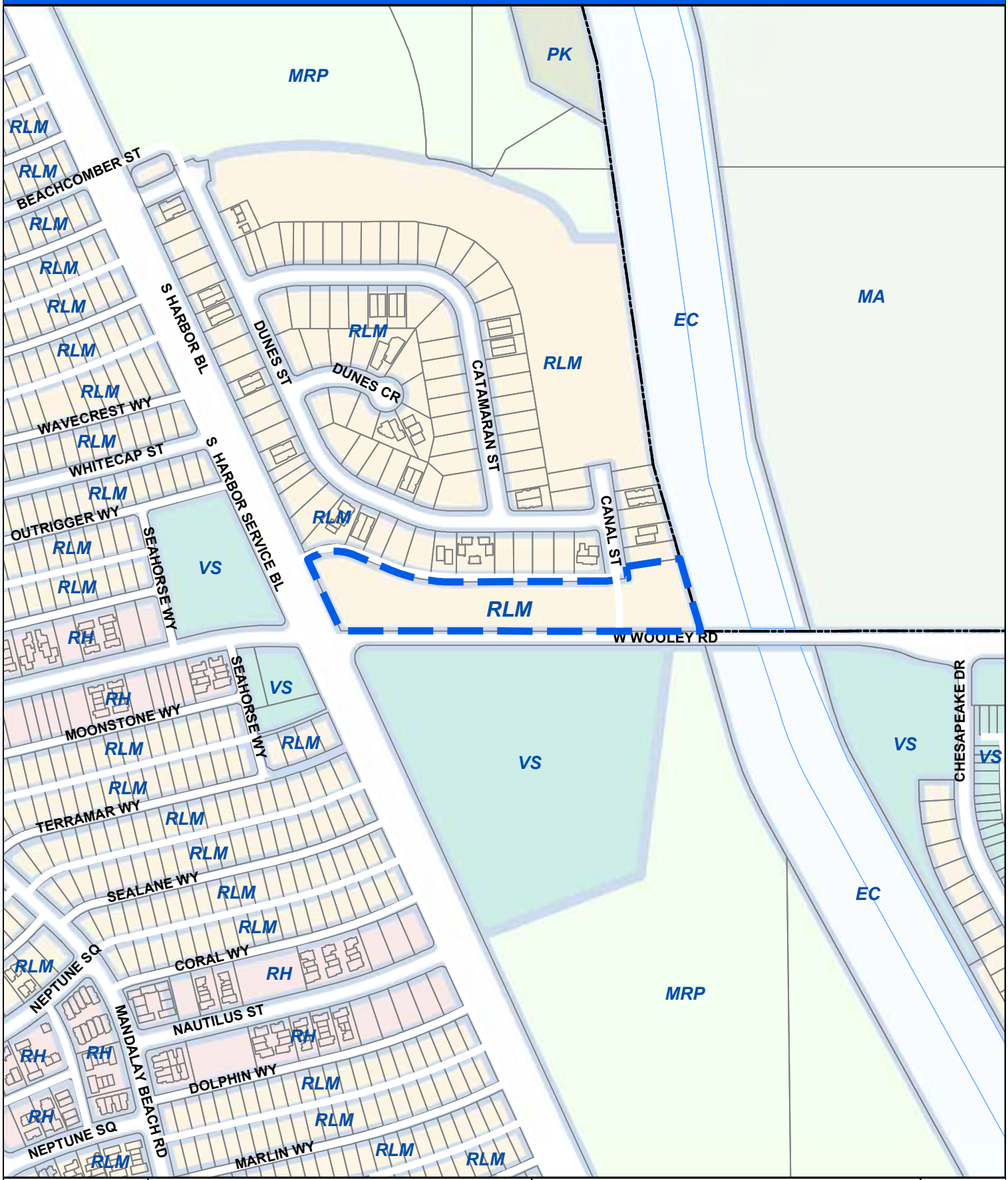
PZ 08-400-04
Location: NE Harbor Bl & Wooley Rd.
APN: 196003329
The Shores Townhouses

Feet
0 50 100 200 300 400

Zone Map

1:3,498

General Plan Map



Oxnard Planning
October 6, 2008

PZ 08-400-04
Location: NE Harbor Bl & Wooley Rd.
APN: 196003329
The Shores Townhouses

0 75 150 300 450 600 Feet

General Plan Map

1:4,343

Aerial Map

Oxnard Planning
October 6, 2008

PZ 08-400-04
Location: NE Harbor Bl & Wooley Rd.
APN: 196003329
The Shores Townhouses

0 37.5 75 150 225 300 Feet

Aerial Map

2007 Aerial

N W E S

1:2,239

RECEIVED

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PLANNING DIVISION
CITY OF OXNARD

PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD
OXNARD, CALIFORNIA 93035

ABBREVIATIONS

AB	ALUMINUM BLINDS
ACT	ACOUSTICAL TILE
AFF	ABOVE FINISHED FLOOR
CB	CHALK BOARD
CG	CORNER GUARD
CLR	CLEAR
CT	CERAMIC TILE
CTR	COUNTER
CPT	CARPET
CU	A/C CONDENSER UNIT
DB	DEAD BOLT
DC	DOOR CLOSER
DEM	DEMOLISH
EDF	ELEC. DRINKING FOUNTAIN
(E)	EXISTING
FM	FABRIC FIXTURE
EP	ELEC. PNL. BD
EQ	EQUAL
FA	FIRE ALARM
FE	FIRE EXTINGUISHER
FEC	FIRE EXT. CABINET
FBO	FURN. BY OTHERS
FD	FLOOR DRAIN
FH	FIRE HYDRANT
GL	GLASS, GLAZING
GB	GRAB BAR
GFI	GROUND FAULT INTERRUPTER
HB	HOSE BIB
INS	INSULATE (-D, -ION)
KP	KICK PLATE
MB	MARKER BOARD
MR	MOP RACK
MSF	MODULAR SYSTEM FURNITURE
MT	METAL THRESHOLD
MTD	MOUNTED
NIC	NOT IN CONTRACT
(N)	NEW
NRP	NON-REMOVABLE PIN
NTS	NOT TO SCALE
PL	PROPERTY LINE
PLAM	PLASTIC LAMINATE
PH	PANIC HARDWARE
(R)	RE-SWING DOOR
RFM	REMOVE
TYP	TYPICAL
TBD	TELE/DATA BACKBOARD
TB	TACK BOARD
UON	UNLESS OTHERWISE NOTED
URN	URINAL
V	VISITOR PARKING STALL
VAN	VANITY
VCT	VINYL COMPOSITION TILE
VP	VISION PANEL
WH	WALL HUNG
WC	WATER CLOSET
XFMR	ELECTRICAL TRANSFORMER

PLOT PLAN

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P-4	PROPOSED BUILDING 1 - PODIUM LEVEL PLAN
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P-18	PROPOSED BUILDING 4 - EXTERIOR ELEVATIONS
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BUILDING DATA

BUILDING 1 AREAS:

UNIT	QTY.	TYPE	GROUND FLOOR AREA	COURTYARD FLOOR AREA	UPPER FLOOR AREA	STORAGE AREA IN UNIT (CU.FT.)	TOTAL UNIT AREA	STORAGE AREA IN LOBBY (CU.FT.)	PRIVATE PATIO AREA	BALCONY AREA
A	1	[illegible]	911 S.F.	[illegible]			1,846 S.F.	220	203 S.F.	
B	1	[illegible]	[illegible]	[illegible]			1,816 S.F.	220	[illegible]	
C	2	[illegible]	[illegible]	1,077 S.F.			1,742 S.F.	220	144 S.F.	
E	1	[illegible]		[illegible]	[illegible]	220	1,008 S.F.		154 S.F.	117 S.F.
E	1	[illegible]		[illegible]	[illegible]	220	1,008 S.F.			129 S.F.
F	2	[illegible]			1,410 S.F.		1,410 S.F.	220		143 S.F.
H3	2	[illegible]		647 S.F.	715 S.F.	165	1,362 S.F.	165		162 S.F.
J	1	[illegible]		791 S.F.	704 S.F.	225	1,546 S.F.			162 S.F.
J1	1	[illegible]		791 S.F.	709 S.F.	400	1,500 S.F.			162 S.F.
K	1	[illegible]		[illegible]	[illegible]		1,551 S.F.	312	176 S.F.	
L1	1	[illegible]		877 S.F.	1,010 S.F.	155	1,887 S.F.	155	156 S.F.	

LOWER LOBBY AREA = 273 S.F.
TENANT STORAGE AREA = 281 S.F.
ELEVATOR AREA = 102 S.F.
ELECTRICAL ROOM AREA = 118 S.F.
GAS METER AREA = 120 S.F.
MAINTENANCE ROOM = 164 S.F.

PARKING GARAGE AREA = 11,329 S.F.
BUILDING 1 FOOTPRINT AREA = 13,920 S.F.
TOTAL BUILDING 1 AREA = 34,020 S.F.

BUILDING 2 AREAS:

UNIT	QTY.	TYPE	GROUND FLOOR AREA	COURTYARD FLOOR AREA	UPPER FLOOR AREA	STORAGE AREA IN UNIT (CU.FT.)	TOTAL UNIT AREA	STORAGE AREA IN LOBBY (CU.FT.)	PRIVATE PATIO AREA	BALCONY AREA
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LOWER LOBBY AREA = [illegible]
TENANT STORAGE AREA = [illegible]
ELEVATOR AREA = [illegible]
ELECTRICAL ROOM AREA = [illegible]
GAS METER AREA = [illegible]
MAINTENANCE ROOM = [illegible]

PARKING GARAGE AREA = [illegible]
BUILDING 2 FOOTPRINT AREA = [illegible]
TOTAL BUILDING 2 AREA = [illegible]

BUILDING 3 AREAS:

UNIT	QTY.	TYPE	GROUND FLOOR AREA	COURTYARD FLOOR AREA	UPPER FLOOR AREA	STORAGE AREA IN UNIT (CU.FT.)	TOTAL UNIT AREA	STORAGE AREA IN LOBBY (CU.FT.)	PRIVATE PATIO AREA	BALCONY AREA
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LOWER LOBBY AREA = [illegible]
TENANT STORAGE AREA = [illegible]
ELEVATOR AREA = [illegible]
ELECTRICAL ROOM AREA = [illegible]
GAS METER AREA = [illegible]
MAINTENANCE ROOM = [illegible]

PARKING GARAGE AREA = [illegible]
BUILDING 3 FOOTPRINT AREA = [illegible]
TOTAL BUILDING 3 AREA = [illegible]

BUILDING DATA (CONT.)

BUILDING 4 AREAS:

UNIT	QTY.	TYPE	GROUND FLOOR AREA	COURTYARD FLOOR AREA	UPPER FLOOR AREA	STORAGE AREA IN UNIT (CU.FT.)	TOTAL UNIT AREA	STORAGE AREA IN LOBBY (CU.FT.)	PRIVATE PATIO AREA	BALCONY AREA
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LOWER LOBBY AREA = [illegible]
TENANT STORAGE AREA = [illegible]
ELEVATOR AREA = [illegible]
ELECTRICAL ROOM AREA = [illegible]
GAS METER AREA = [illegible]
MAINTENANCE ROOM = [illegible]

PARKING GARAGE AREA = [illegible]
BUILDING 4 FOOTPRINT AREA = [illegible]
TOTAL BUILDING 4 AREA = [illegible]

BUILDING 5 AREAS:

UNIT	QTY.	TYPE	GROUND FLOOR AREA	COURTYARD FLOOR AREA	UPPER FLOOR AREA	STORAGE AREA IN UNIT (CU.FT.)	TOTAL UNIT AREA	STORAGE AREA IN LOBBY (CU.FT.)	PRIVATE PATIO AREA	BALCONY AREA
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LOWER LOBBY AREA = [illegible]
TENANT STORAGE AREA = [illegible]
ELEVATOR AREA = [illegible]
ELECTRICAL ROOM AREA = [illegible]
GAS METER AREA = [illegible]

PARKING GARAGE AREA = [illegible]
BUILDING 5 FOOTPRINT AREA = [illegible]
TOTAL BUILDING 5 AREA = [illegible]

SITE DATA

ASSESSOR'S PARCEL NUMBER:	188-0-030-295
ZONING:	R-3-C COASTAL MEDIUM DENSITY MULTIFAMILY
LOT:	PORTION LOTS 90, 91 & 92
TRACT:	PATERSON RANCH
MAP:	59 MR 61
EXISTING SITE AREA:	172,843 S.F. (3.98 AC.)
NEW SITE AREAS:	
WOOLEY ROAD DEDICATION =	8,704 S.F. (0.20 AC.)
CANAL STREET DEDICATION =	9,017 S.F. (0.21 AC.)
NEW LOT 1-4 AREA =	121,167 S.F.
NEW LOT 5 AREA =	32,830 S.F.
NEW TOTAL SITE AREA =	154,997 S.F. (3.56 AC.)
BUILDING OCCUPANCY =	R-3 / S-2
NO. OF STORIES =	TWO STORY OVER OPEN GARAGE
CONSTRUCTION TYPE =	TYPE IIB (S-2) TYPE VB (R-3)
BUILDING AREAS:	
BUILDING 1 AREA =	34,020 S.F.
BUILDING 2 AREA =	33,698 S.F.
BUILDING 3 AREA =	33,627 S.F.
BUILDING 4 AREA =	33,898 S.F.
BUILDING 5 AREA =	36,183 S.F.
RECREATION BUILDING AREA =	458 S.F.
RESTROOM / POOL EQUIPMENT BUILDING AREA =	458 S.F.
TOTAL PROJECT BUILDING AREA =	172,860 S.F.
SITE BUILDING FOOTPRINT AREA =	62,123 S.F. (40.0%)
TOTAL LANDSCAPE PLANTING AREA =	30,714 S.F. (19.8%)
TOTAL PAVING AREA =	17,726 S.F. (11.4%)
TOTAL HARDSCAPE AREA =	24,383 S.F. (15.7%)
RESIDENT PARKING REQUIRED:	
2 PER UNIT @ 61 UNITS =	122 STALLS
1 PER 1 BR UNIT @ 9 UNITS =	9 STALLS
TOTAL RESIDENT PARKING REQUIRED =	131 STALLS
VISITOR PARKING REQUIRED:	
1 PER UNIT FIRST 30 UNITS =	30 STALLS
1/2 PER UNIT FOR REMAINING UNITS (40) =	20 STALLS
TOTAL VISITOR PARKING REQUIRED =	50 STALLS
RESIDENT PARKING PROVIDED:	
STANDARD STALLS =	140
ACCESSIBLE STALLS =	10
TOTAL RESIDENT PARKING PROVIDED =	150 STALLS
VISITOR PARKING PROVIDED:	
STANDARD STALLS =	43
ACCESSIBLE STALLS =	7
TOTAL VISITOR PARKING PROVIDED =	50 STALLS
PARKING LOT AREA =	26,666 S.F.
PARKING LOT LANDSCAPE AREA =	5,833 S.F. (22%)

PROJECT REPRESENTATIVES

OWNER / APPLICANT: OXNARD SHORES COMPANY, LLC
MIKE [illegible], AUTHORIZED AGENT
1015 S. HARBOR BLVD.
OXNARD, CA 93035
[illegible]

DESIGNER: DRAPHICS
ANDY BRATZ & STEVEN OLANDER
393 N. MOBIL AVE, STE. 100
CAMARILLO, CA 93010
[illegible]

LANDSCAPE ARCHITECT: PHILIP S. MILLER & ASSOCIATES
PHILIP MILLER
1300 CALLE BODEGA
CAMARILLO, CA 93012
[illegible]

CIVIL ENGINEER: JENSEN DESIGN & SURVEY, INC.
[illegible]
1672 MARKET ST. SUITE A-A
VENTURA, CA 93003
[illegible]

VICINITY MAP

REVISIONS	DATE
DAC SUBMITTAL	3/3/09
DAC REVISIONS	3/27/09

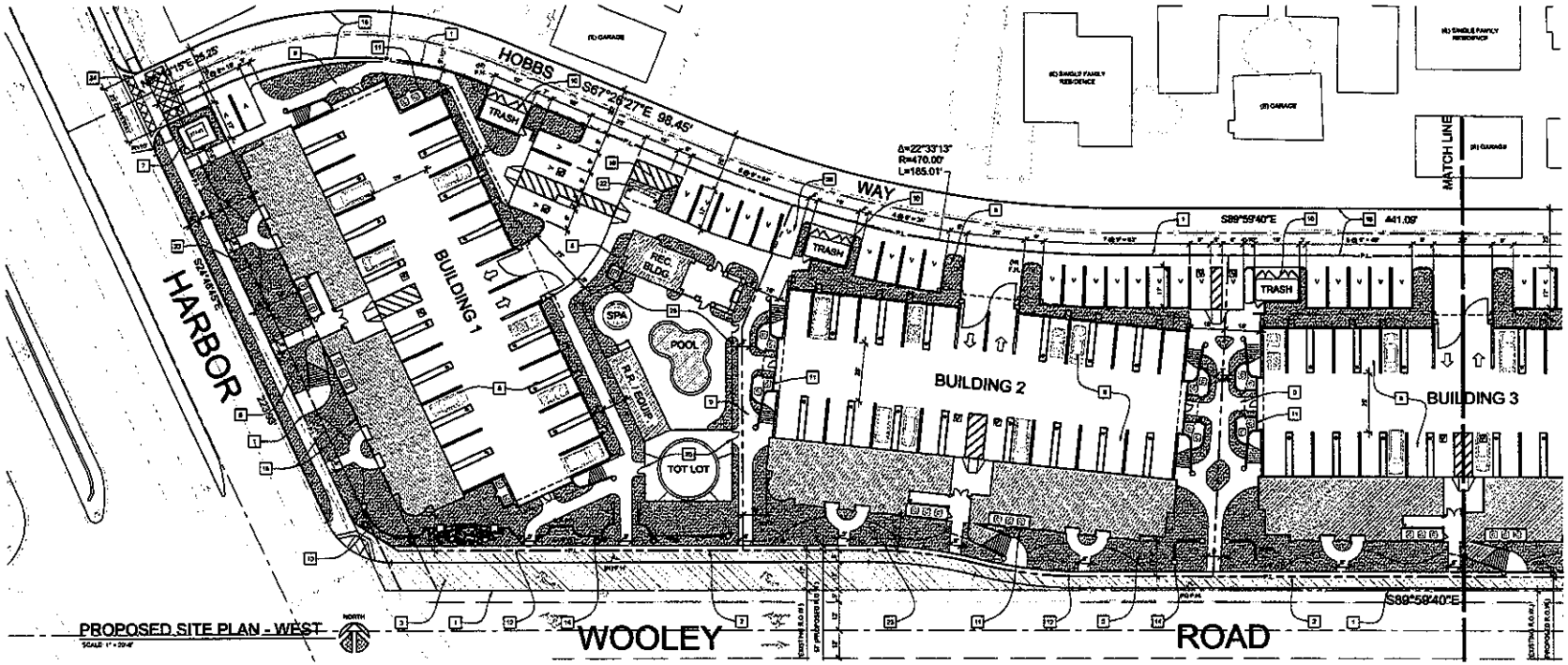
DATE: 12/17/08
DRAWN: ADB / SBO
CAD FILE: [illegible]

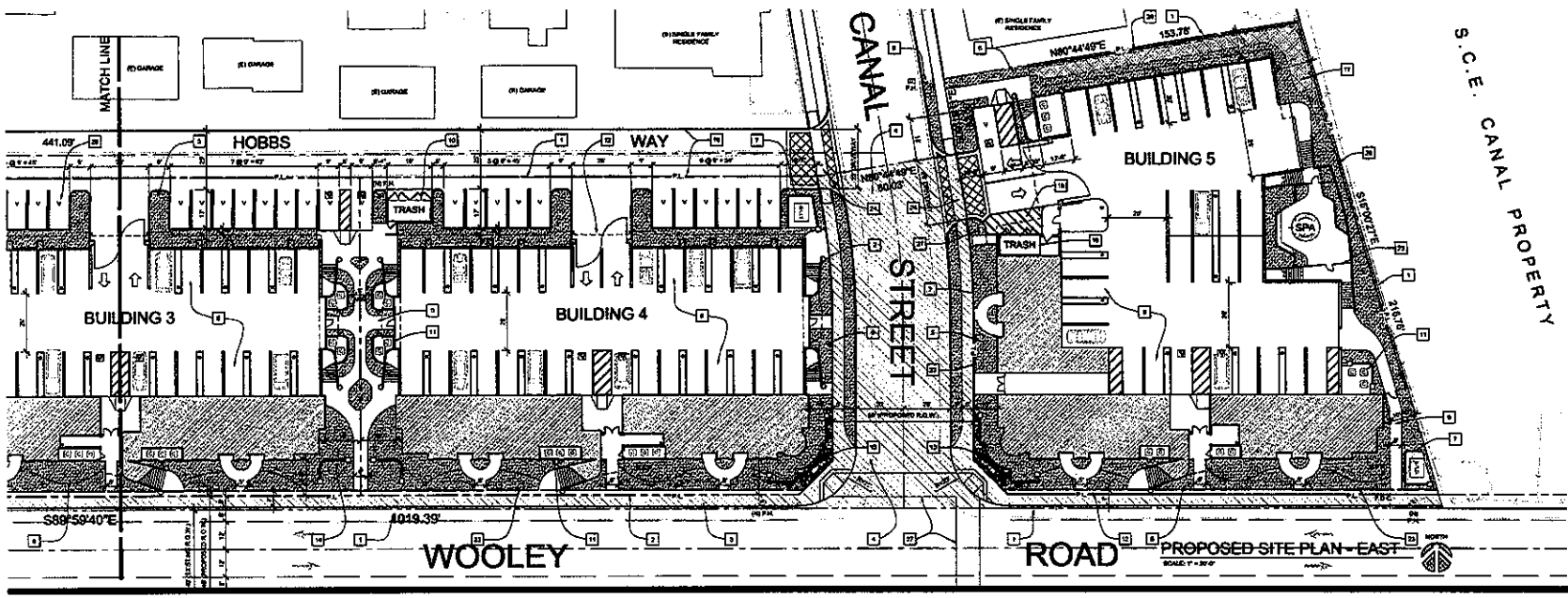
OXNARD SHORES COMPANY, LLC
1015 S. HARBOR BLVD.
OXNARD, CA 93035
Tel (805) 985-1557
Fax (805) 985-1333

Andrew David Bratz
Steven B. Olander
DRAPHICS
393 Tranquo Avenue Camarillo, CA 93010
[illegible]
3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX
THE ANACAPA TOWNHOMES
WOOLEY ROAD, OXNARD, CA

P-1
SHEET NO. 1 OF 36

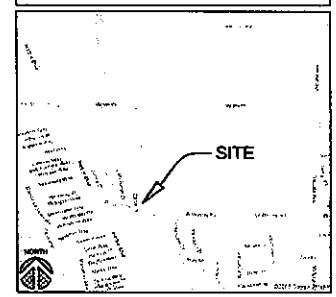




SITE PLAN KEYNOTES

1. EXISTING PROPERTY BOUNDARY LINE
2. PROPOSED NEW R.O.W. LINE
3. PROPOSED DEDICATION TO WOOLEY ROAD AS SHOWN.
4. PROPOSED DEDICATION TO CANAL STREET AS SHOWN.
5. LANDSCAPE PLANTING AREA, TYP. WHERE SHOWN (SEE CONCEPTUAL LANDSCAPE DRAWINGS)
6. EXISTING FIRE HYDRANT LOCATION.
7. 5' HIGH EQUIPMENT SCREEN WALL (SEE SHEET P-26).
8. SECURED RESIDENT PARKING BENEATH BUILDING COURTYARD, TYP.
9. 5' WIDE MINIMUM FIRE DEPARTMENT ACCESS PROVIDED AROUND EACH BUILDING, TYP.
10. TRASH & RECYCLING ENCLOSURE W/ PEDESTRIAN ENTRY PER CITY OF OXNARD STANDARD PLATE 504, TYP. 6" CMU WALLS W/ PLASTER FINISH TO MATCH BUILDING WALLS.
11. INDIVIDUAL CONDENSER UNITS, TYP. WHERE SHOWN, SCREENED BY LOW WALLS AND LANDSCAPING (SEE BUILDING ELEVATIONS).
12. 5' WIDE CITY EASEMENT FOR SIDEWALK & UTILITY PURPOSES, TYP.
13. PROPOSED ENTRY MONUMENT WALL W/ INTEGRAL WATER FEATURE PER PLANS
14. PROPOSED SITE WALL PER PLANS
15. EXISTING 14' WIDE SOUTHERN CALIFORNIA EDISON PUBLIC UTILITIES AND POLE EASEMENT. MAX. 30' BUILDING HEIGHT WITHIN 14' ZONE, TYP.
16. EXISTING 30' WIDE PUBLIC ALLEY (HOBBS WAY).
17. SIDEWALK AREA, TYP. WHERE SHOWN (SEE CIVIL AND LANDSCAPE DRAWINGS)
18. LOADING ZONE, TYP. WHERE SHOWN.
19. TRASH & RECYCLING ENCLOSURE W/ PEDESTRIAN ENTRY INTEGRAL WITH BUILDING (SPACE PROVIDED TO MATCH CITY OF OXNARD STANDARD PLATE 504).
20. PROPOSED VISITOR PARKING (MARKED WITH A "V"), TYP. WHERE SHOWN.
21. SINGLE 18 DOOR, FRONT LOADING CLUSTER MAILBOX PER PLANS
22. FOUR (4) 16 DOOR, FRONT LOADING CLUSTER MAILBOXES PER PLANS W/ ROOF STRUCTURE ABOVE PER PLANS (SEE SHEET P-26).
23. UNDERGROUND INFILTRATION STRUCTURE, TYP. WHERE SHOWN (SEE CIVIL DRAWINGS).
24. TEXTURED CONCRETE DRIVEWAY APRON W/ PEDESTRIAN CROSSING PER ADA AND CITY REQUIREMENTS.
25. 48" HIGH WROUGHT IRON SECURITY GATE AROUND TOT LOT, POOL AND SPA AREAS, TYP. GATES SHALL HAVE LATCH AND CLOSER.
26. 6' HIGH WROUGHT IRON FENCE, TYP.
27. NEW 10' WIDE SIDEWALK PER CITY OF OXNARD STANDARDS

VICINITY MAP



REVISIONS:	DATE:
DAC SUBMITTAL	3/2/09
DAC REVISIONS	5/27/09
PLANNING REVISIONS	07/10
DATE:	12/17/08
DRAWN	ADS / DBD
CAD FILE	0421Site/Plan_R.1

OXNARD SHORES COMPANY, LLC

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3-D PRESENTATION — DRAFTING — DESIGN

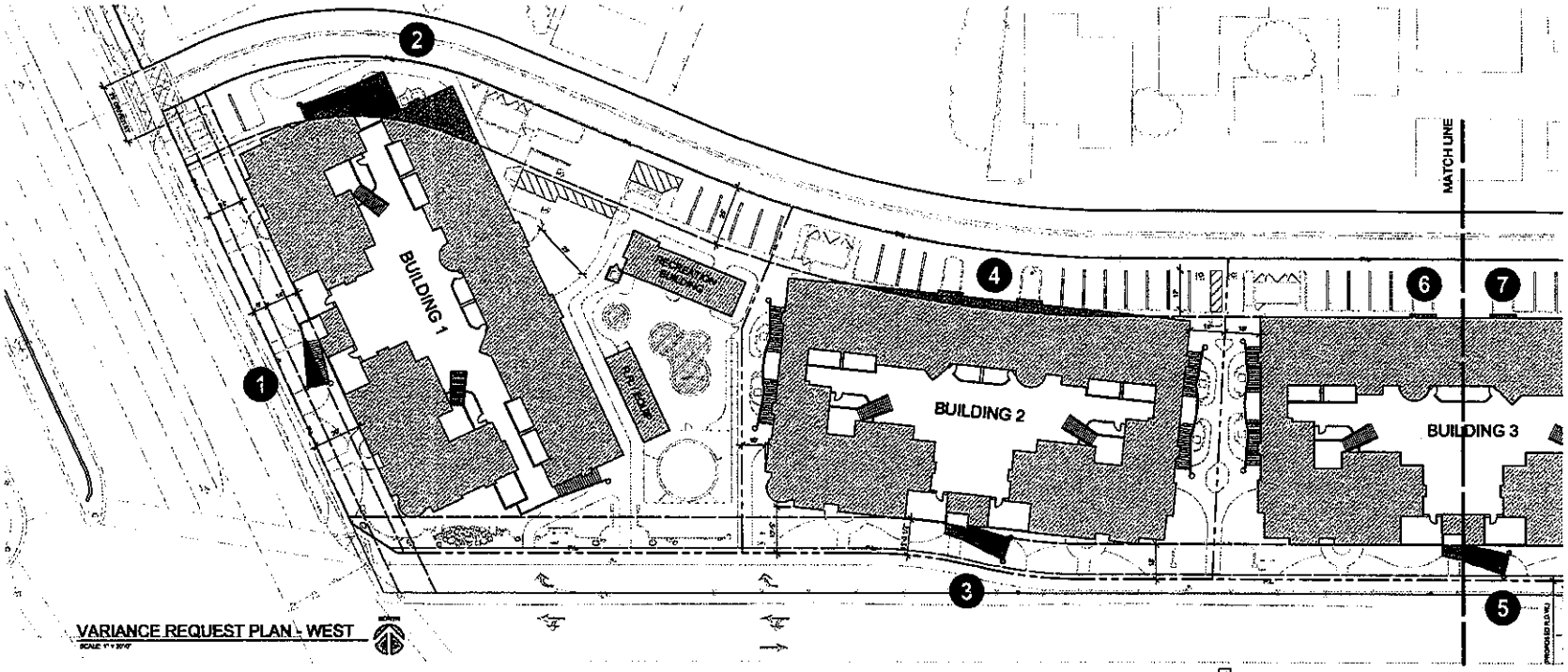
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

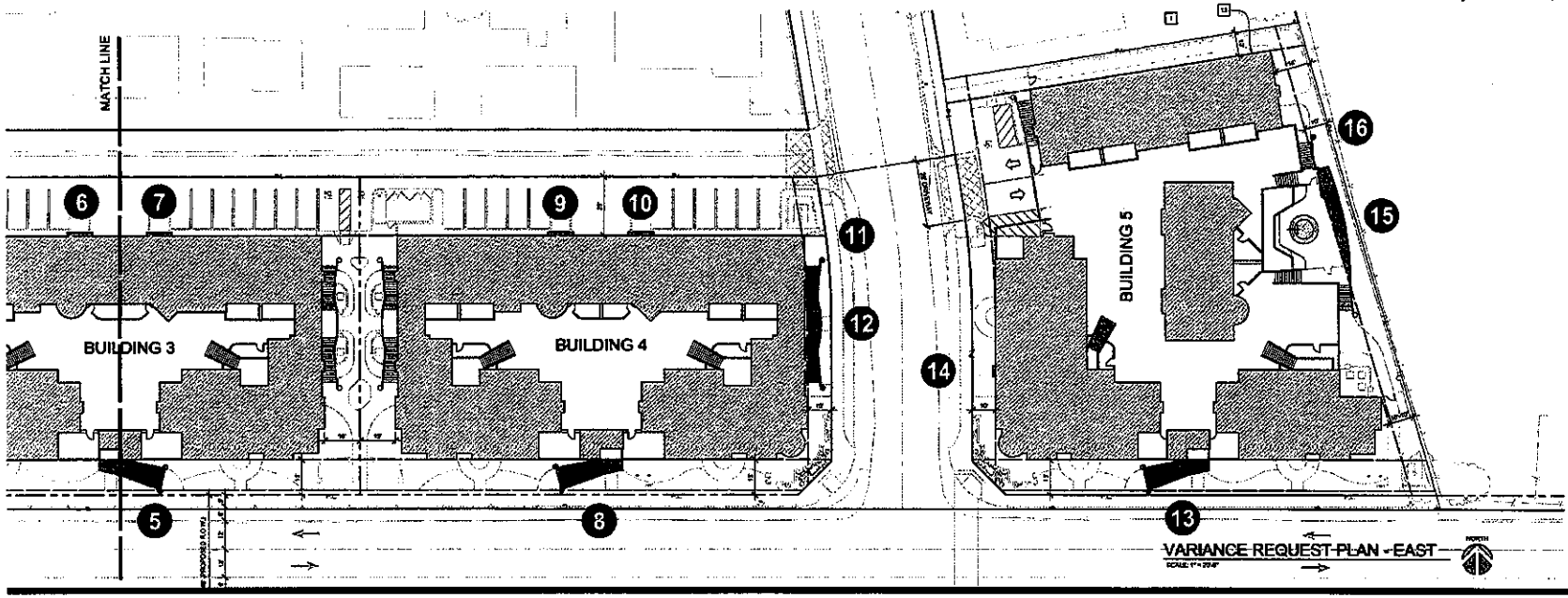
WOOLEY ROAD, OXNARD, CA

P-2

SHEET NO. 2 OF 36



VARIANCE REQUEST PLAN - WEST



VARIANCE REQUEST PLAN - EAST

VARIANCES REQUESTED

BUILDING 1

① STAIRWAY PROJECTS INTO 15' FRONT YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM ZERO TO 8'-4" FOR A DISTANCE OF 28 FEET.

② NORTHERN CORNER OF BUILDING PROJECTS INTO 25' REAR YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM ZERO TO 18'-6" FOR A DISTANCE OF 76 FEET.

BUILDING 2

③ STAIRWAY PROJECTS INTO 15' FRONT YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM 4'-3" TO 11'-4" FOR A DISTANCE OF 30 FEET.

④ BUILDING PROJECTS INTO 25' REAR YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM ZERO TO 5'-6" FOR A DISTANCE OF 120 FEET.

BUILDING 3

⑤ STAIRWAY PROJECTS INTO 15' FRONT YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM 4'-6" TO 14'-4" FOR A DISTANCE OF 30 FEET.

⑥ BUILDING PROJECTS INTO 25' REAR YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) 1'-6" FOR A DISTANCE OF 11 FEET.

⑦ BUILDING PROJECTS INTO 25' REAR YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) 1'-6" FOR A DISTANCE OF 11 FEET.

BUILDING 4

⑧ STAIRWAY PROJECTS INTO 15' FRONT YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM 4'-6" TO 14'-4" FOR A DISTANCE OF 30 FEET.

⑨ BUILDING PROJECTS INTO 25' REAR YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) 1'-6" FOR A DISTANCE OF 11 FEET.

⑩ BUILDING PROJECTS INTO 25' REAR YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) 1'-6" FOR A DISTANCE OF 11 FEET.

⑪ NORTHEAST CORNER OF BUILDING PROJECTS INTO 10' STREET SIDE YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.7.a) FROM ZERO TO 1'-1" FOR A DISTANCE OF 10 FEET.

⑫ STAIR PROJECTS INTO 10' STREET SIDE YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.7.a) FROM 4'-5" TO 7'-3" FOR A DISTANCE OF 57 FEET.

BUILDING 5

⑬ STAIRWAY PROJECTS INTO 15' FRONT YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.6) FROM 4'-6" TO 14'-4" FOR A DISTANCE OF 30 FEET.

⑭ BUILDING PROJECTS INTO 10' STREET SIDE YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.7.a) 1'-3" FOR A DISTANCE OF 9 FEET.

⑮ COURTYARD WALL PROJECT INTO 30' SIDE YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.7.a) FROM ZERO TO 5'-10" FOR A DISTANCE OF 53 FEET.

⑯ STAIR PROJECTS INTO 10' SIDE YARD SETBACK (OXNARD CITY CODE SEC. 17-14.D.7.a) FROM ZERO TO 3'-6" FOR A DISTANCE OF 11 FEET.

REVISIONS:	DATE:
DAC SUBMITTAL	7/2/08
DAC REVISIONS	10/7/08
DATE:	12/02/08
DRAWN:	ADB / BDD
CAD FILE:	0631SitePlan_R1

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A-D PRESERVATION — DESIGNS — DESIGN

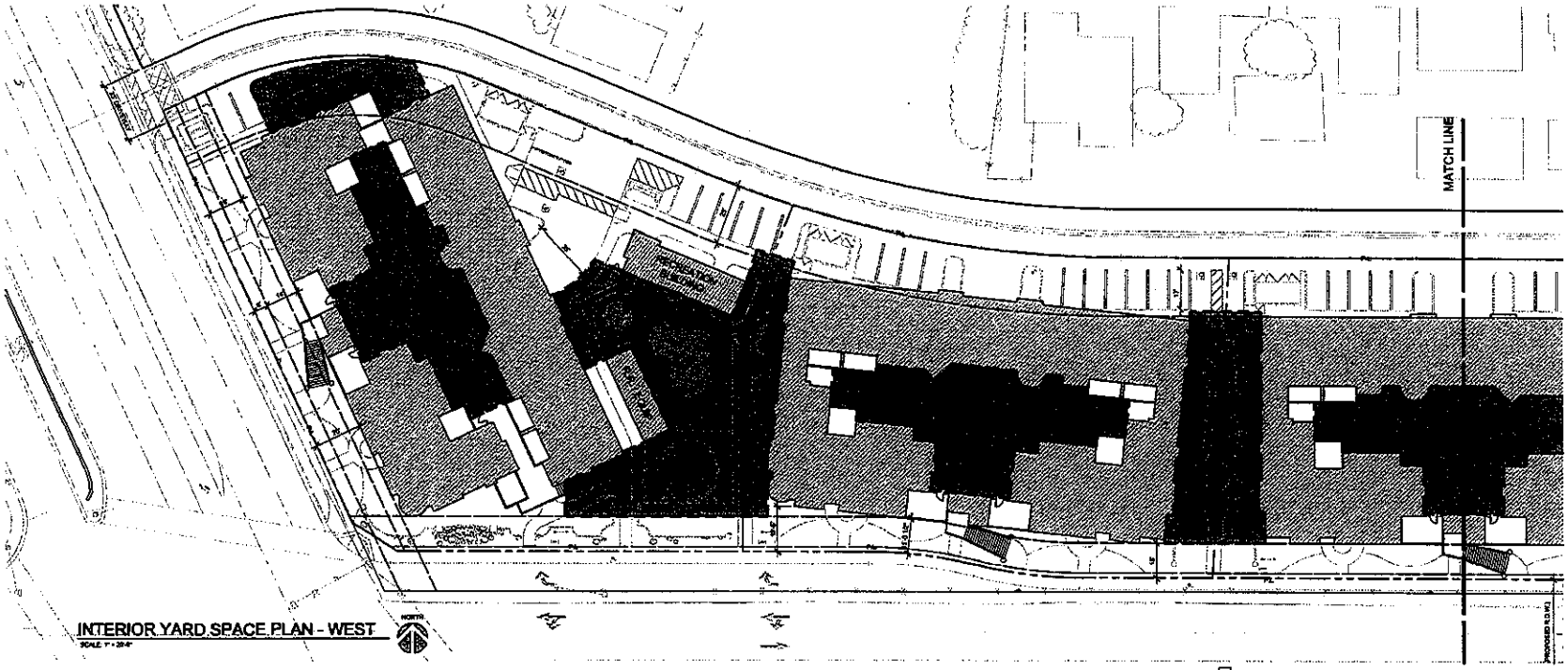
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

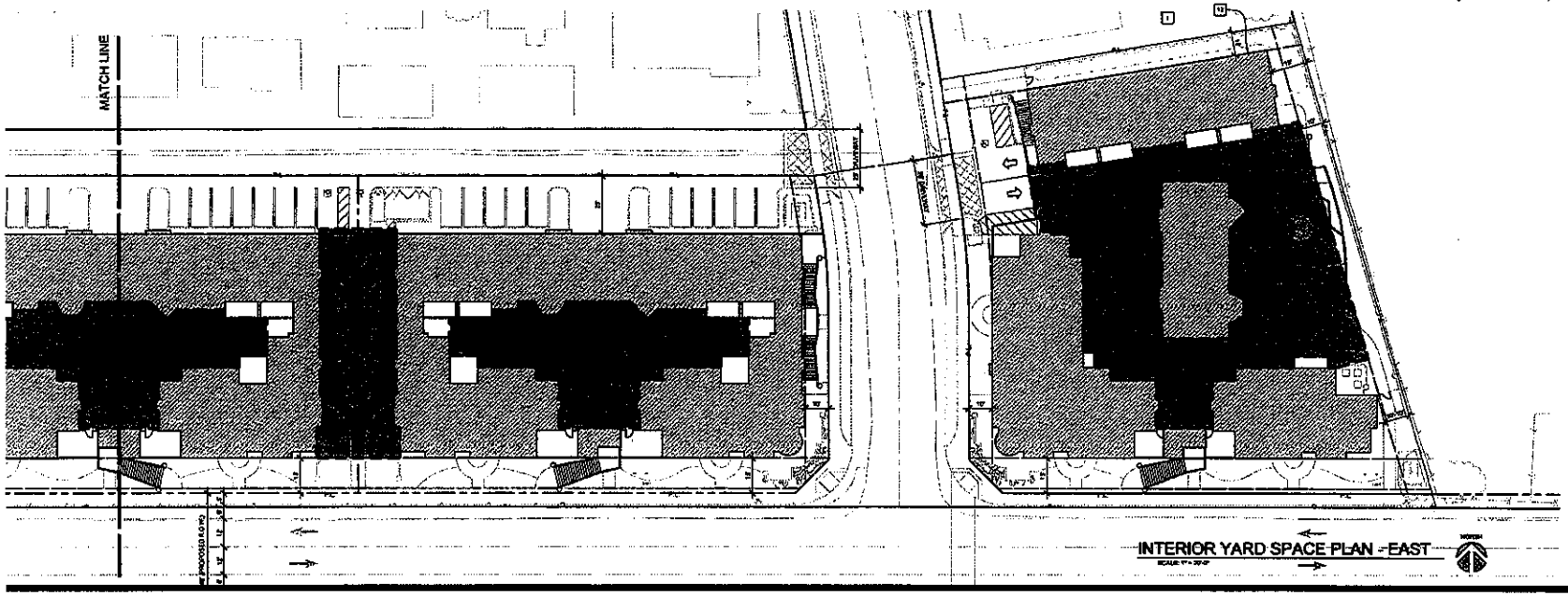
WOOLEY ROAD, OXNARD, CA

P-2.1

SHEET NO. 3 OF 36



INTERIOR YARD SPACE PLAN - WEST



INTERIOR YARD SPACE PLAN - EAST

INTERIOR YARD SPACE

COLORED AREA INDICATES INTERIOR YARD SPACE PROVIDED PER OXNARD CITY CODE SECTION 17-14.D.4. BETWEEN BUILDINGS, FROM FRONT SETBACK LINE TO REAR PROPERTY LINE, INCLUDING PORTIONS OF PODIUM COURTYARDS (MIN. 15' DIMENSION).

SITE AREA =	154,927 S.F.
25% OF SITE AREA REQUIRED =	38,732 S.F.
INTERIOR YARD SPACE PROVIDED =	40,492 S.F.

REVISIONS:	DATE:
DAC SUBMITTAL	3/2/08
DAC REVISIONS	3/27/08
PLANNING REVISIONS	7/22/08
DATE:	12/17/08
DRAWN:	ADB / SBO
CAD FILE:	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

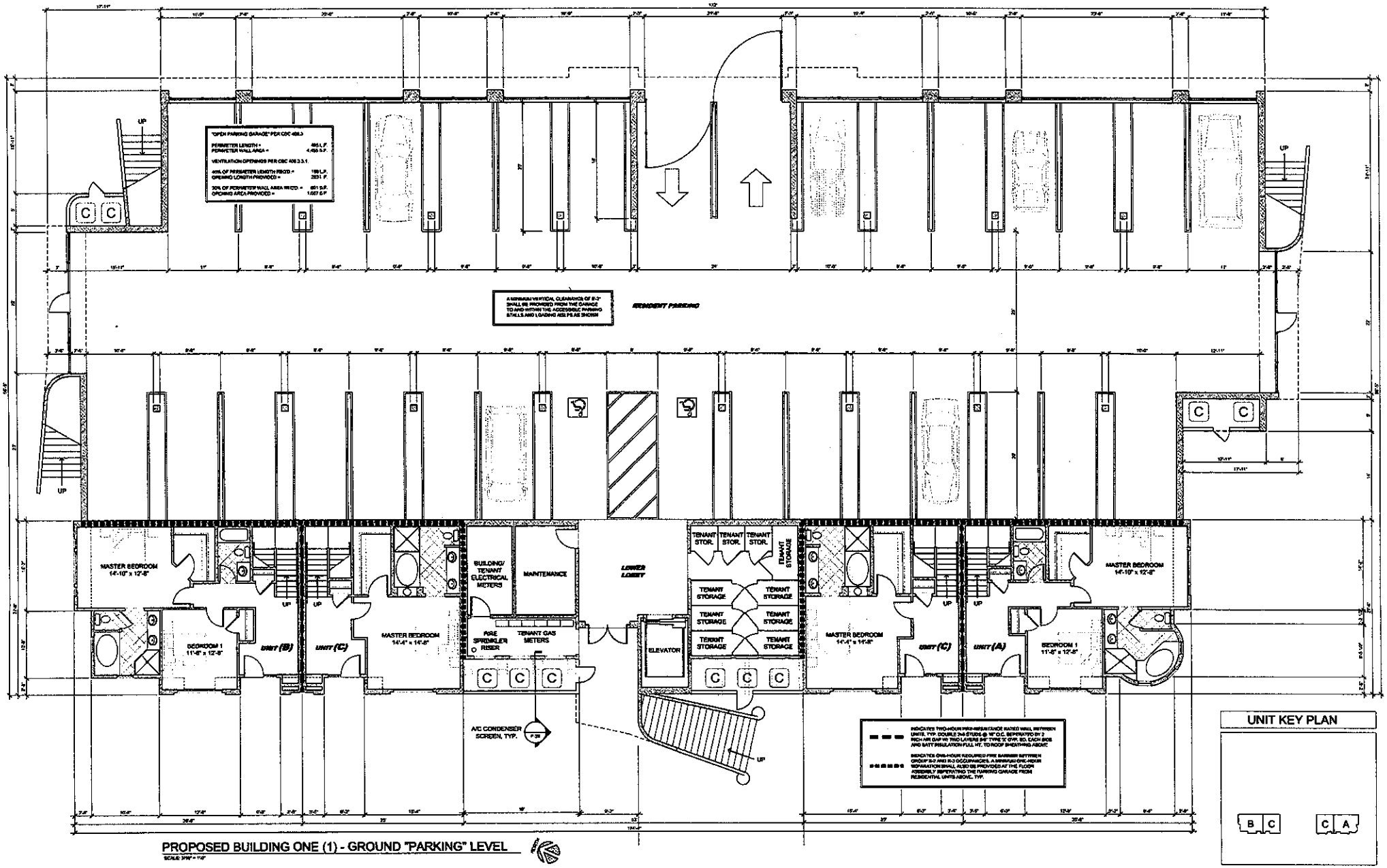
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-2.2

SHEET NO. 4 OF 26



PROPOSED BUILDING ONE (1) - GROUND "PARKING" LEVEL

SCALE: 3/16" = 1'-0"

REVISIONS	DATE
DAC SUBMITTAL	3/2/05
DAC REVISIONS	5/27/05
PLANNING REVISIONS	7/7/15
DATE	12/17/05
DRAWN	ADB / DBD
CAD FILE:	[illegible]

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2-D PRESENTATION — DRAFTING — DESIGN

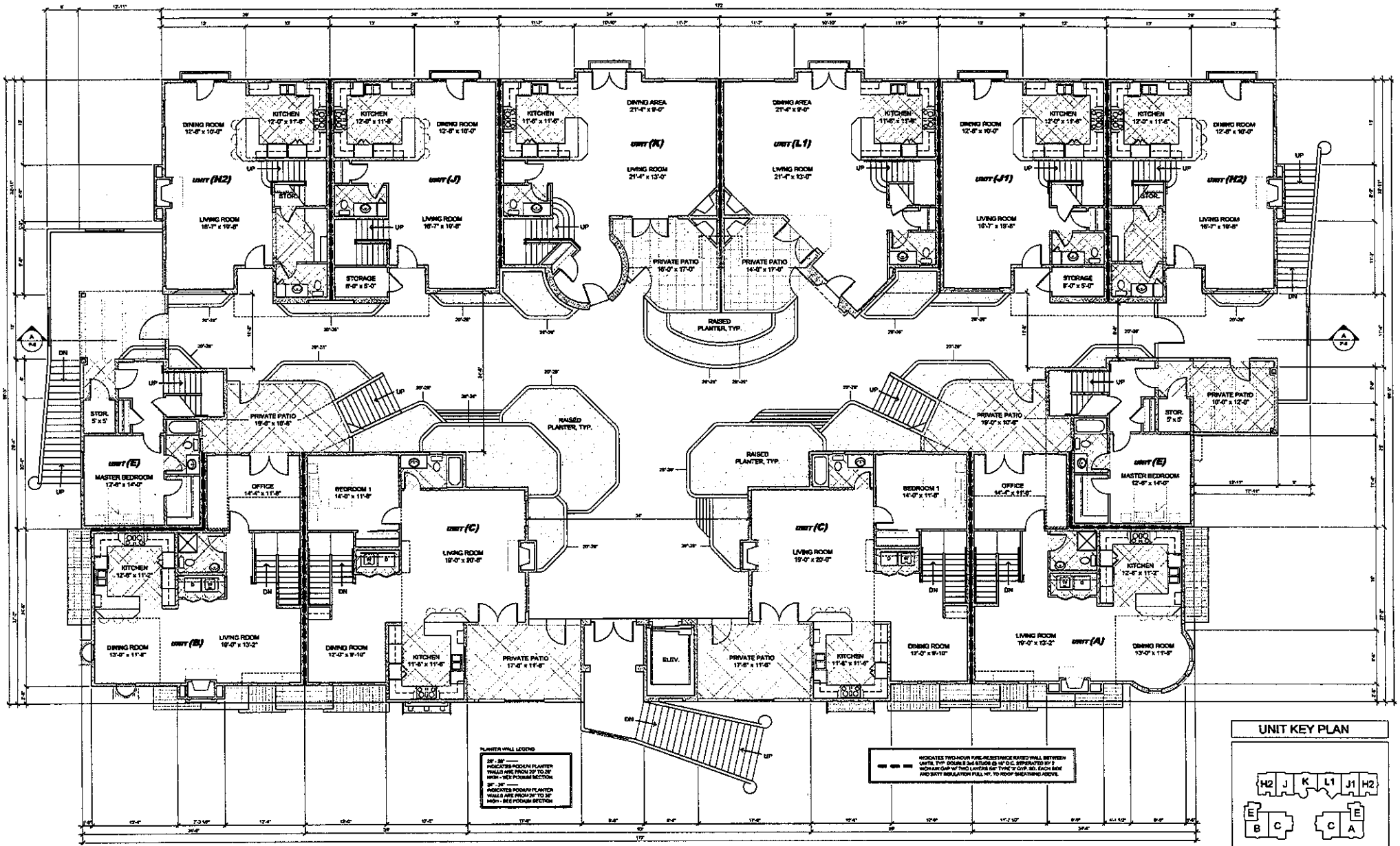
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-3

SHEET NO. 5 OF 36



PROPOSED BUILDING ONE (1) - PODIUM "COURTYARD" LEVEL

REVISIONS	DATE
DAC SUBMITTAL	3/3/09
DAC REVISIONS	5/27/09
PLANNING REVISIONS	1/8/10
DATE	12/17/08
DRAWN	ADD / SSD
CAD FILE	Building/Podium.dwg

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3-D PRESENTATION — DRAFTING — DESIGN

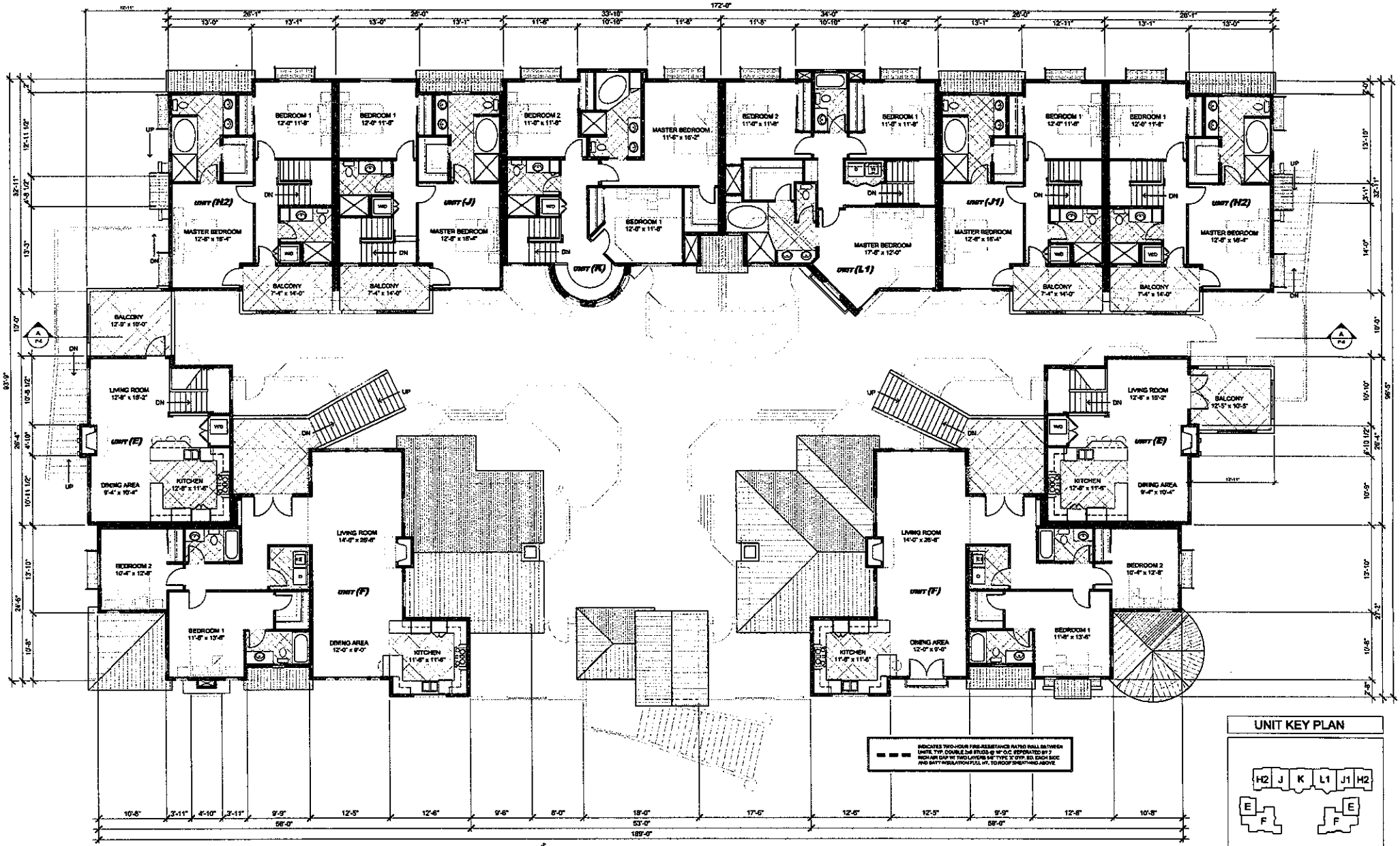
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-4

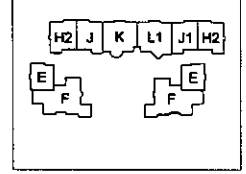
SHEET NO. 6 OF 31



PROPOSED BUILDING ONE (1) - UPPER "BIRDS EYE" LEVEL

SCALE: 3/16" = 1'-0"

UNIT KEY PLAN



REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	3/27/09
PLANNING REVISIONS	5/7/09
DATE:	12/17/08
DRAWN:	ADD / SBD
CAD FILE:	BuildingTypesLevel

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E-D PRESENTATION — DRAFTING — DESIGN

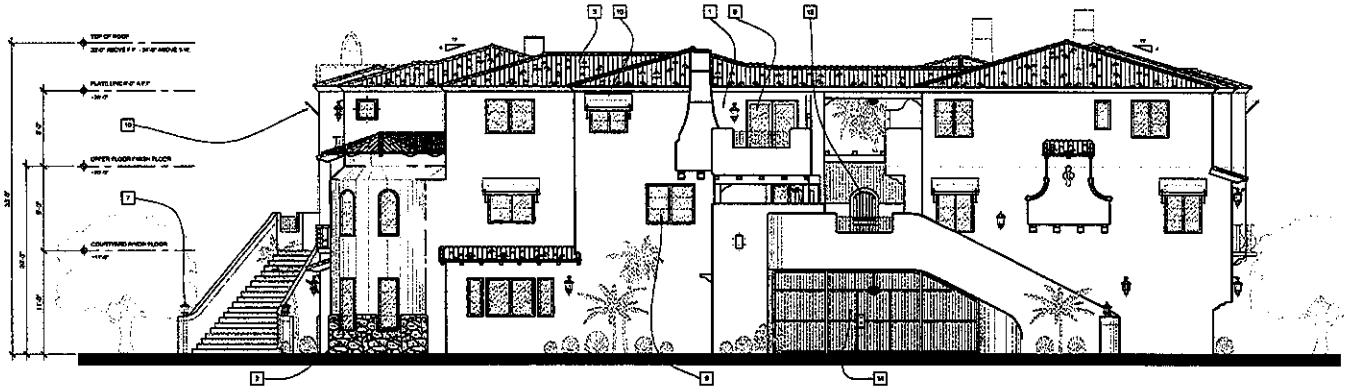
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-5

SHEET NO. 7 OF 20



PROPOSED BUILDING ONE SOUTH "WOOLEY" ELEVATION

SCALE: 3/16" = 1'-0"

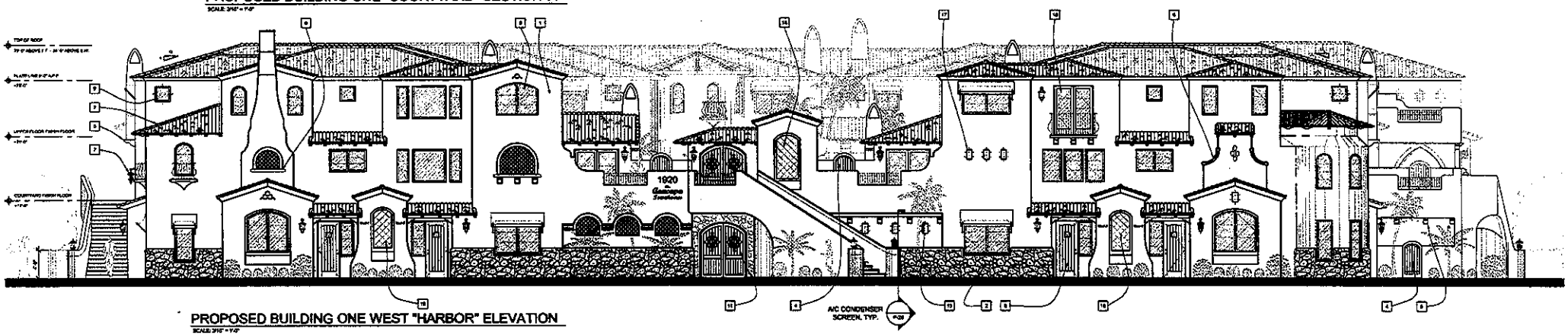
KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-108 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE MANUFACTURED TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS
4. SOLID WOOD GATE TO MATCH DUNN EDWARDS, COLOR DE5014 MUDDY TIDE.
5. DECORATIVE WOOD CORNEL TO MATCH DUNN EDWARDS, COLOR DE5014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VERO INC.
7. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY GUARDIELLA, SEA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING).
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON GAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOOR(S), HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.

PROPOSED BUILDING ONE "COURTYARD" SECTION 'A'

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING ONE WEST "HARBOR" ELEVATION

SCALE: 3/16" = 1'-0"

REVISIONS:	DATE:
OAC SUBMITTAL	3/2/99
OAC REVISIONS	6/2/99
DATE	12/17/98
DRAWN	ADB / SBO
CAD FILE	Bunting\Elevations

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3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

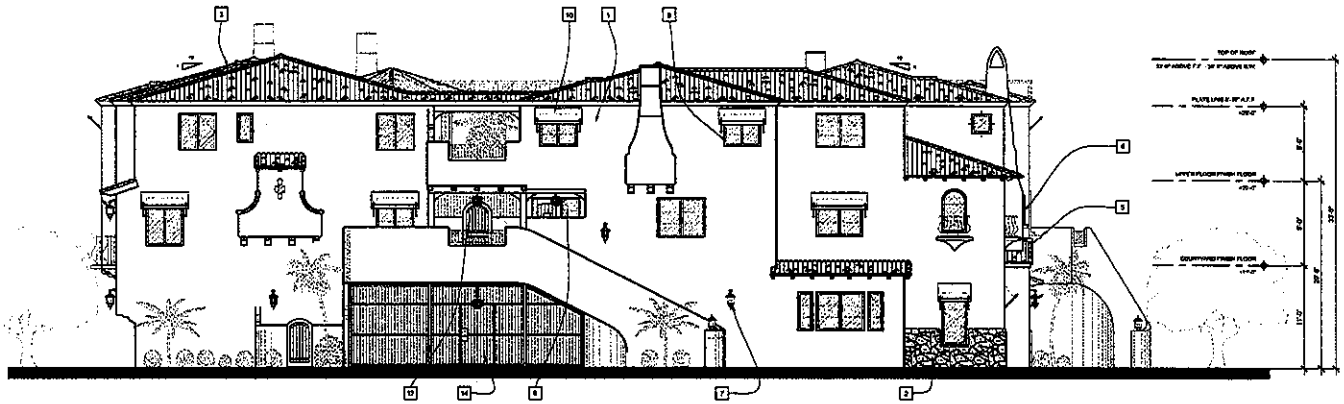
P-6

SHEET NO. 6 OF 36

KEY NOTES :

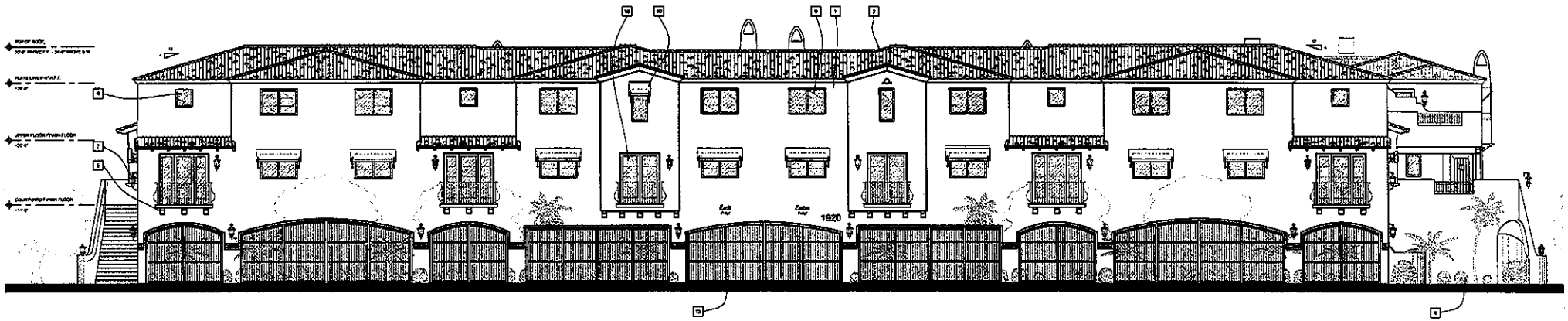
1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-108 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE SPANISH "S"ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DURN EDWARDS, COLOR DE3014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DURN EDWARDS, COLOR DE3014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VERO INC.
7. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNSHIELD, DEA SPRAY
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING)
17. STUCCO DEPRESSION BOX WITH DECROTIVE WROUGHT IRON GAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOOR(S), HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.



PROPOSED BUILDING ONE NORTH "ALLEY" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING ONE EAST "POOL SIDE" ELEVATION

SCALE: 3/16" = 1'-0"

REVISIONS:	DATE:
DAC SUBMITTAL	3/2/09
DAC REVISIONS	6/2/09
DATE:	12/17/08
DRAWN:	AGB / BRO
CAD FILE:	Oxnard/Elevations

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2-D PRESENTATION — DRAFTING — DESIGN

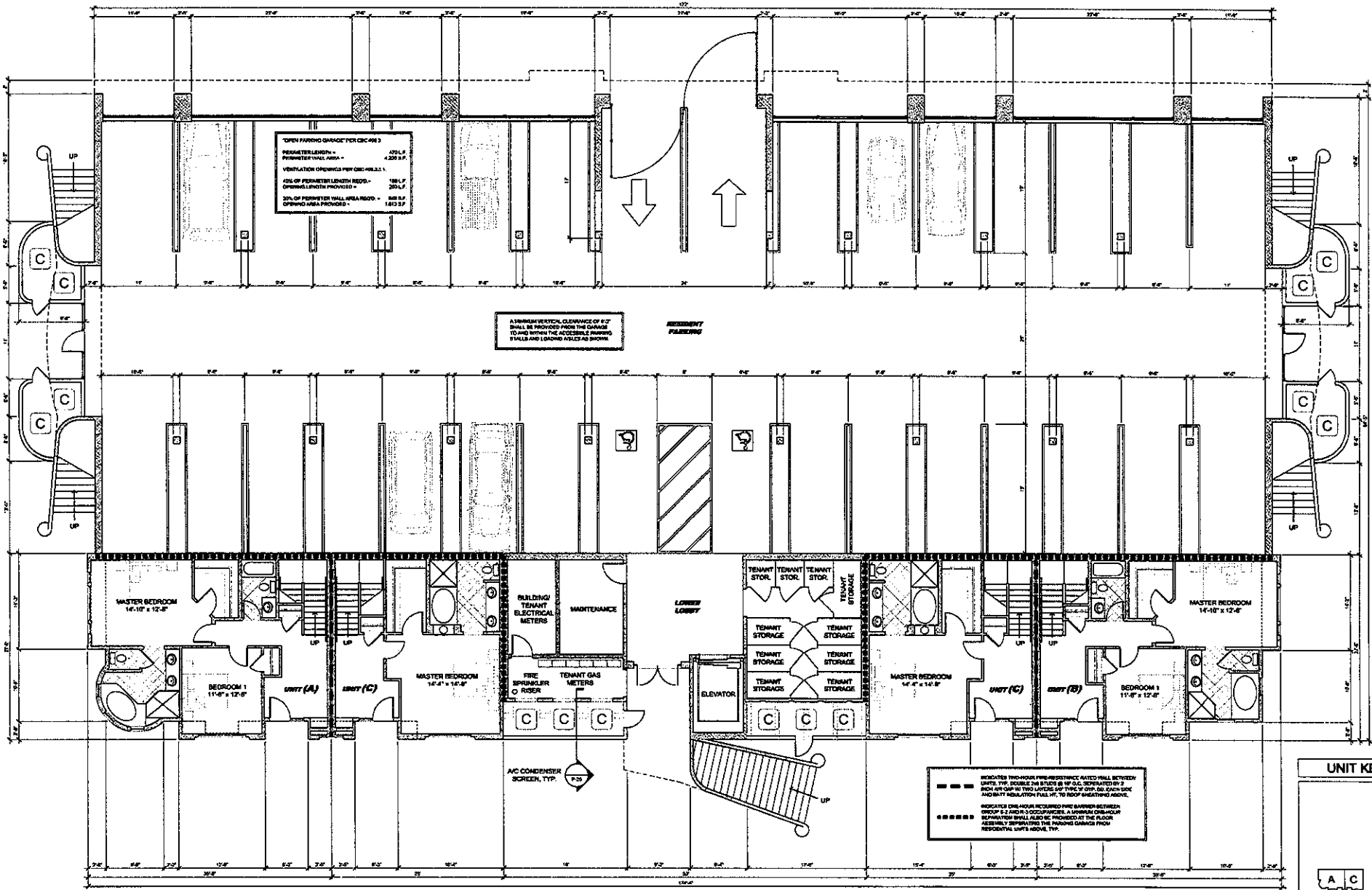
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-6.1

SHEET NO 9 OF 36

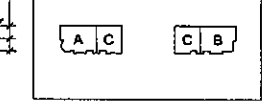


PROPOSED BUILDING TWO (2) - GROUND "PARKING" LEVEL

SCALE: 3/16" = 1'-0"

NORTH

UNIT KEY PLAN



REVISIONS	DATE
DAC SUBMITTAL	3/2/05
DAC REVISIONS	5/27/05
PLANNING REVISIONS	7/7/05
DATE	12/17/08
DRAWN	ADD / DBD
CAD FILE	Building2Ground.dwg

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2-D PRESENTATION — DRAFTING — DESIGN

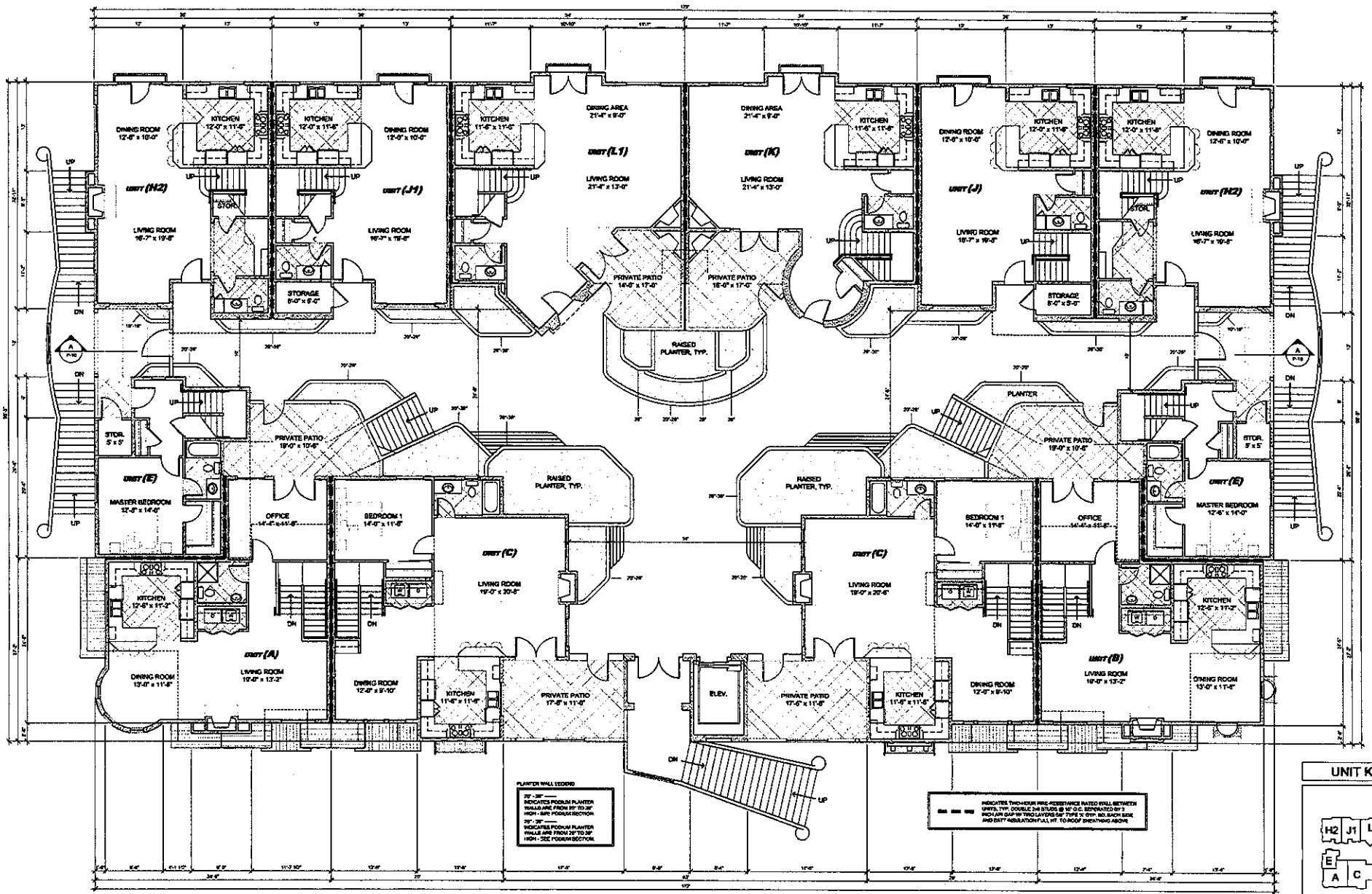
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-7

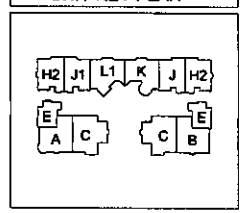
SHEET NO. 10 OF 38



PROPOSED BUILDING TWO (2) - PODIUM "COURTYARD" LEVEL

SCALE: 3/16" = 1'-0"

UNIT KEY PLAN



REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	3/27/09
PLANNING REVISIONS	7/7/10
DATE	12/17/08
DRAWN	ADS / DBD
CAD FILE	Building/Podium.dwg

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3-D PRESENTATION — DRAFTING — DESIGN

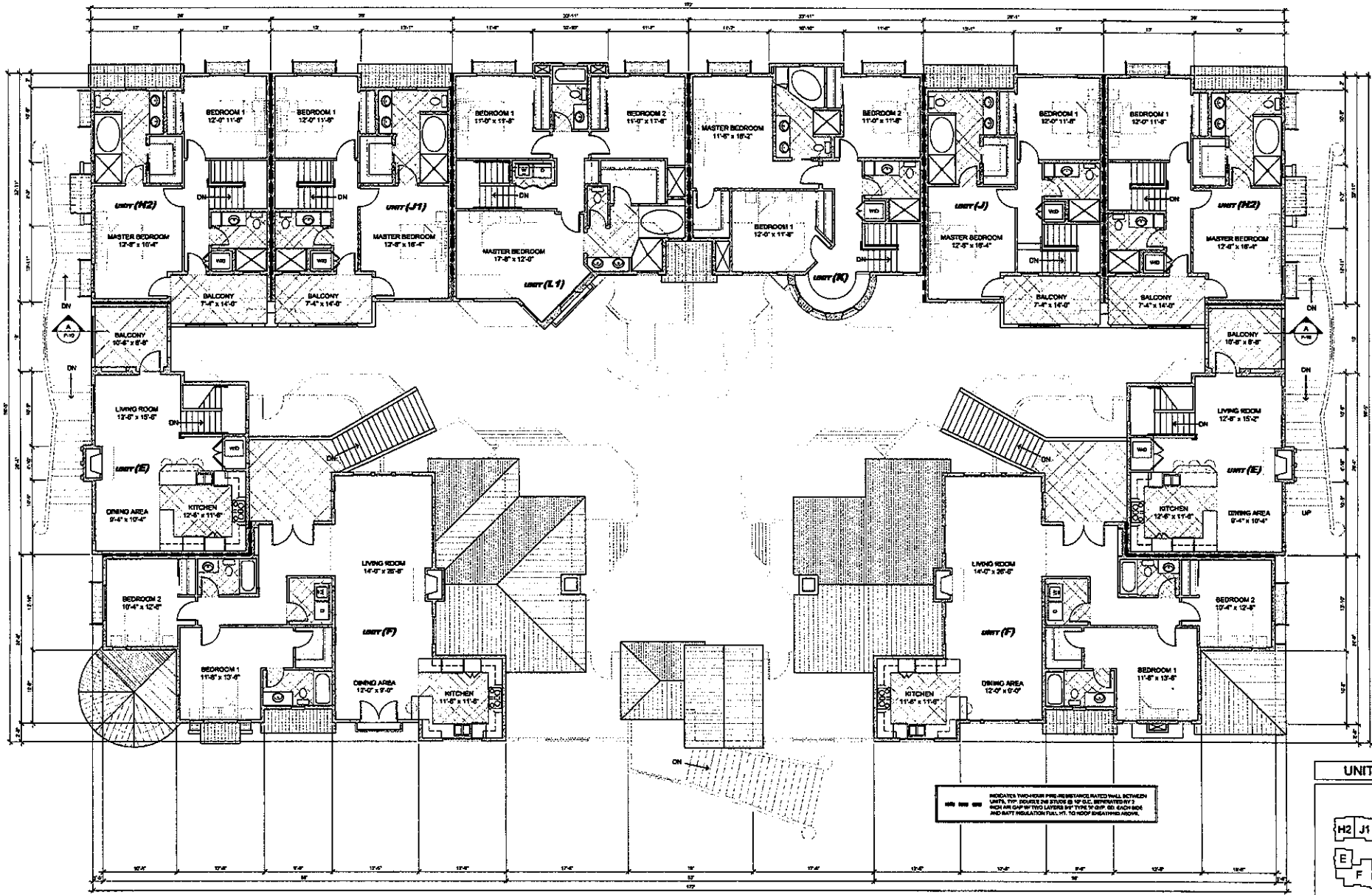
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

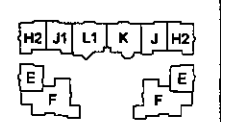
P-8

SHEET NO. 11 OF 16



PROPOSED BUILDING TWO (2) - UPPER "BIRDS EYE" LEVEL

UNIT KEY PLAN



REVISIONS	DATE:
DAC SUBMITTAL	9/2011
DAC REVISIONS	5/2012
PLANNING REVISIONS	8/2012
DATE:	12/17/08
DRAWN:	AZR / SGO
CAD FILE:	BuildingTypeA1.dwg

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D-3 PRESENTATION — DRAFTING — DESIGN

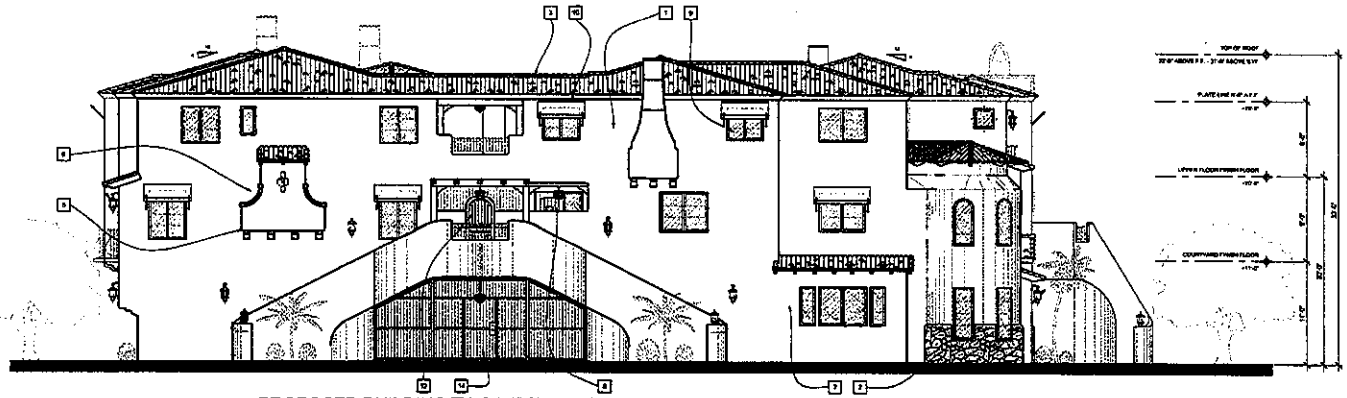
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

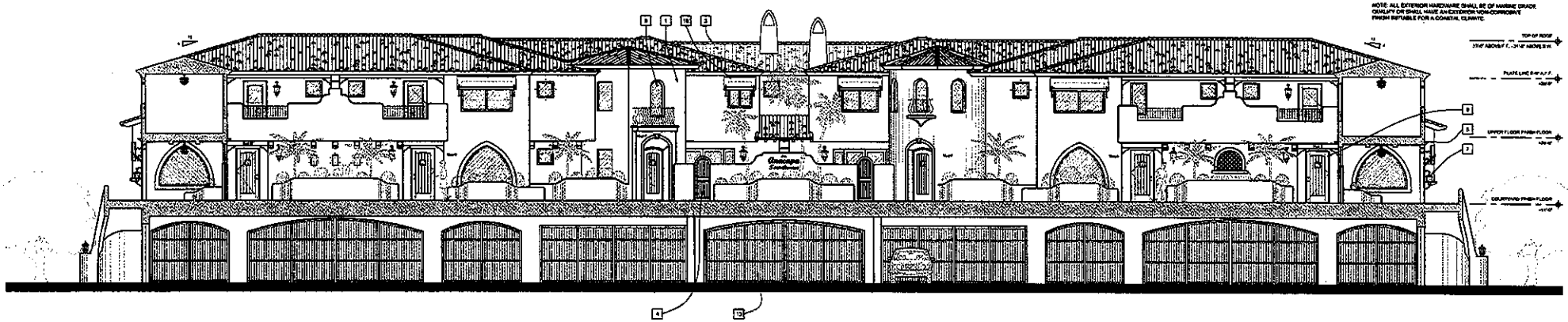
P-9

SHEET NO. 12 OF 36



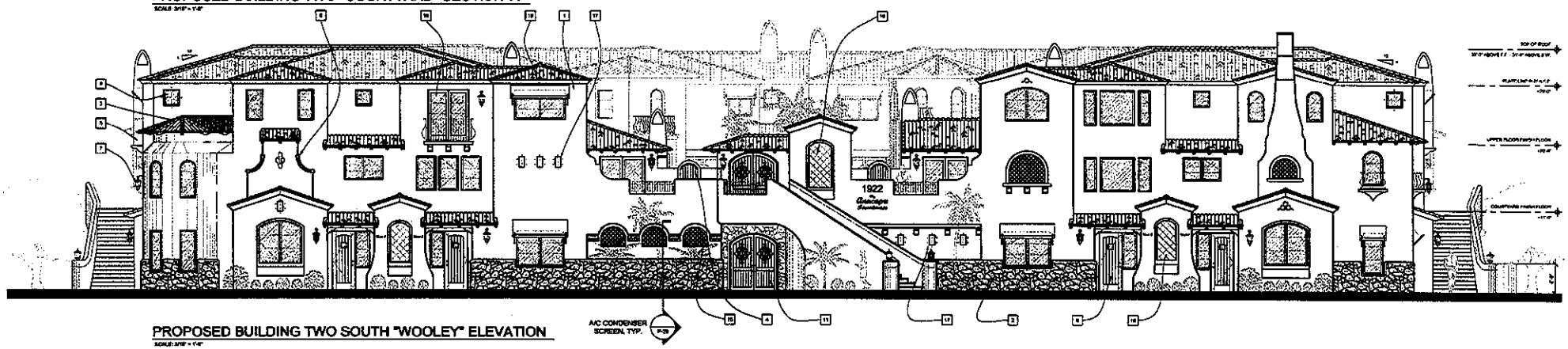
PROPOSED BUILDING TWO WEST "POOL SIDE" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING TWO "COURTYARD" SECTION 'A'

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING TWO SOUTH "WOOLEY" ELEVATION

SCALE: 3/16" = 1'-0"

A/C CONDENSER SCREEN, TYP. P-29

KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-100 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE SPANISH "S"ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH GUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH GUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VEFO INC.
7. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH
10. FABRIC AWNING BY SUNBRELLA, SPA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE POOLING GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC SOME UNIQUE PATTERN PER BUILDING.
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOORS, HUNTER GREEN FINISH

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.

REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	8/27/09
DATE	12/17/08
DRAWN	JOB / SBO
CAD FILE	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

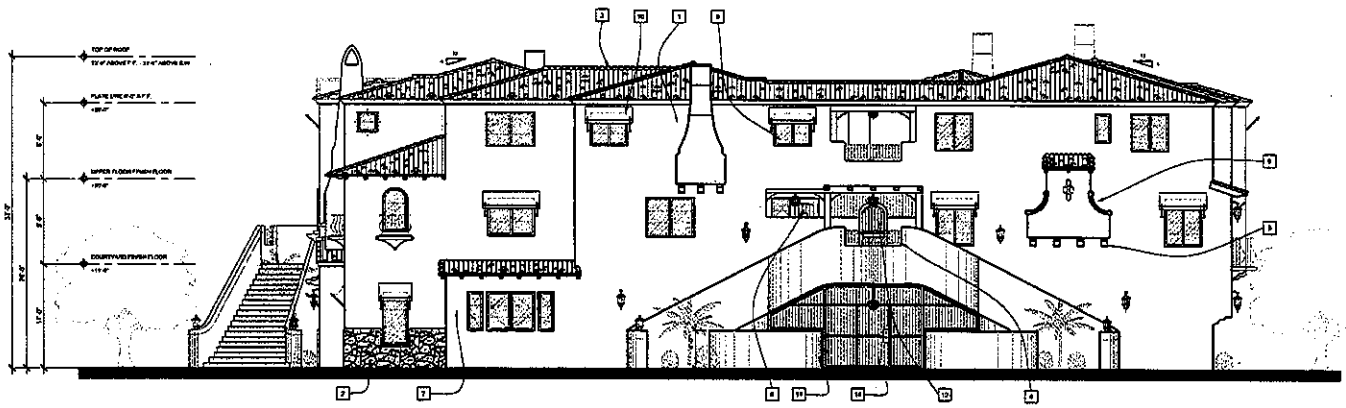
P-10

SHEET NO. 11 OF 36

KEY NOTES :

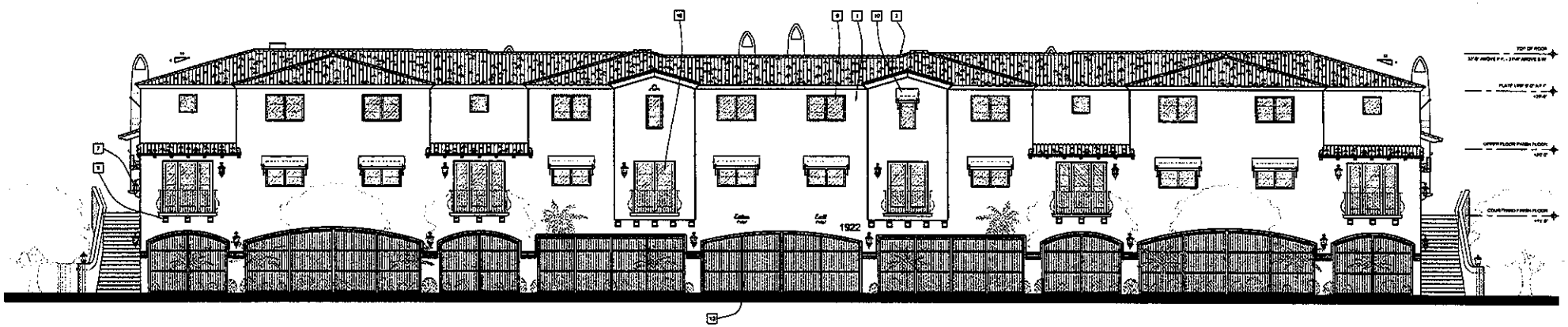
1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-100 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE.
3. CONCRETE SPANISH "S"ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VEFG INC.
7. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, BY LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PRECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE POOLIN GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING).
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOOR(S), HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.



PROPOSED BUILDING TWO EAST "SIDEYARD" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING TWO NORTH "ALLEY" ELEVATION

SCALE: 3/16" = 1'-0"

REVISIONS:	DATE:
DAC SUBMITTAL	3/2/09
DAC REVISIONS	9/27/09
DATE	12/17/09
DRAWN	408 / SBO
CAD FILE:	Building@Oxnardsho

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2-D PRESENTATION — DRAFTING — DESIGN

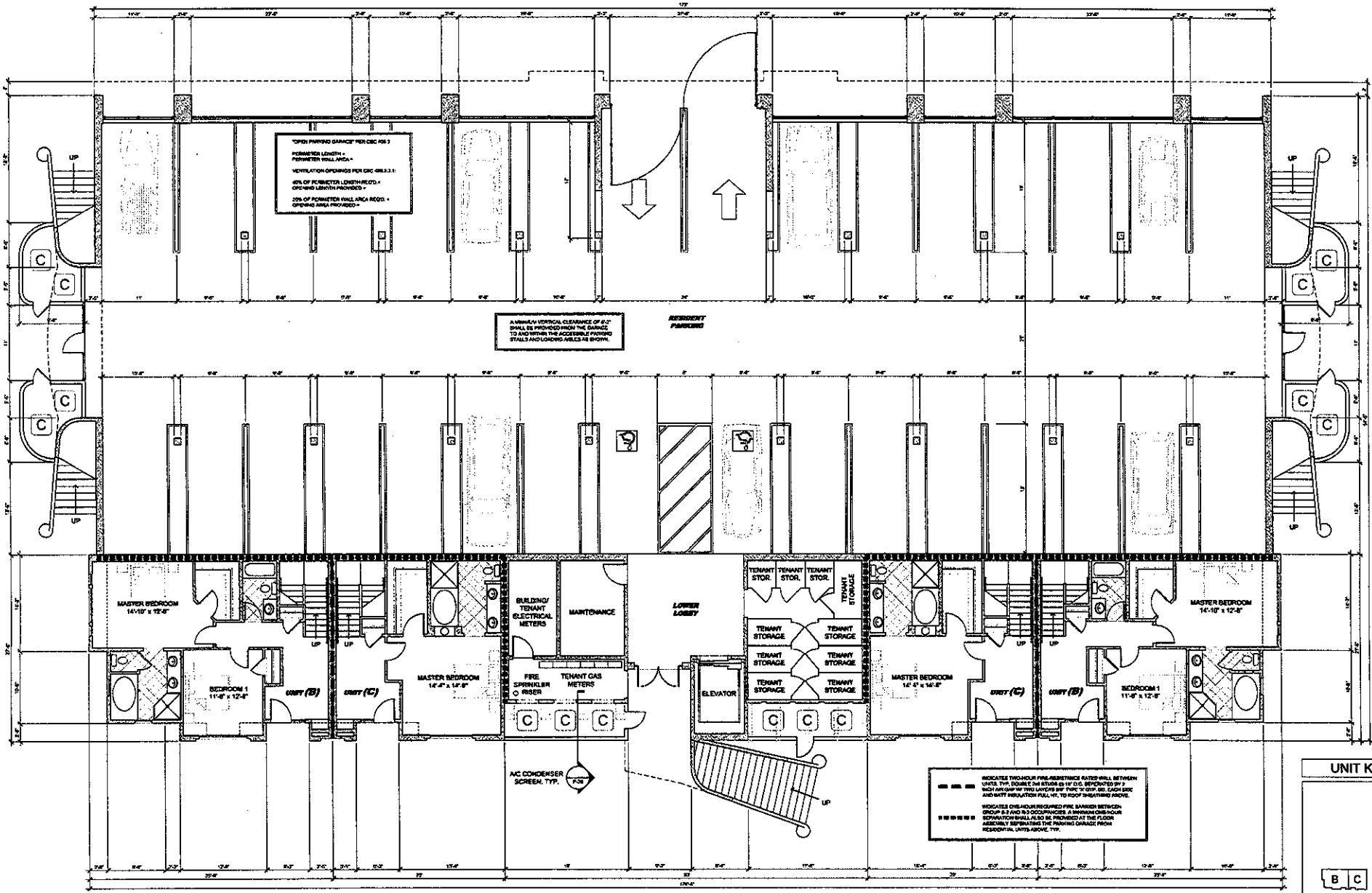
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-10.1

SHEET NO. 12 OF 36

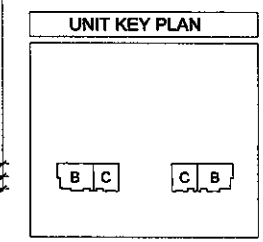


PROPOSED BUILDING THREE (3) - GROUND "PARKING" LEVEL

SCALE: 3/16" = 1'-0"

NORTH

UNIT KEY PLAN



REVISIONS:	DATE:
DAC ELEMENTAL	3/3/09
DAC REVISIONS	5/27/09
PLANNING REVISIONS	7/7/10
DATE:	12/17/08
DRAWN:	ADS / SBO
CAD FILE: Building3GroundLevel	

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3-D PRESENTATION — DRAFTING — DESIGN

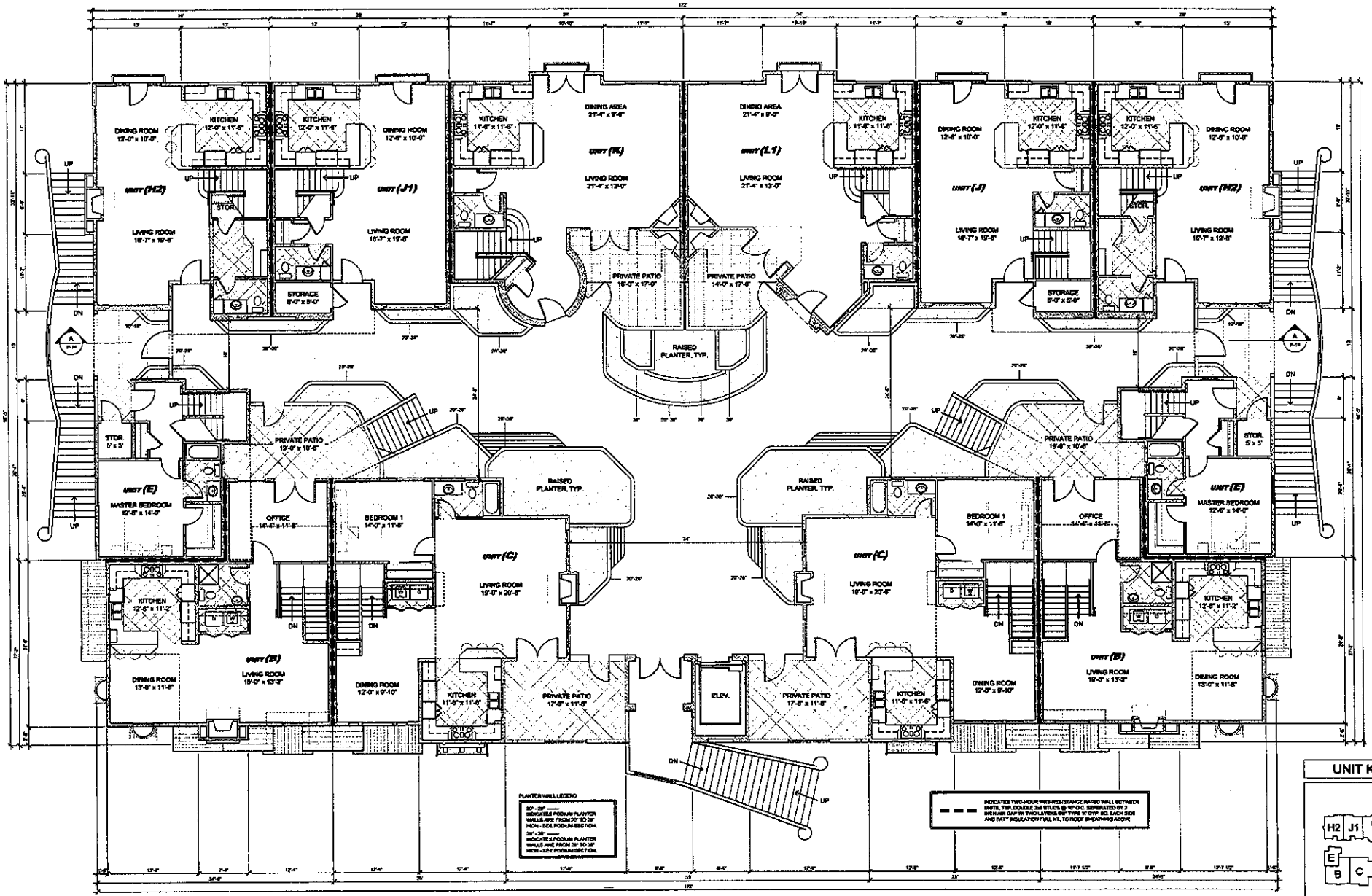
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-11

SHEET NO. 15 OF 38

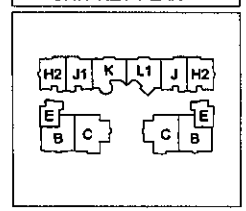


PROPOSED BUILDING THREE (3) - PODIUM "COURTYARD" LEVEL

SCALE: 3/16" = 7'-0"

NORTH

UNIT KEY PLAN



REVISIONS	DATE
GAC SUBMITTAL	3/2/09
GAC REVISIONS	3/27/09
PLANNING REVISIONS	7/17/10
DATE	12/17/09
DRAWN	ADD / CBO
CAD FILE	Building3FloorLevel

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2-D PRESENTATION — DRAFTING — DESIGN

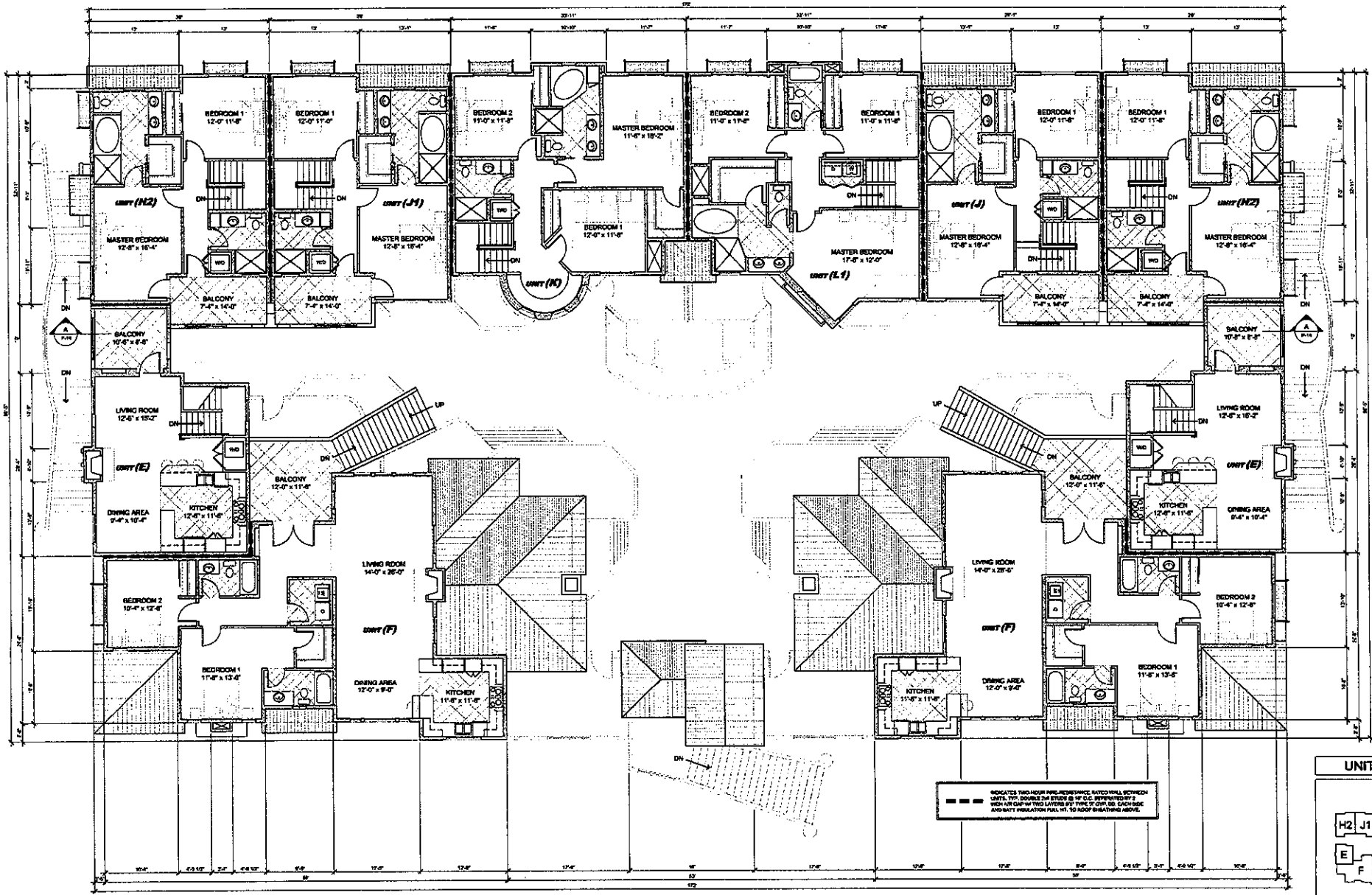
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-12

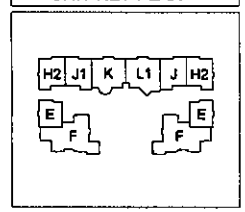
SHEET NO. 16 OF 38



PROPOSED BUILDING THREE (3) - UPPER "BIRDS EYE" LEVEL

NORTH

UNIT KEY PLAN



REVISIONS:	DATE:
DAC SUBMITTAL	3/2/09
DAC REVISIONS	3/27/09
PLANNING REVISIONS	07/10
DATE:	10/17/08
DRAWN	ADD / SBO
CAD FILE:	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

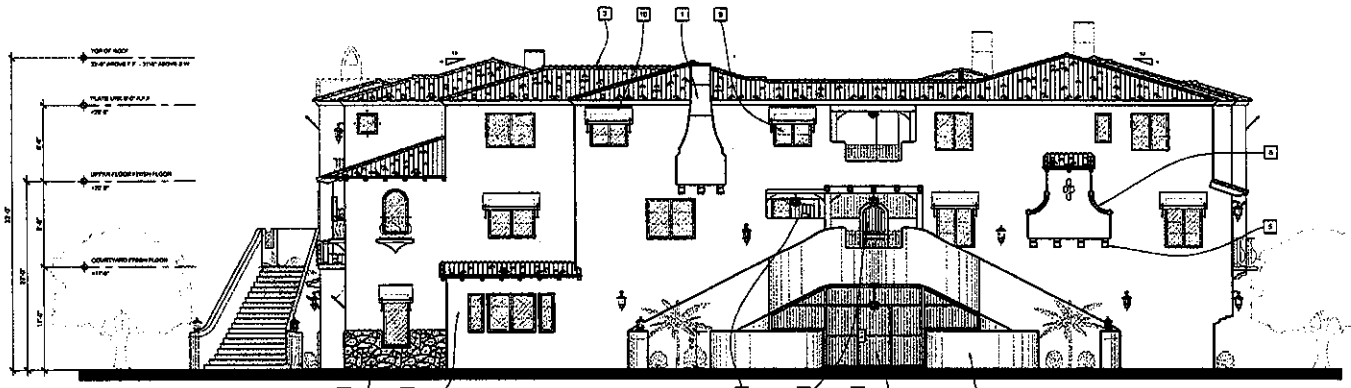
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

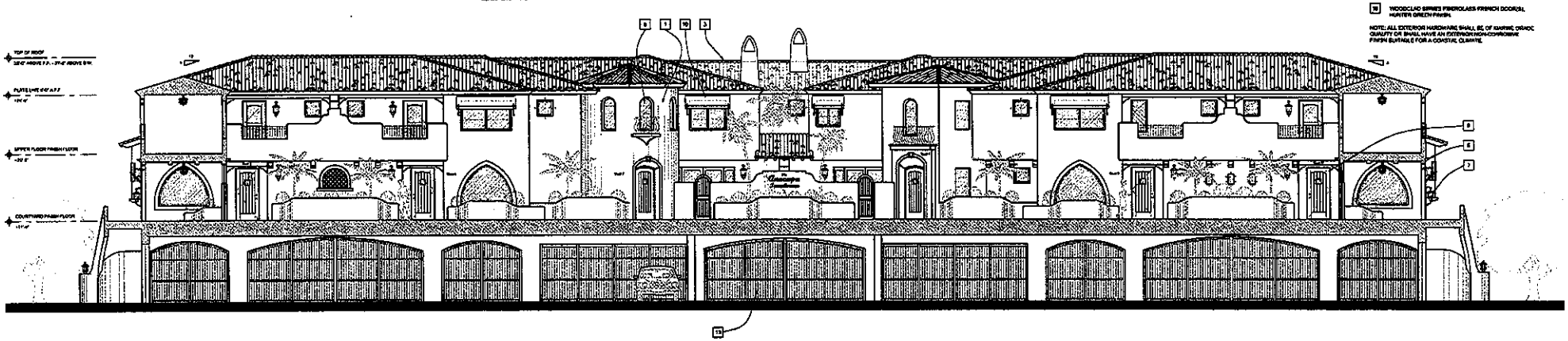
P-13

SHEET NO. 17 OF 36



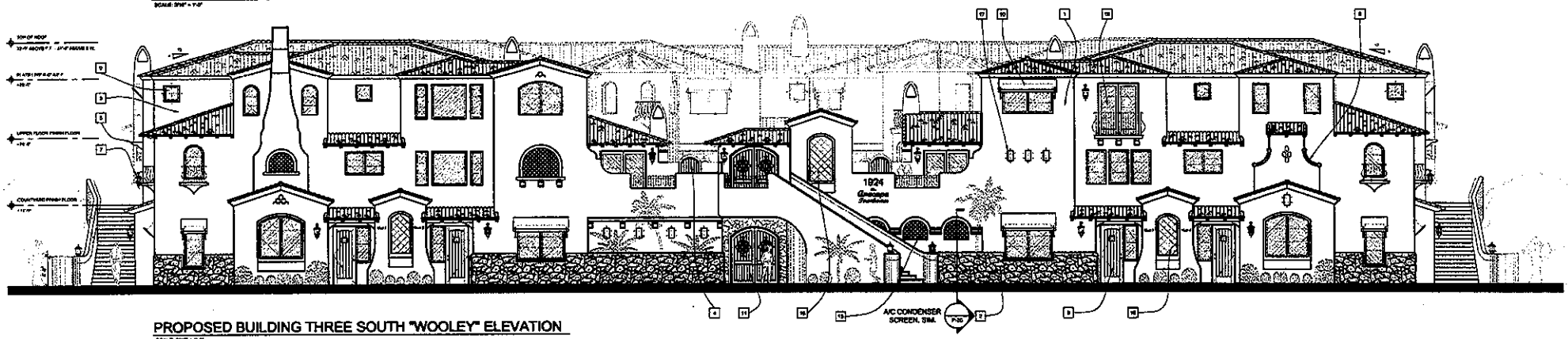
PROPOSED BUILDING THREE EAST "SIDE YARD" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING THREE "COURTYARD" SECTION 'A'

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING THREE SOUTH "WOOLEY" ELEVATION

SCALE: 3/16" = 1'-0"

KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-100 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE SPANISH "S"ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VIPPO INC.
7. EXTERIOR LIGHT FIXTURE BY MAKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
11. PARK DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING).
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOOR(S), HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.

REVISIONS:	DATE
DAC SUBMITTAL	3/2009
DAC REVISIONS	6/2009
DATE	12/1/08
DRAWN:	ADB / SBD
CAD FILE:	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

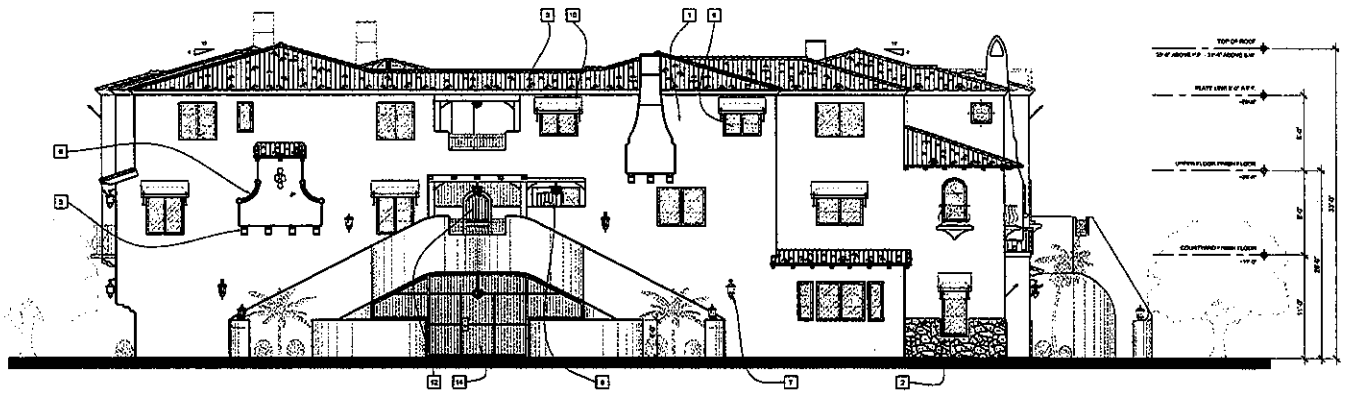
P-14

SHEET NO. 18 OF 36

KEY NOTES :

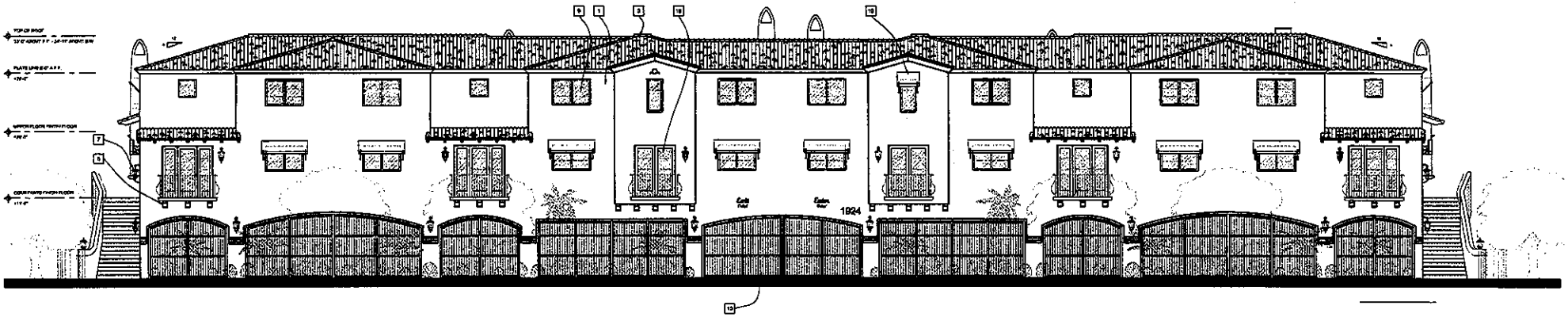
1. EXTERIOR STUCCO FINISH BY MORLEX STUCCO, P-188 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS FALLS VERDE.
3. CONCRETE SPANISH "S"ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% GOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DUNN EDWARDS, COLOR DE3914 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DUNN EDWARDS, COLOR DE3914 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VEFO INC.
7. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING).
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOOR(S), HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.



PROPOSED BUILDING THREE WEST "SIDEYARD" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING THREE NORTH "ALLEY" ELEVATION

SCALE: 3/16" = 1'-0"

REVISIONS	DATE:
DAC SUBMITTAL	3/3/09
DAC REVISIONS	5/27/09
DATE	12/17/08
DRAWN	ADS / SDD
CAD FILE	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

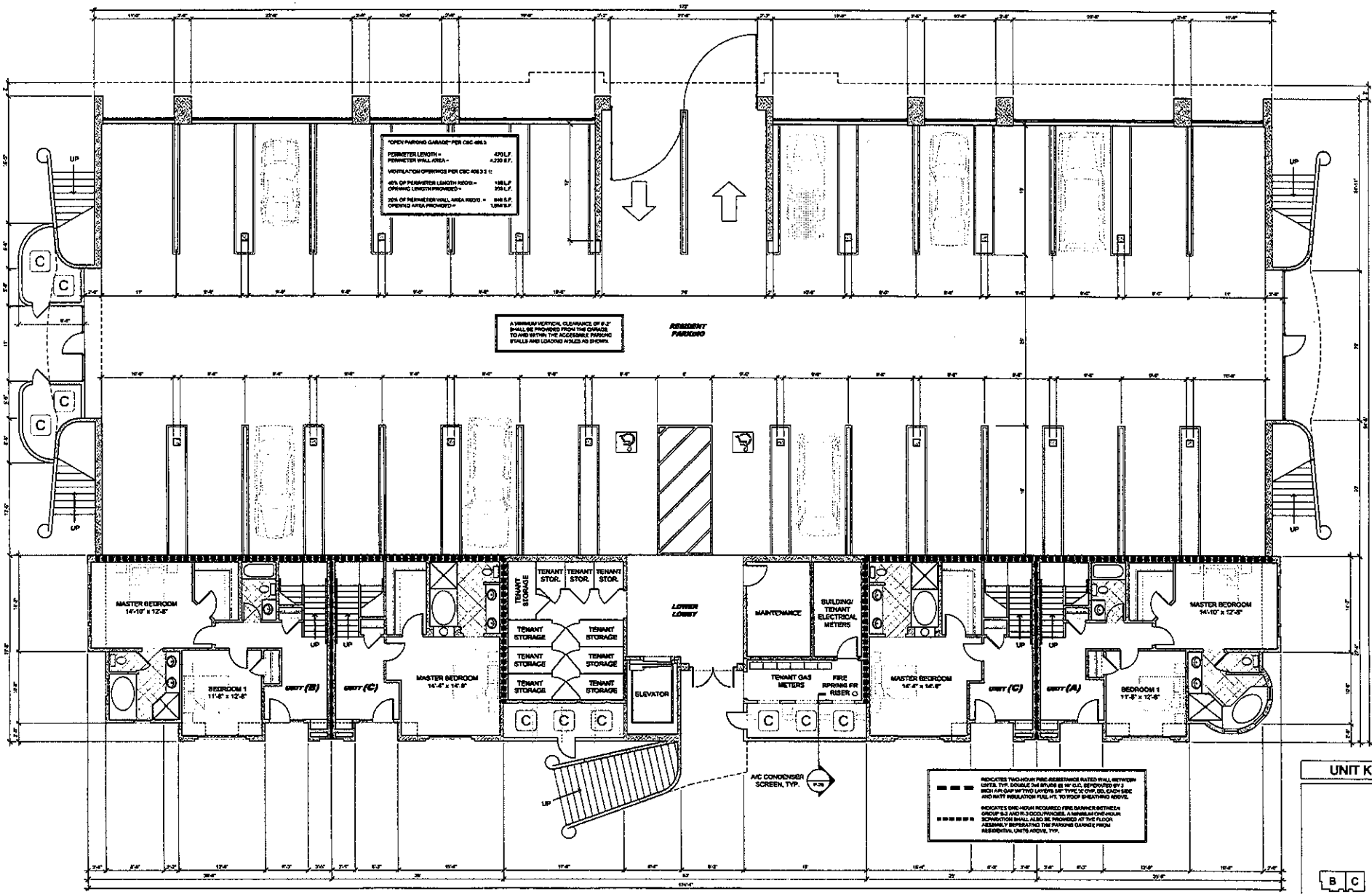
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-14.1

SHEET NO 17 OF 35



PROPOSED BUILDING FOUR (4) - GROUND "PARKING" LEVEL

SCALE: 3/16" = 1'-0"

NORTH

UNIT KEY PLAN

B C

C A

REVISIONS:	DATE:
DAC SUBMITTAL	3/2005
DAC REVISIONS	3/2/06
PLANNING REVISIONS	7/7/10
DATE	10/17/08
DRAWN	ADR / DMD
CAD FILE	

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Architect: David Bress
Steven B. Olander

DRAPHICS

E-D PRESENTATION — DRAFTING — DESIGN

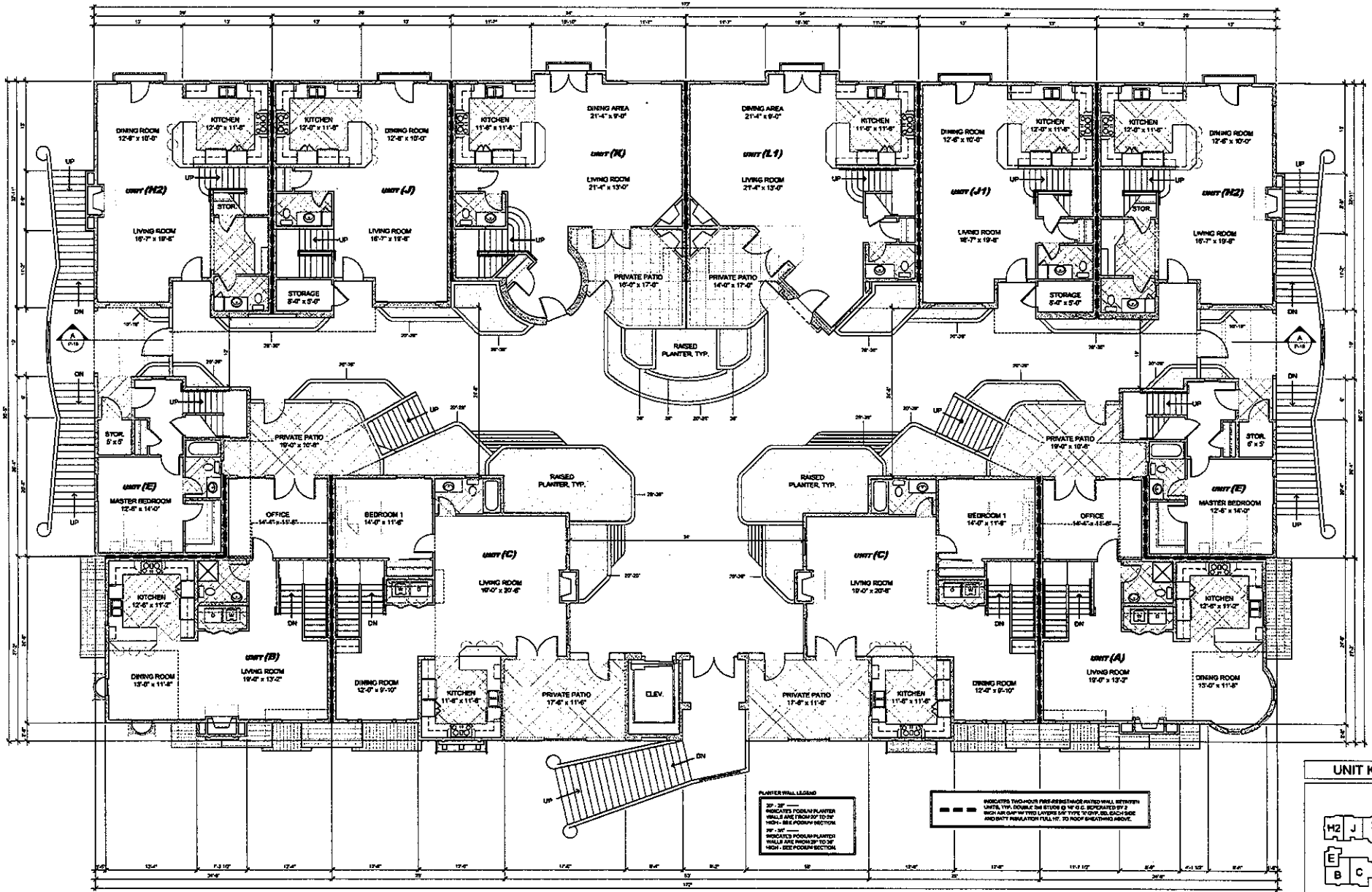
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-15

SHEET NO. 70 OF 36

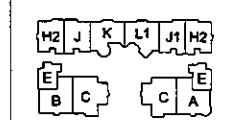


PROPOSED BUILDING FOUR (4) - PODIUM "COURTYARD" LEVEL

SCALE: 3/16" = 1'-0"

NORTH

UNIT KEY PLAN



REVISIONS	DATE
DAC SUBMITTAL	3/2/08
DAC REVISIONS	5/27/08
PLANNING REVISIONS	11/11/10
DATE	12/17/09
DRAWN	ACS / STD
CAD FILE:	BuildingFinalRevLevel

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3-D PRESENTATION — DRAFTING — DESIGN

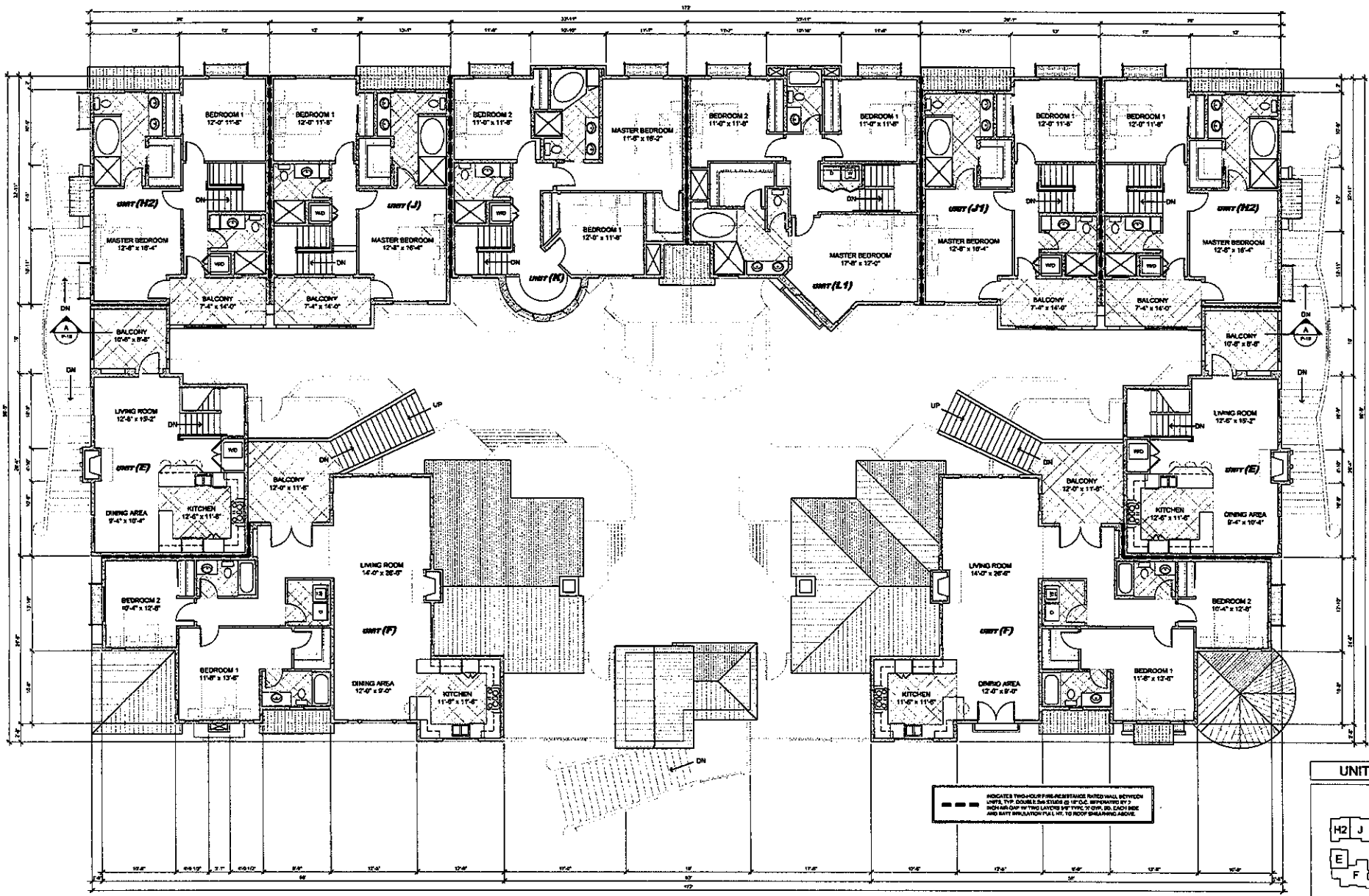
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-16

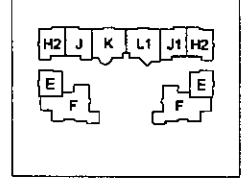
SHEET NO. 21 OF 35



PROPOSED BUILDING FOUR (4) - UPPER "BIRDS EYE" LEVEL

NORTH

UNIT KEY PLAN



REVISIONS	DATE
DAC SUBMITTAL	3/3/09
DAC REVISIONS	3/27/09
PLANNING REVISIONS	4/1/10
DATE	12/17/09
DRAWN	ADS / SSD
CAD FILE	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

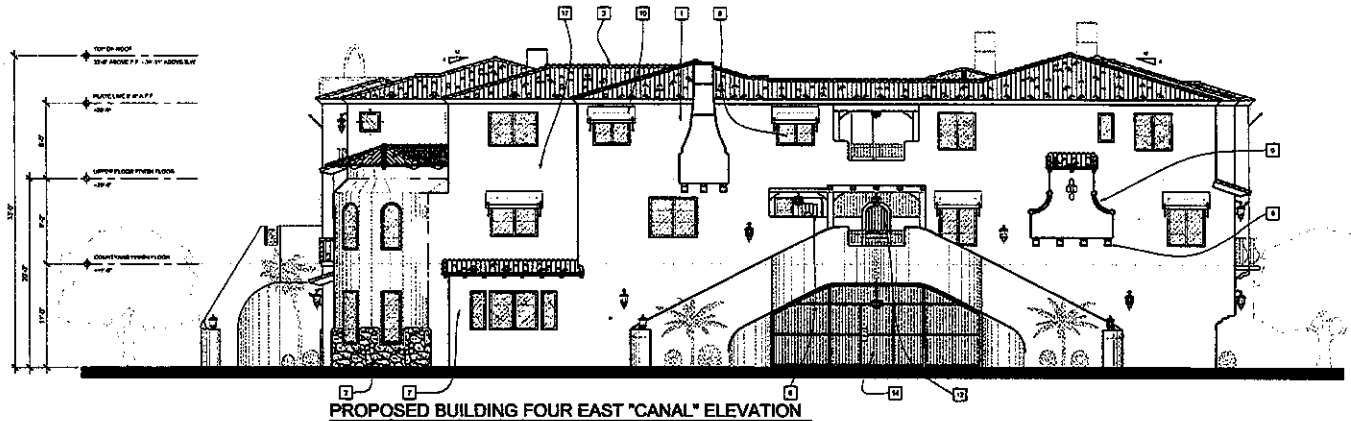
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

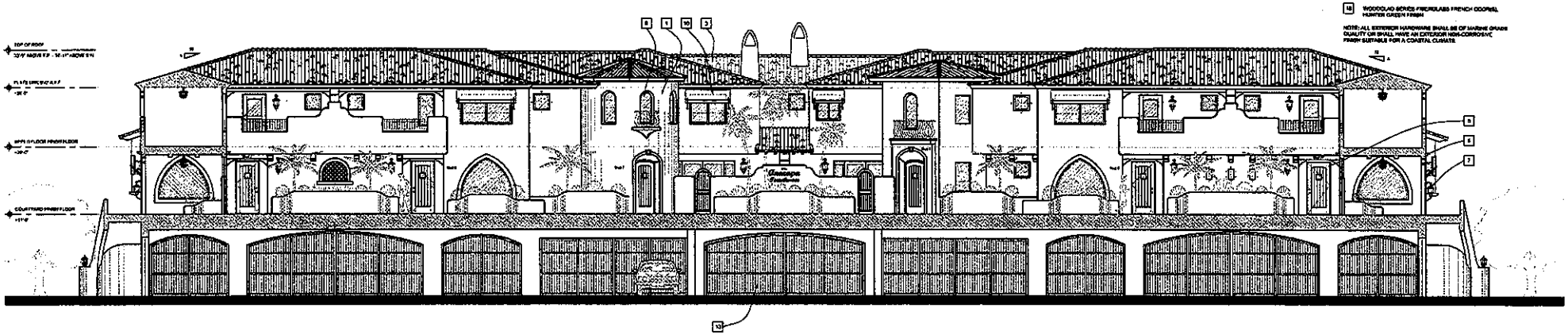
P-17

SHEET NO. 22 OF 36



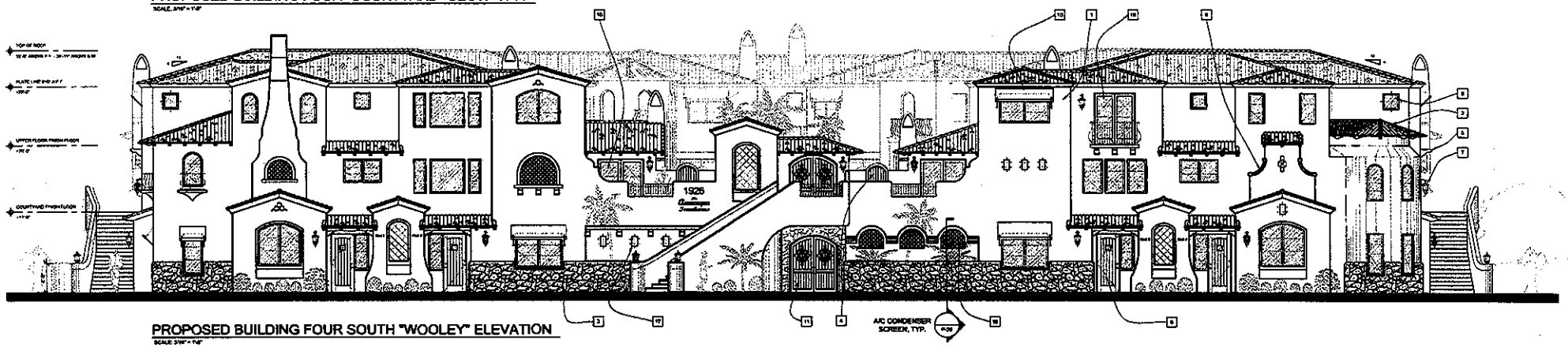
PROPOSED BUILDING FOUR EAST "CANAL" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING FOUR "COURTYARD" SECTION 'A'

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING FOUR SOUTH "WOOLEY" ELEVATION

SCALE: 3/16" = 1'-0"

KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-100 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE SPANISH "S" ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DUNN EDWARDS, COLOR DE2014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DUNN EDWARDS, COLOR DE2014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VETO INC.
7. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC JOINT UNIQUE PATTERN PER BUILDING.
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR OBTAINING AS SHOWN
18. WOODCLAD SERIES FIBERGLASS FRENCH DOORS, HUNTER GREEN FINISH

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.

REVISIONS:	DATE:
DAC SUBMITTAL	3/2/00
DAC REVISIONS	5/21/00
DATE	12/17/00
DRAWN	ADG / BDG
CAD FILE:	Building4Townhome01

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A/C PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

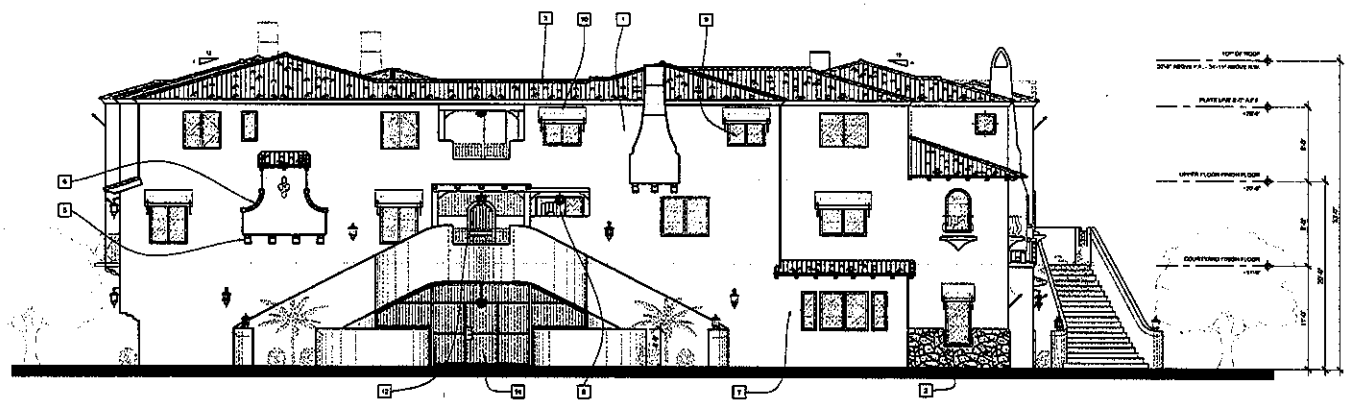
P-18

SHEET NO. 21 OF 26

KEY NOTES :

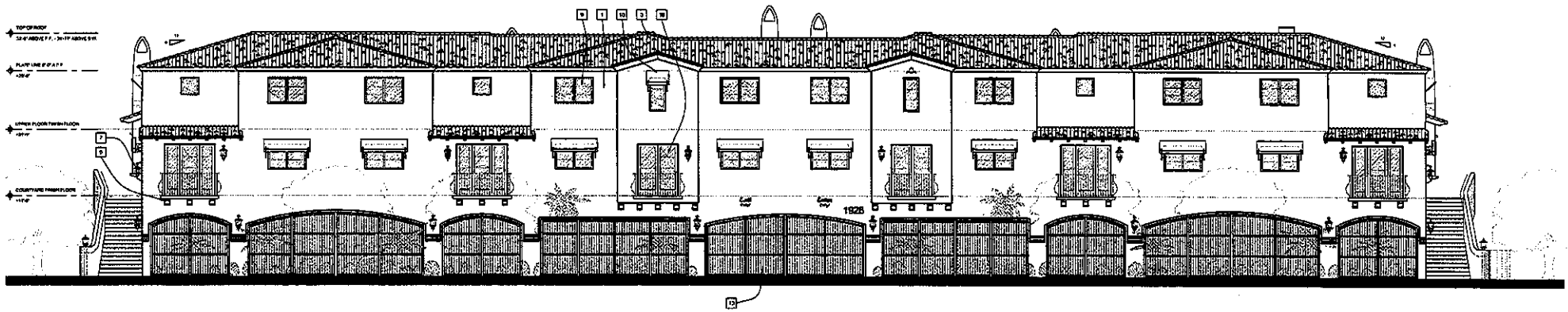
1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-480 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE SPANISH "S"ROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DUNN EDWARDS, COLOR DE3014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DUNN EDWARDS, COLOR DE3014 MUDDY TIDE
6. STONE FACED CUSTOM FOAM CAP BY VEFO INC.
7. EXTERIOR LIGHT FIXTURE BY NOVA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING).
17. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOOR(S), HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.



PROPOSED BUILDING FOUR WEST "SIDEYARD" ELEVATION

SCALE: 3/16" = 1'-0"



PROPOSED BUILDING FOUR NORTH "ALLEY" ELEVATION

SCALE: 3/16" = 1'-0"

REVISIONS:	DATE:
DAC SUBMITTAL	3/2/09
DAC REVISIONS	5/27/09
DATE	12/17/08
DRAWN	ADS / BRO
CAD FILE:	[illegible]

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E-D PRESENTATION — DRAFTING — DESIGN

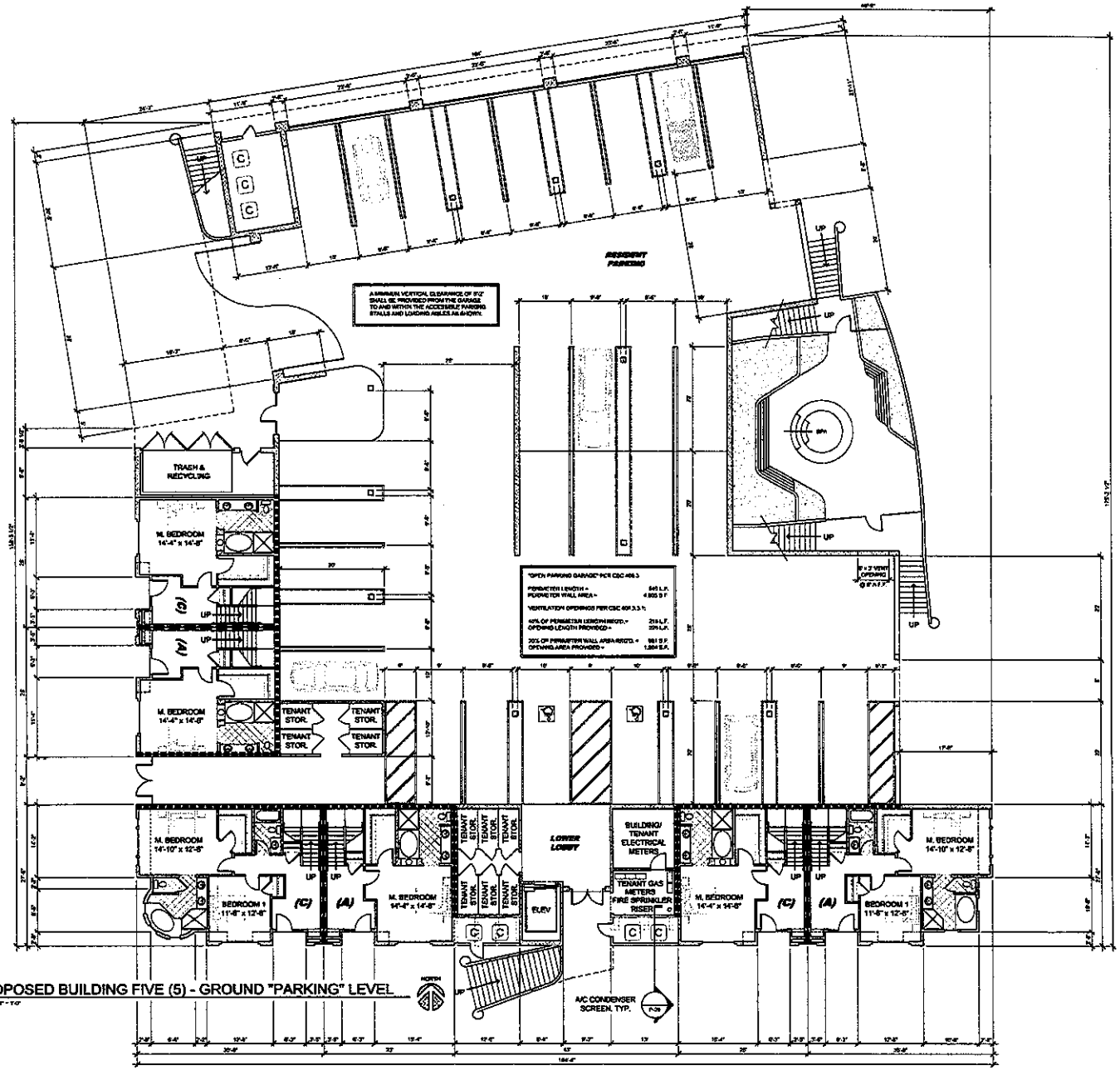
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-18.1

SHEET NO. 22 OF 28



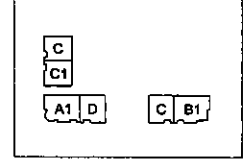
PROPOSED BUILDING FIVE (5) - GROUND "PARKING" LEVEL

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

INDICATES TWO-HOUR FIRE RESISTANCE RATED WALL BETWEEN UNITS, TYP. DOUBLE 2x6 STUDS @ 16" O.C. SEPARATED BY 2 INCH AIR GAP W/ TWO LAYERS 5/8" TYPE 'X' GYP. BD. EACH SIDE AND BATT INSULATION FULL HT. TO ROOF SHEATHING ABOVE.

INDICATES ONE-HOUR REQUIRED FIRE BARRIER BETWEEN GROUP S-2 AND R-3 OCCUPANCIES. A MINIMUM ONE-HOUR SEPARATION SHALL ALSO BE PROVIDED AT THE FLOOR ASSEMBLY SEPERATING THE PARKING GARAGE FROM RESIDENTIAL UNITS ABOVE, TYP.

UNIT KEY PLAN



REVISIONS	DATE:
DAC SUBMITTAL	3/2/09
DAC REVISIONS	5/27/09
PLANNING REVISIONS	7/7/10
DATE:	10/17/09
DRAWN:	ADD / DBO
CAD FILE:	BuildingGroundFlow

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3-D PRESENTATION — DRAFTING — DESIGN

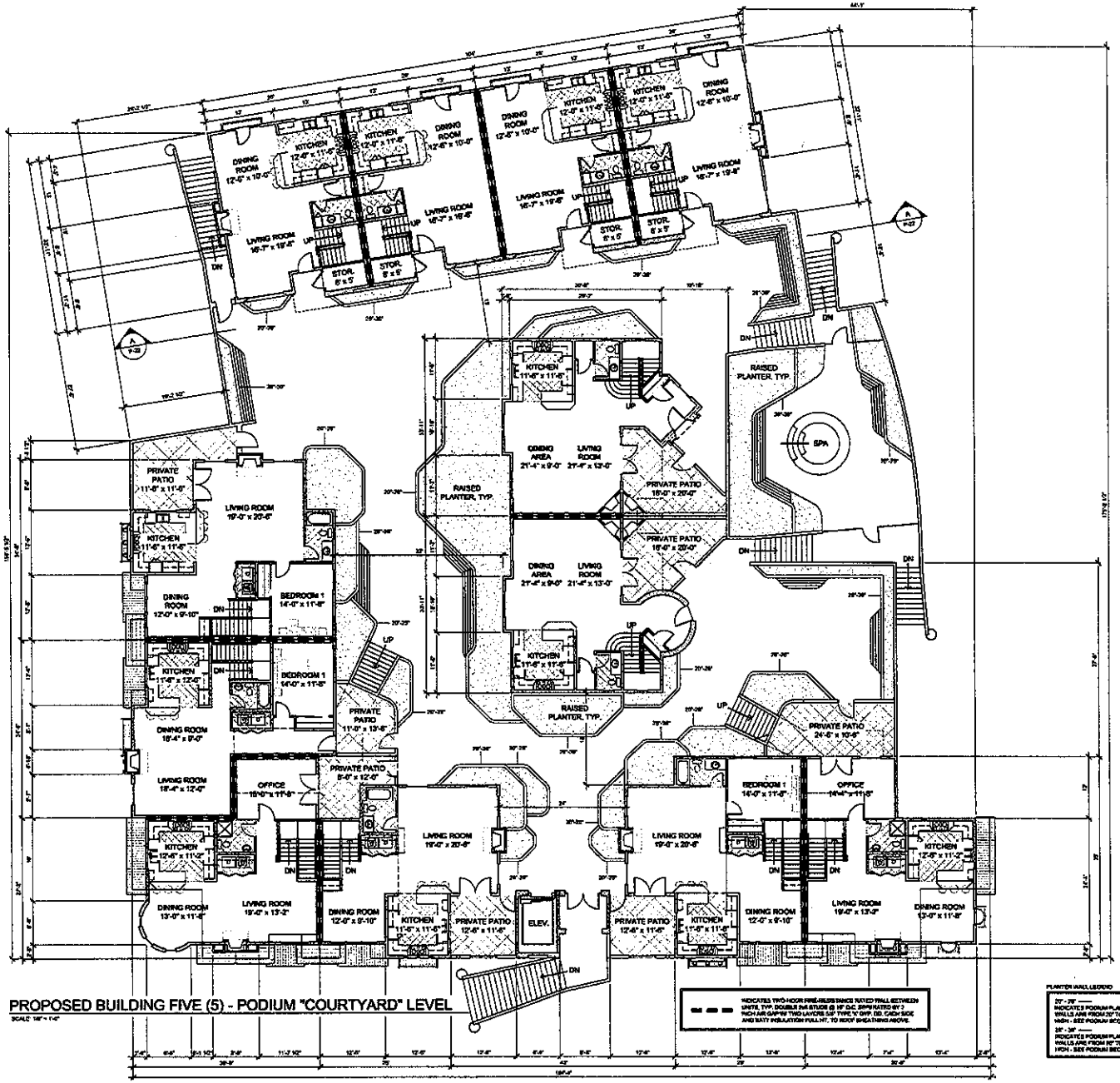
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-19

SHEET NO. 71 OF 38



REVISION	DATE
DAC SUBMITTAL	3/3/21
DRC REVISIONS	6/27/19
PLANNING REVISIONS	10/7/19
DATE	12/17/2020
DRAWN	ADS / ESD
CAD FILE: BuildingPodium1.dwg	

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2-D PRESENTATION — DRAFTING — DESIGN

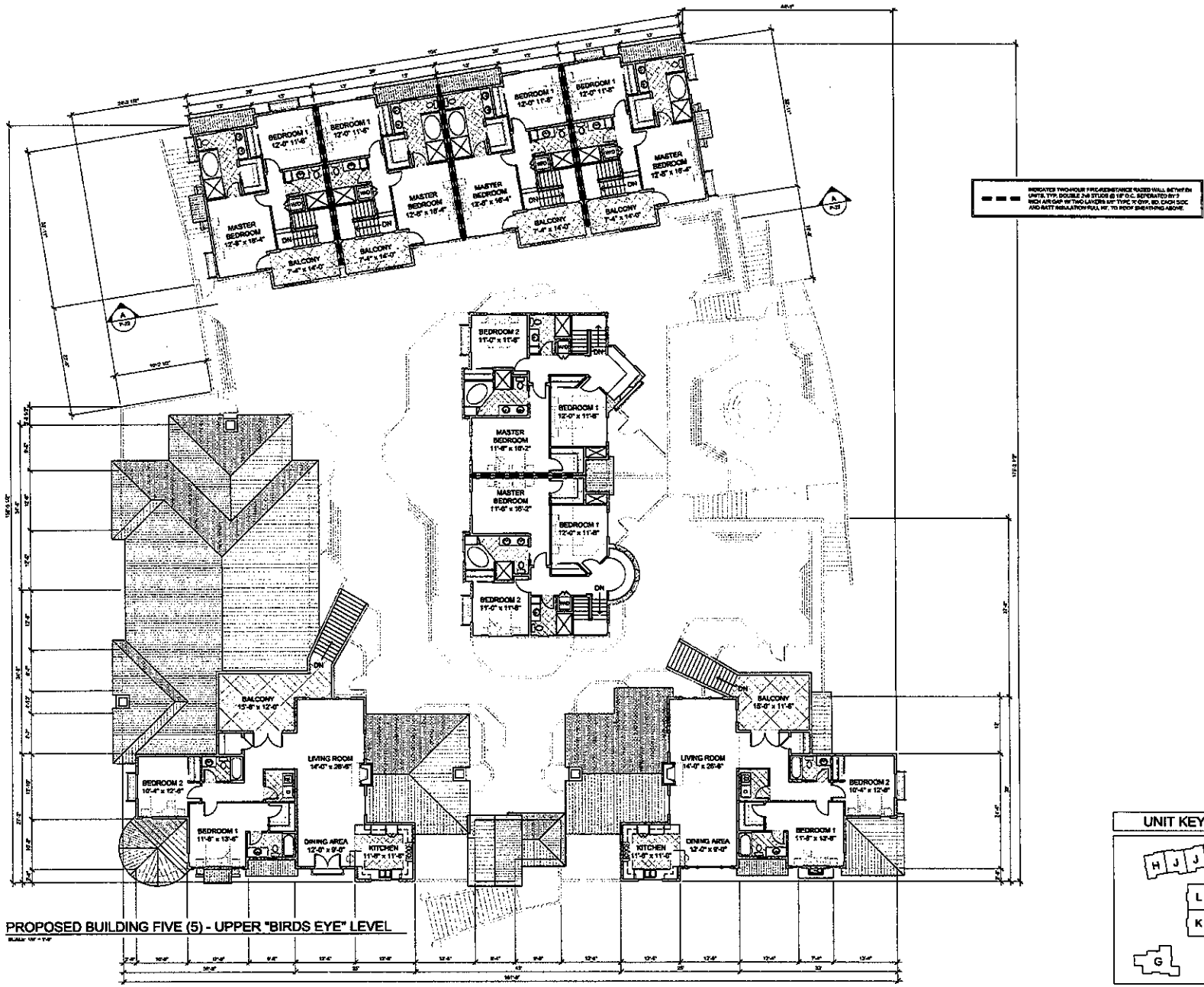
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-20

SHEET NO. 14 OF 30



PROPOSED BUILDING FIVE (5) - UPPER "BIRDS EYE" LEVEL

REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	3/2/09
PLANNING REVISIONS	7/1/10
DATE	12/17/08
DRAWN:	ADS / SBO
CAD FILE:	[illegible]

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6-D PRESERVATION — DRAFTING — DESIGN

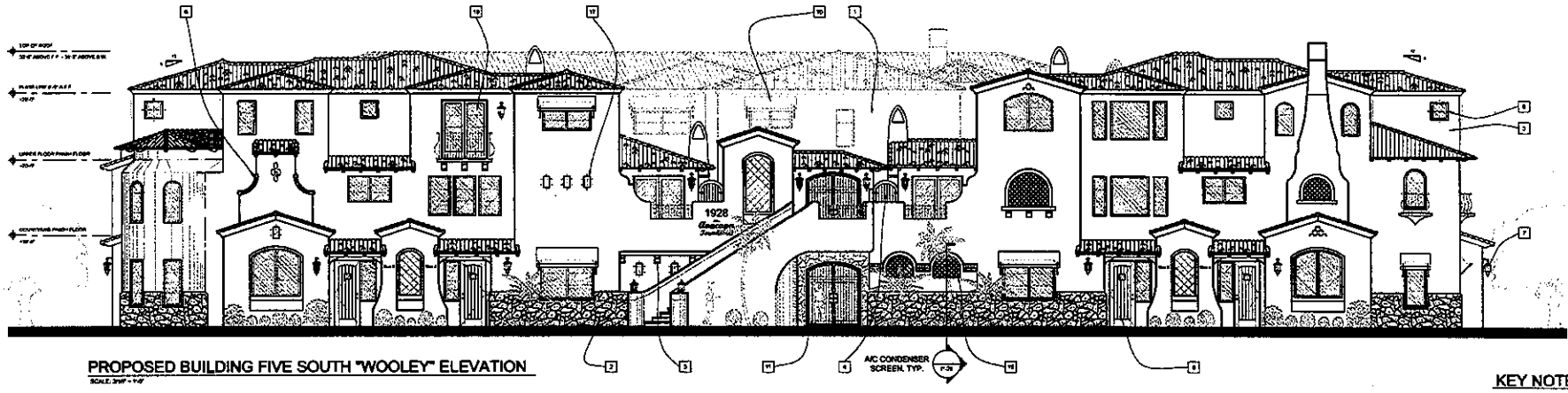
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

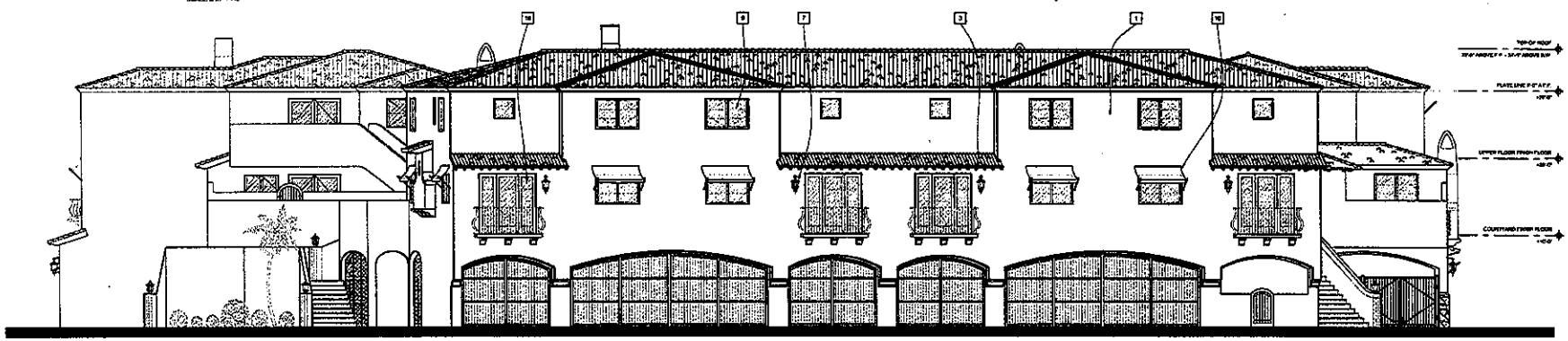
WOOLEY ROAD, OXNARD, CA

P-21

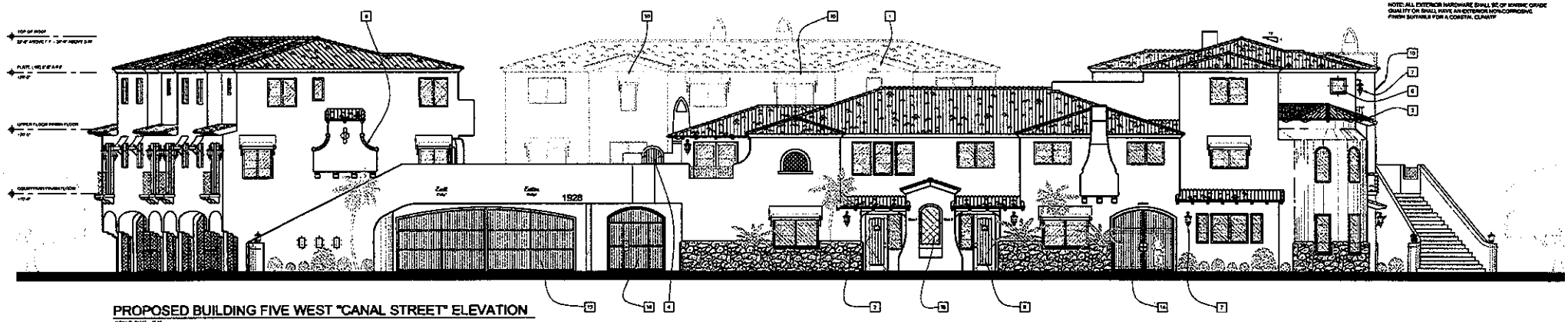
SHEET NO. 27 OF 36



PROPOSED BUILDING FIVE SOUTH "WOOLEY" ELEVATION



PROPOSED BUILDING FIVE NORTH ELEVATION



PROPOSED BUILDING FIVE WEST "CANAL STREET" ELEVATION

KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO, P-108 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE.
3. CONCRETE SPANISH "STROOF TILE BY MONIER LIFETILE, BARCELONA RED CASTLE BLEND WITH 10% BOOSTED CAPS.
4. SOLID WOOD GATE TO MATCH DURN EDWARDS, COLOR DE2014 MUDDY TIDE.
5. DECORATIVE WOOD CORBEL TO MATCH DURN EDWARDS, COLOR DE2014 MUDDY TIDE.
6. STONE FACED CUSTOM FOAM CAP BY VEFO INC.
7. EXTERIOR LIGHT FIXTURE BY NINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
8. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SATIN RED OAK.
9. WOODCLAD SERIES FIBERGLASS WINDOW BY MILGARD, HUNTER GREEN FINISH.
10. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
11. PAIR, DECORATIVE WOOD AND WROUGHT IRON FRONT ENTRY GATES PER DETAIL 11 / P-27.
12. DECORATIVE WOOD SIDE PODIUM GATE PER DETAIL 12 / P-27.
13. WROUGHT IRON GARAGE VEHICLE GATE PER DETAIL 13 / P-27.
14. WROUGHT IRON GARAGE SIDE GATE PER DETAIL 14 / P-27.
15. DECORATIVE WALL VENTS THRU WALL TO OUTSIDE GAS METER LOCATION.
16. CUSTOM TILE MOSAIC (ONE UNIQUE PATTERN PER BUILDING).
17. STUCCO DEPRESSION BOX WITH DECROTIVE WROUGHT IRON BAR DETAILING AS SHOWN.
18. WOODCLAD SERIES FIBERGLASS FRENCH DOORS, HUNTER GREEN FINISH.

NOTE: ALL EXTERIOR HARDWARE SHALL BE OF MARINE GRADE QUALITY OR SHALL HAVE AN EXTERIOR NON-CORROSIVE FINISH SUITABLE FOR A COASTAL CLIMATE.

REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	5/27/09
DATE	12/1/08
DRAWN:	AD3 / BBO
CAD FILE:	[illegible]

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3-D PRESENTATION — DRAFTING — DESIGN

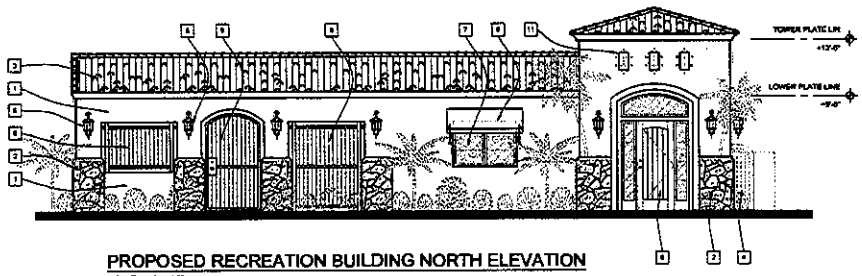
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

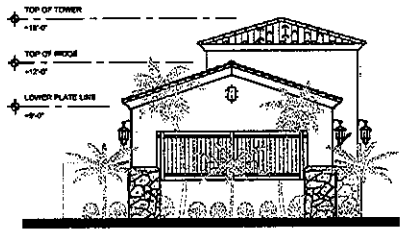
P-22

SHEET NO. 26 OF 36

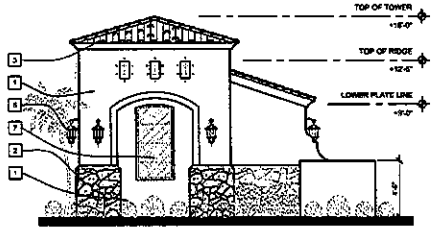


PROPOSED RECREATION BUILDING NORTH ELEVATION
SCALE: 1/4" = 1'-0"

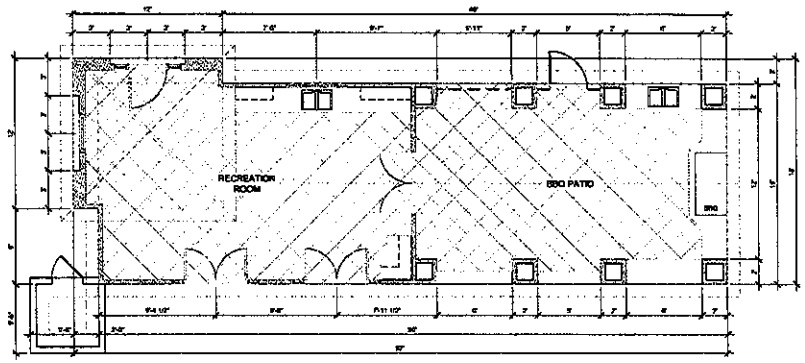
PROPOSED RECREATION BUILDING SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



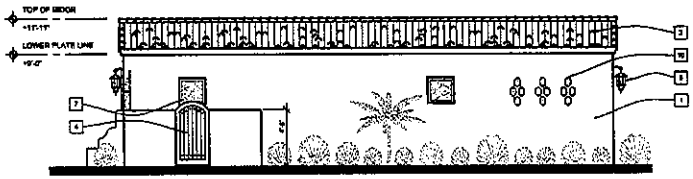
PROPOSED REC. BDLG. EAST ELEV.
SCALE: 1/4" = 1'-0"



PROPOSED REC. BDLG. WEST ELEV.
SCALE: 1/4" = 1'-0"

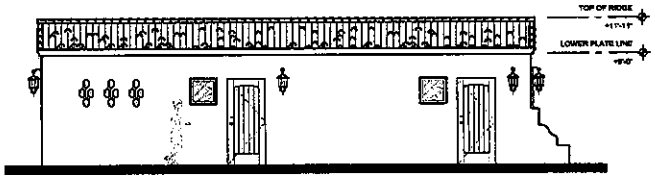


PROPOSED RECREATION BUILDING PLAN
SCALE: 1/4" = 1'-0"

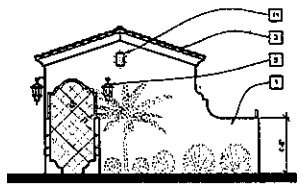


PROPOSED R.R. / EQUIP. BUILDING EAST ELEVATION
SCALE: 1/4" = 1'-0"

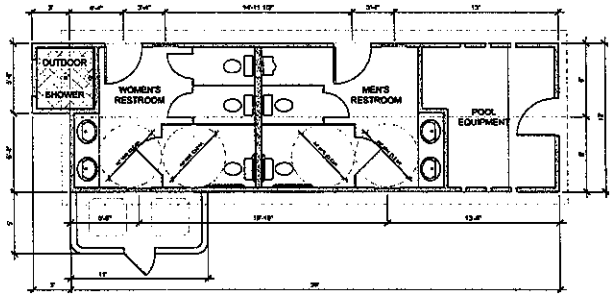
PROP. R.R. / EQUIP. BLDG. NORTH ELEV.
SCALE: 1/4" = 1'-0"



PROPOSED R.R. / EQUIP. BUILDING WEST ELEVATION
SCALE: 1/4" = 1'-0"



PROP. R.R. / EQUIP. BLDG. SOUTH ELEV.
SCALE: 1/4" = 1'-0"



PROPOSED RESTROOM / EQUIPMENT BUILDING FLOOR PLAN
SCALE: 1/4" = 1'-0"

KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MINILEX STUCCO, P-100 WHITE, SANTA BARBARA FINISH.
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE.
3. CONCRETE OPINION STRIDGE TILE ACCENT TO MATCH BUILDING MONIER LIFETILE ROOF TILE.
4. SOLID WOOD GATE TO MATCH DUAN EDWARDS, COLOR DESIGN MUDDY TIDE.
5. EXTERIOR LIGHT FIXTURE BY MINKA LIGHTING, ST. LAWRENCE SERIES, BLACK FINISH.
6. SOLID WOOD ENTRY DOOR BY PINECREST, QUARTER SAWN RED OAK.
7. VINYL CLAD WINDOW BY MILGARD WINDOWS, MONTECITO SERIES, GREEN FINISH.
8. FABRIC AWNING BY SUNBRELLA, SEA SPRAY.
9. DECORATIVE WROUGHT IRON GATE / PINCING
10. DECORATIVE SMOOTH STUCCO HOLE FOR VENTING
11. STUCCO DEPRESSION BOX WITH DECORATIVE WROUGHT IRON BAR DETAILING AS SHOWN

REVISIONS:	DATE:
OAC SUBMITTAL	3/2/09
OAC REVISIONS	5/21/09
DATE	12/17/08
DRAWN	ADB / SBD
CAD FILE	[illegible]

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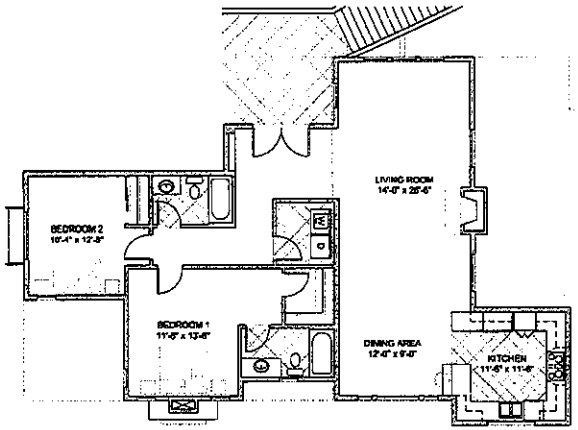
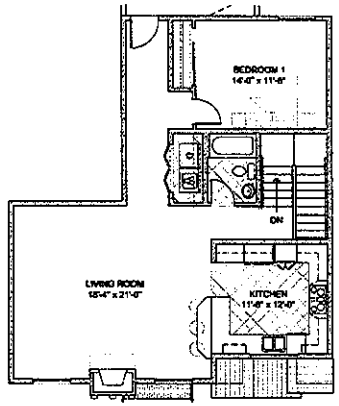
3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX
THE ANACAPA TOWNHOMES
WOOLEY ROAD, OXNARD, CA

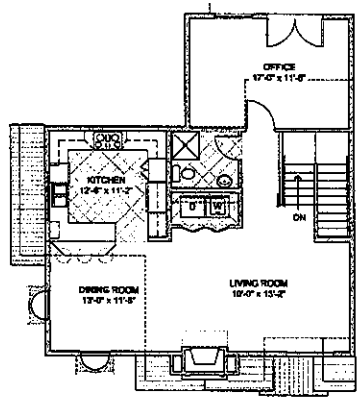
P-23
SHEET NO. 30 OF 38



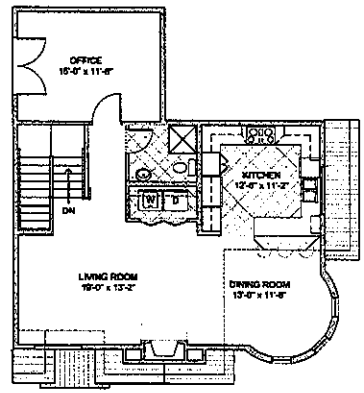
UNIT 'F' FLOOR PLAN (UNIT 'G' SIM.)
SCALE: 3/16" = 1'-0"



UNIT 'C' (ALT. 1) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'B' (ALT. 1) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'A' (ALT. 1) SECOND FLOOR PLAN
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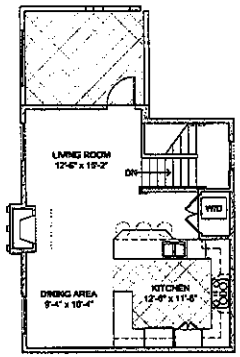
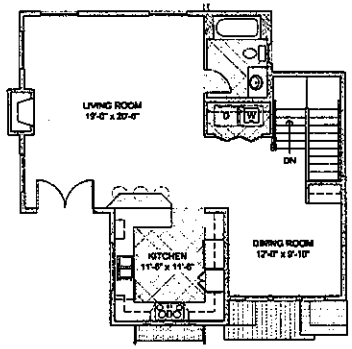


UNIT 'E' SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'D' SECOND FLOOR PLAN
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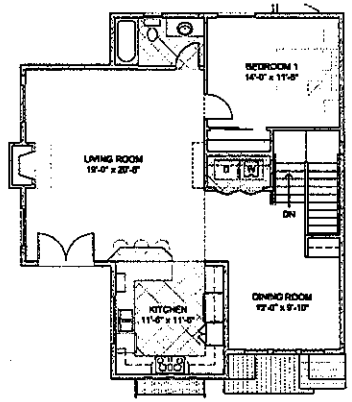

UNIT 'C' SECOND FLOOR PLAN
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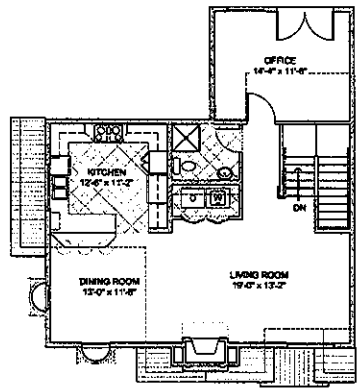

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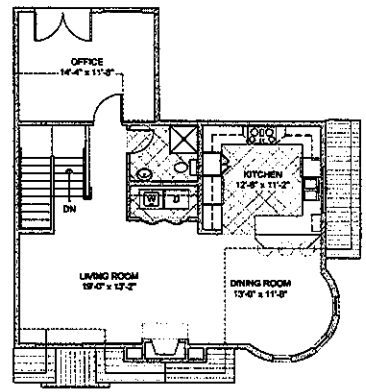

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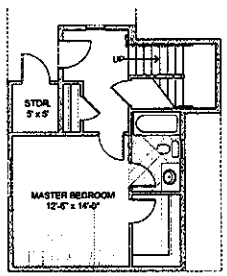

UNIT 'E' FIRST FLOOR PLAN
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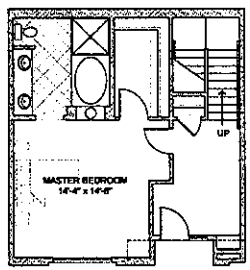

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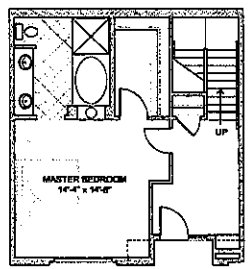
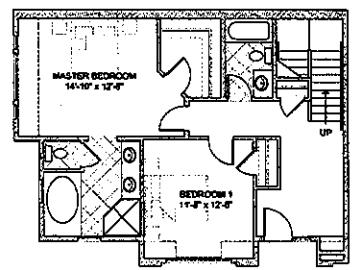


UNIT 'C' FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'B' FIRST FLOOR PLAN
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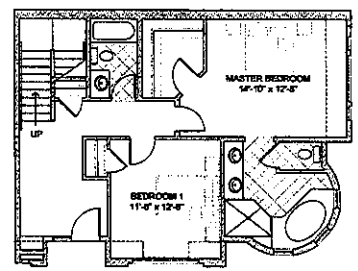

UNIT 'A' FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

REVISIONS:	DATE:
DAC SUBMITTAL	3/3/09
DAC REVISIONS	5/27/09
PLUMBING REVISIONS	7/7/09

DATE: 10/17/08
DRAWN: ADS / SBD
CAD FILE: Front Duplex/Anacapa

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G-D PRESENTATION — DRAFTING — DESIGN

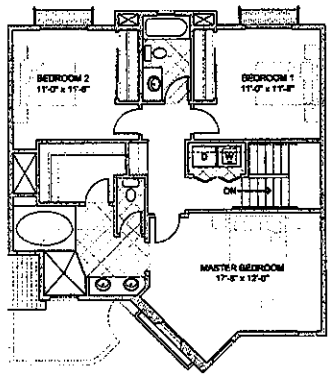
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

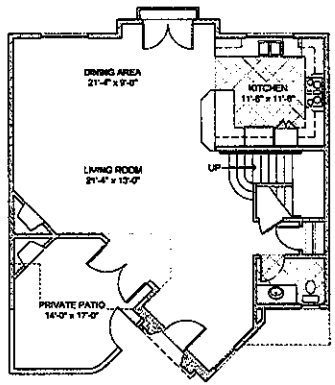
WOOLEY ROAD, OXNARD, CA

P-24

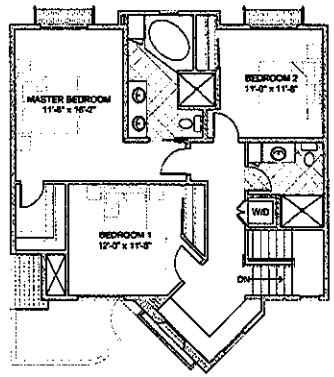
SHEET NO. 31 OF 36



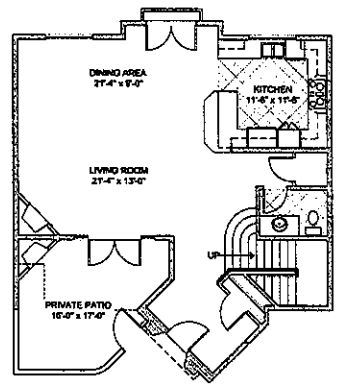
UNIT 'L' (ALT. 1) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



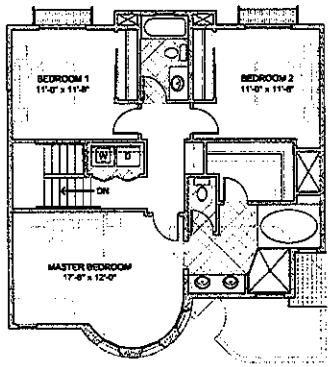
UNIT 'L' (ALT. 1) FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



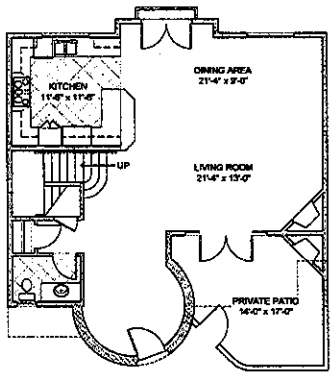
UNIT 'L' SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



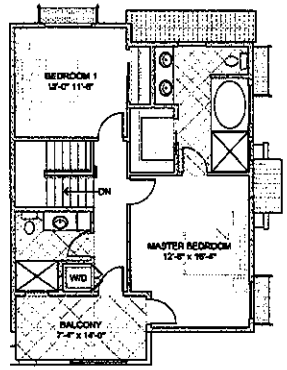
UNIT 'L' FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



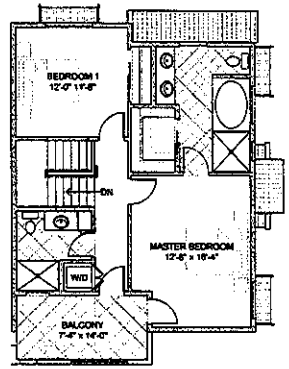
UNIT 'K' (ALT. 1) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



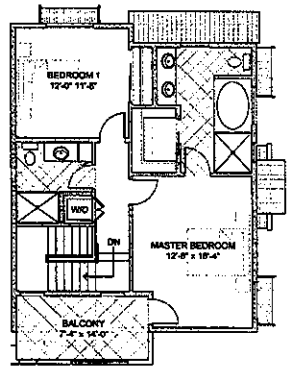
UNIT 'K' (ALT. 1) FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



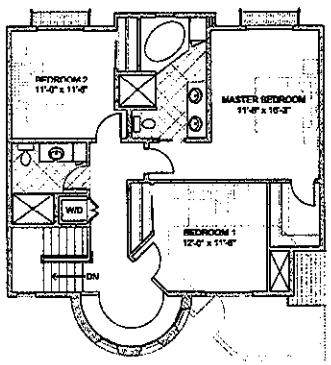
UNIT 'H' (ALT. 2) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0" UNIT 'J2' SIM.



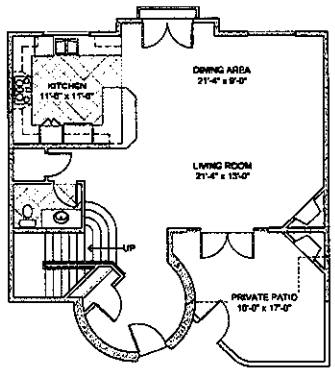
UNIT 'H' (ALT. 1) SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0" UNIT 'J1' SIM.



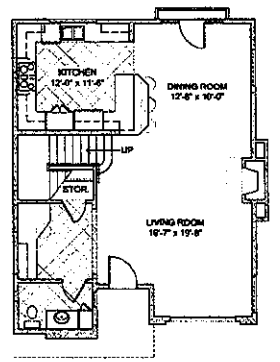
UNIT 'H' SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'K' SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'K' FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"



UNIT 'H' (ALT. 2) FIRST FLOOR PLAN
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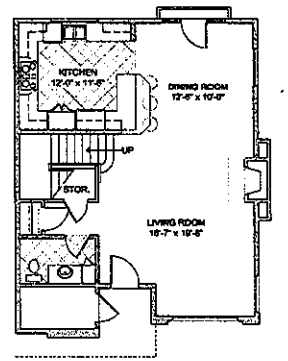
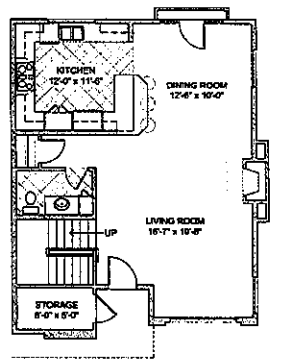


UNIT 'H' (ALT. 1) FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0" UNIT 'J1' SIM.



UNIT 'H' FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

REVISIONS	DATE
DAC SUBMITTAL	9/2/09
DAC REVISIONS	3/29/10
PLANNING REVISIONS	7/7/10
DATE	12/17/08
DRAWN	ADS / SDS
CAD FILE	BaseCourseMarket

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3-D PRESENTATION — DRAFTING — DESIGN

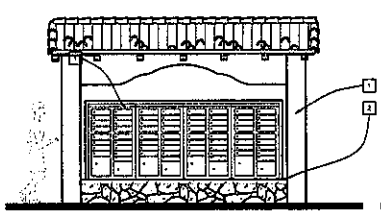
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

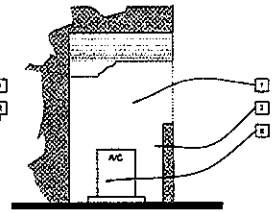
WOOLEY ROAD, OXNARD, CA

P-25

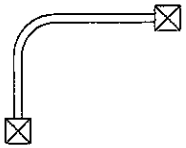
SHEET NO. 27 OF 36



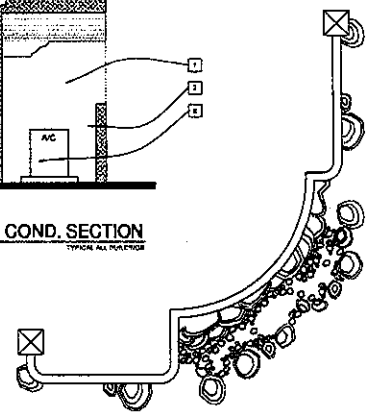
TYPICAL MAILBOX KIOSK



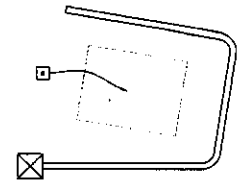
BLDG. A/C COND. SECTION



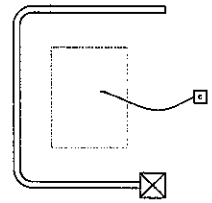
SIDEYARD SITE WALL FLOOR PLAN



WOOLEY / CANAL SITE WALL FLOOR PLAN

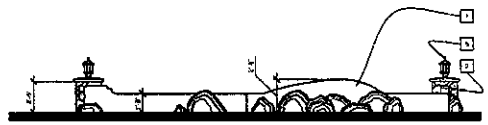


UTILITY SCREEN WALL FLOOR PLAN

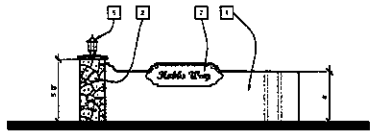


UTILITY SCREEN WALL FLOOR PLAN

SIDEYARD SITE WALL ELEVATIONS



WOOLEY / CANAL SITE WALL ELEVATIONS



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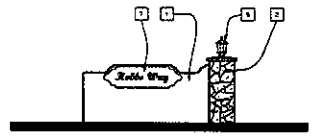
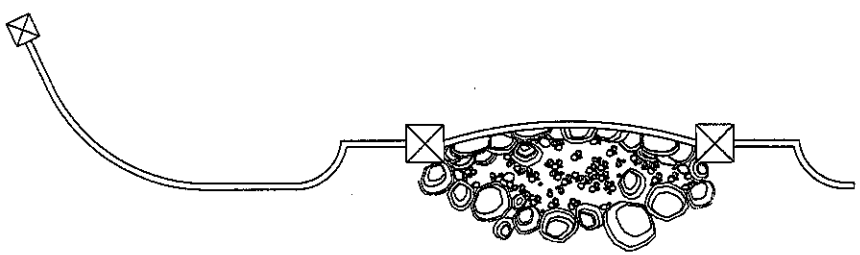
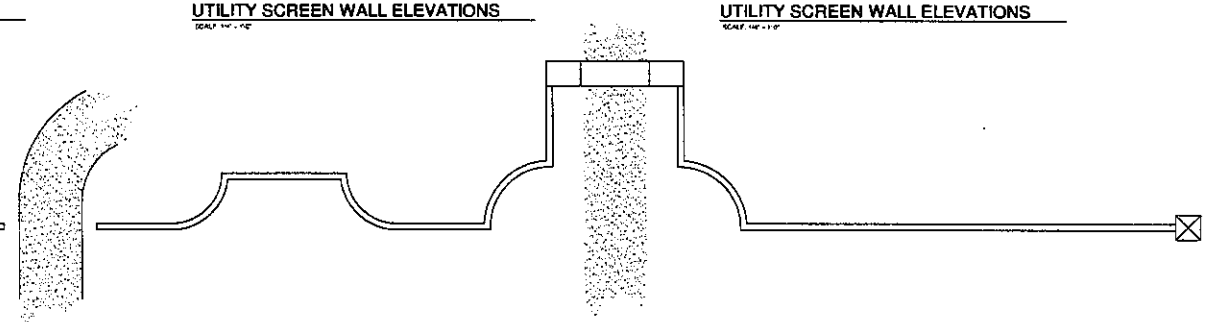


UTILITY SCREEN WALL ELEVATIONS



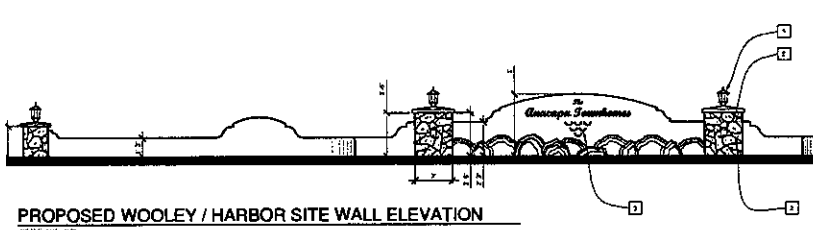
PROPOSED WOOLEY / HARBOR SITE WALL FLOOR PLAN



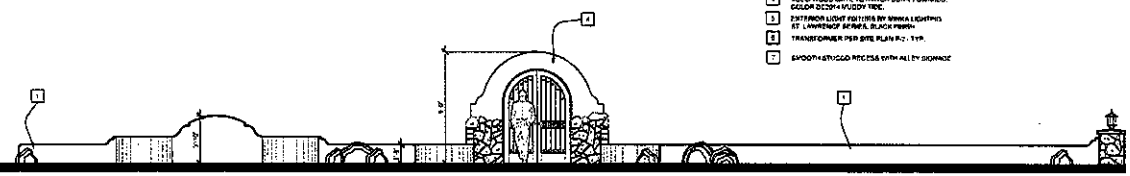
PROPOSED WOOLEY SITE WALL FLOOR PLAN

KEY NOTES :

1. EXTERIOR STUCCO FINISH BY MERLEX STUCCO P-100 WHITE, SANTA BARBARA FINISH
2. STONE VENEER BY CENTURION STONE, ARKANSAS PALOS VERDE
3. CONCRETE SPANISH "B" ROOF TILE TO MATCH EXISTING AND TO BE WATER FEATURE BOTH SIDE OF CANAL
4. SOLID WOOD GATE TO MATCH DUNN FOWARDS, COLOR DE2014 MUDDY TIDE.
5. EXTERIOR LIGHT FIXTURES BY MINKA LIGHTING ST. LAWRENCE SERIES, BLACK FINISH
6. TRANSFORMER PER SITE PLAN P-2 - TYP.
7. SMOOTH STUCCO RECESS WITH ALLEY SIGNAGE



PROPOSED WOOLEY / HARBOR SITE WALL ELEVATION



PROPOSED WOOLEY SITE WALL ELEVATION

REVISIONS:	DATE:
CAD SUBMITTAL	3/2/09
CAC REVISIONS	9/27/09
PLANNING REVISIONS	11/1/10
DATE:	12/17/09
DRAWN:	AGB / DBD
CAD FILE:	

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E-D PRESENTATION — DRAFTING — DESIGN

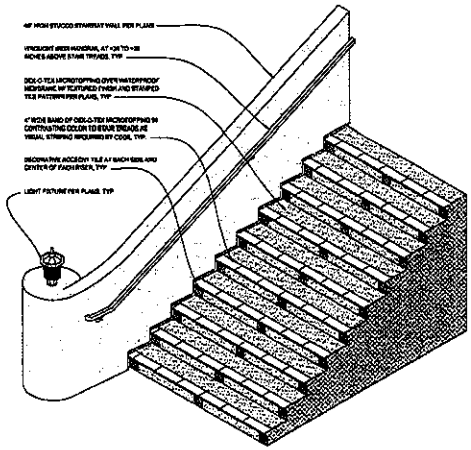
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

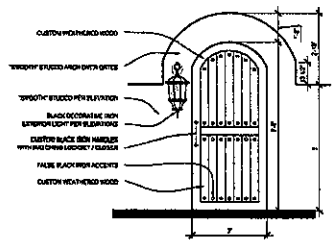
WOOLEY ROAD, OXNARD, CA

P-26

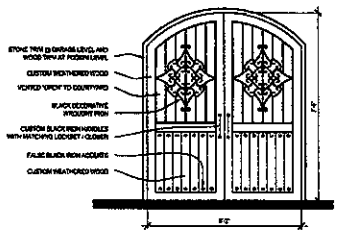
SHEET NO. 31 OF 38



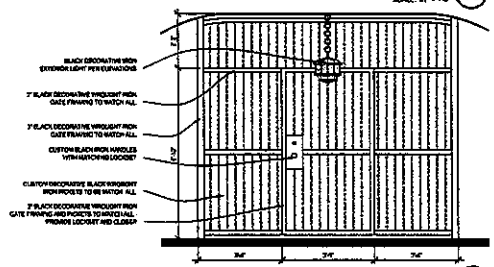
TYPICAL STAIRWAY DETAIL 15



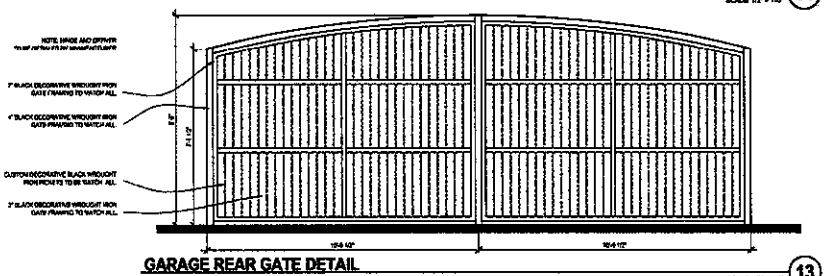
SIDE GATE DETAIL 12



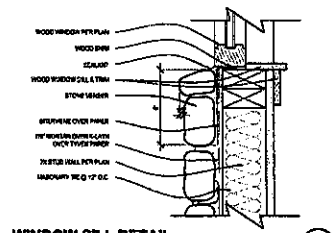
FRONT GATE DETAIL 11



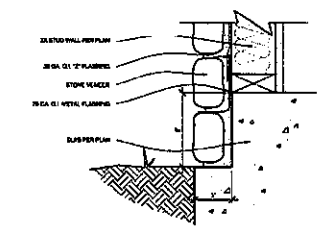
GARAGE SIDE GATE DETAIL 14



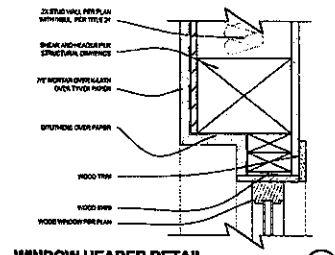
GARAGE REAR GATE DETAIL 13



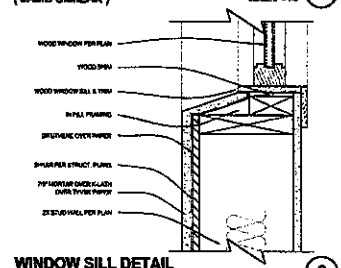
WINDOW SILL DETAIL 10



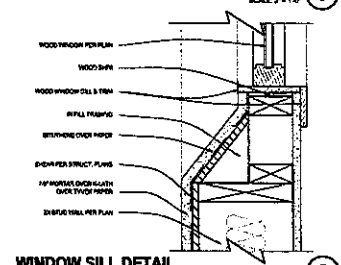
STONE VENEER @ SLAB / FOOTING 9



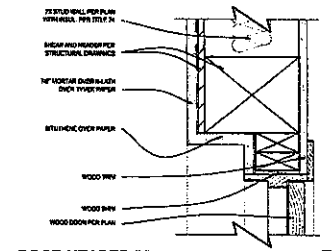
WINDOW HEADER DETAIL (JAMB SIMILAR) 7



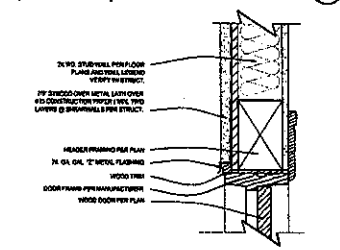
WINDOW SILL DETAIL 6



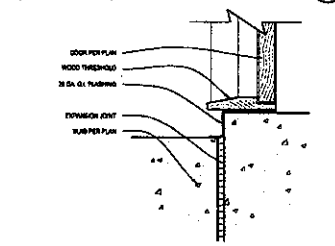
WINDOW SILL DETAIL 5



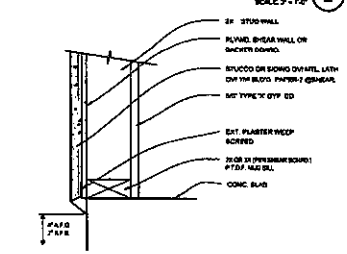
DOOR HEADER DETAIL (JAMB SIMILAR) 4



DOOR HEADER DETAIL (JAMB SIMILAR) 3



WOOD THRESHOLD @ SLAB 2



WEEP SCREED 1

REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	5/27/09
DATE	12/17/08
DRAWN	ADB / BRD
CHECKED	

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2-D PRESENTATION — DRAFTING — DESIGN

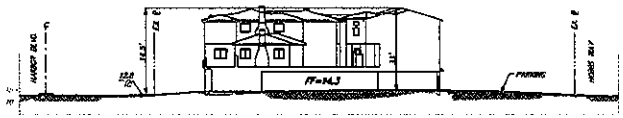
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

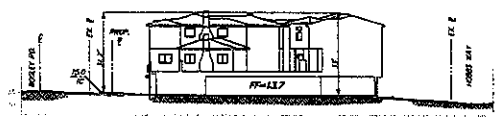
WOOLEY ROAD, OXNARD, CA

P-27

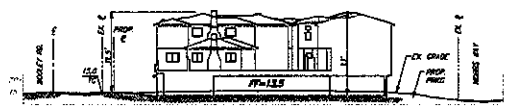
SHEET NO. 34 OF 39



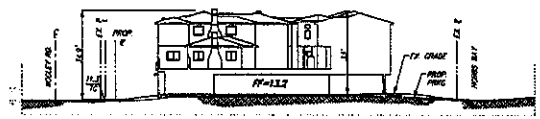
1 SECTION 1
SCALE= 1"=20'
GRAPHIC SCALE: 1"=20'



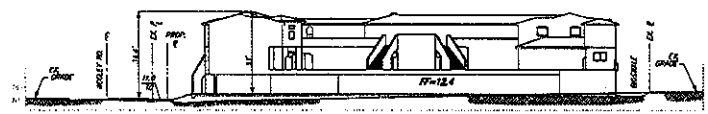
2 SECTION 2
SCALE= 1"=20'
GRAPHIC SCALE: 1"=20'



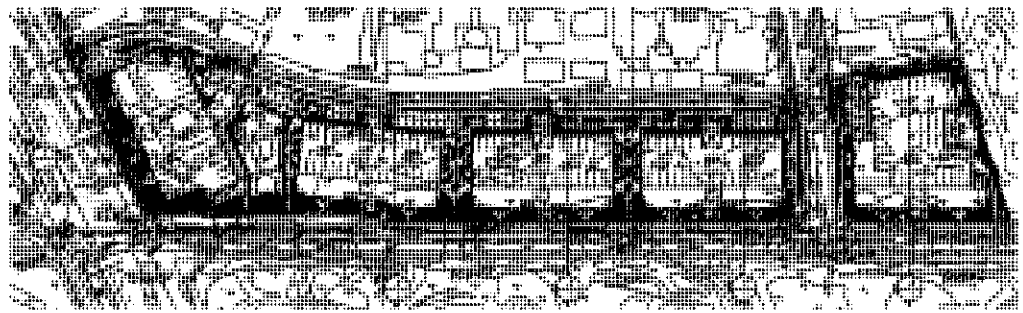
3 SECTION 3
SCALE= 1"=20'
GRAPHIC SCALE: 1"=20'



4 SECTION 4
SCALE= 1"=20'
GRAPHIC SCALE: 1"=20'



5 SECTION 5
SCALE= 1"=20'
GRAPHIC SCALE: 1"=20'



GRAPHIC SCALE: 1"=60'

REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	5/27/09
DATE	12/17/08
DRAWN	ADR / DBD
CAD FILE	Bu/Sh/Hwgh

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2-D PRESENTATION — DRAFTING — DESIGN

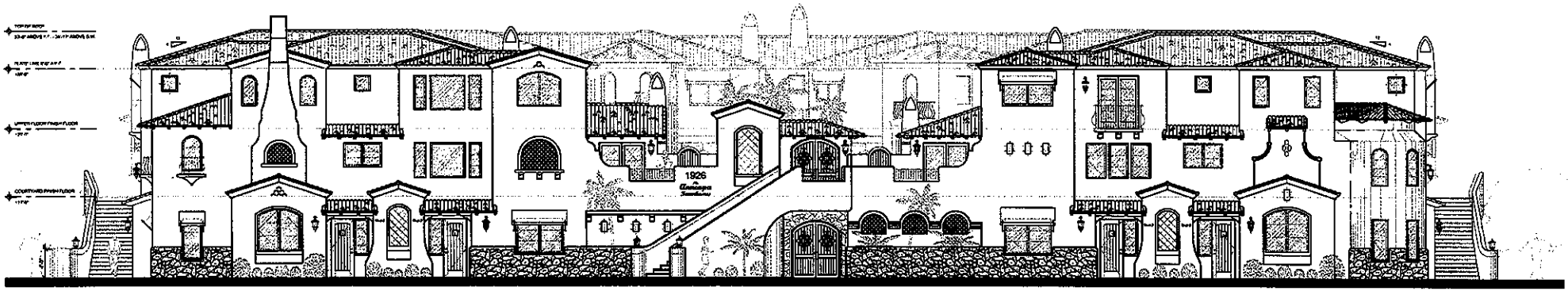
PROPOSED 70 UNIT TOWNHOME COMPLEX

THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-28

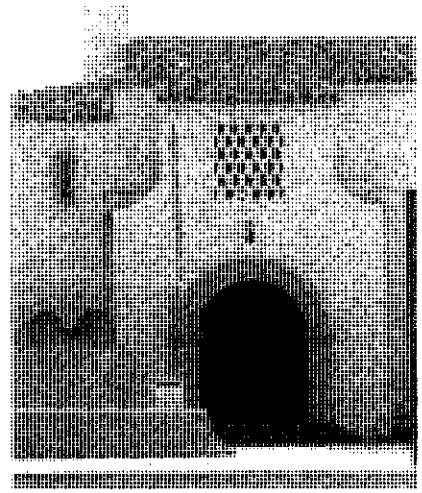
SHEET NO. 26 OF 36



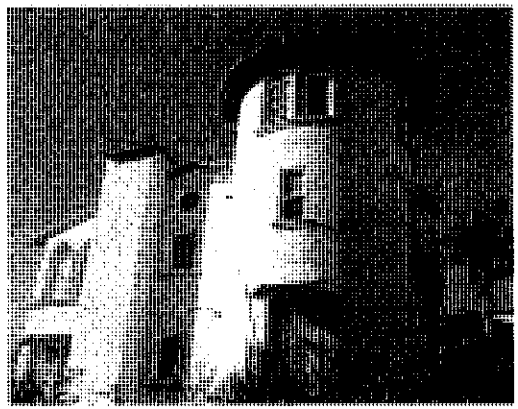
PROPOSED BUILDING FOUR SOUTH "WOOLEY" ELEVATION

EXAMPLE OF EXTERIOR MASSING, ROOF, ENTRY DETAILING

EXAMPLE, MOSAIC TILE DETAIL, GABLE ROOF DETAIL & STONE



EXAMPLE OF EXTERIOR FIRPLACE VENTING AND CORBEL



EXAMPLE OF EXTERIOR MASSING, WINDOWS, AWNING DETAIL

EXAMPLE OF EXTERIOR BARREL ARCH DESIGN DETAILING

PROJECT DESIGN EXAMPLES

REVISIONS	DATE
DAC SUBMITTAL	3/2/09
DAC REVISIONS	6/2/09
DATE	12/17/08
DRAWN	AGD / SBD
CAD FILE	Examples

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3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

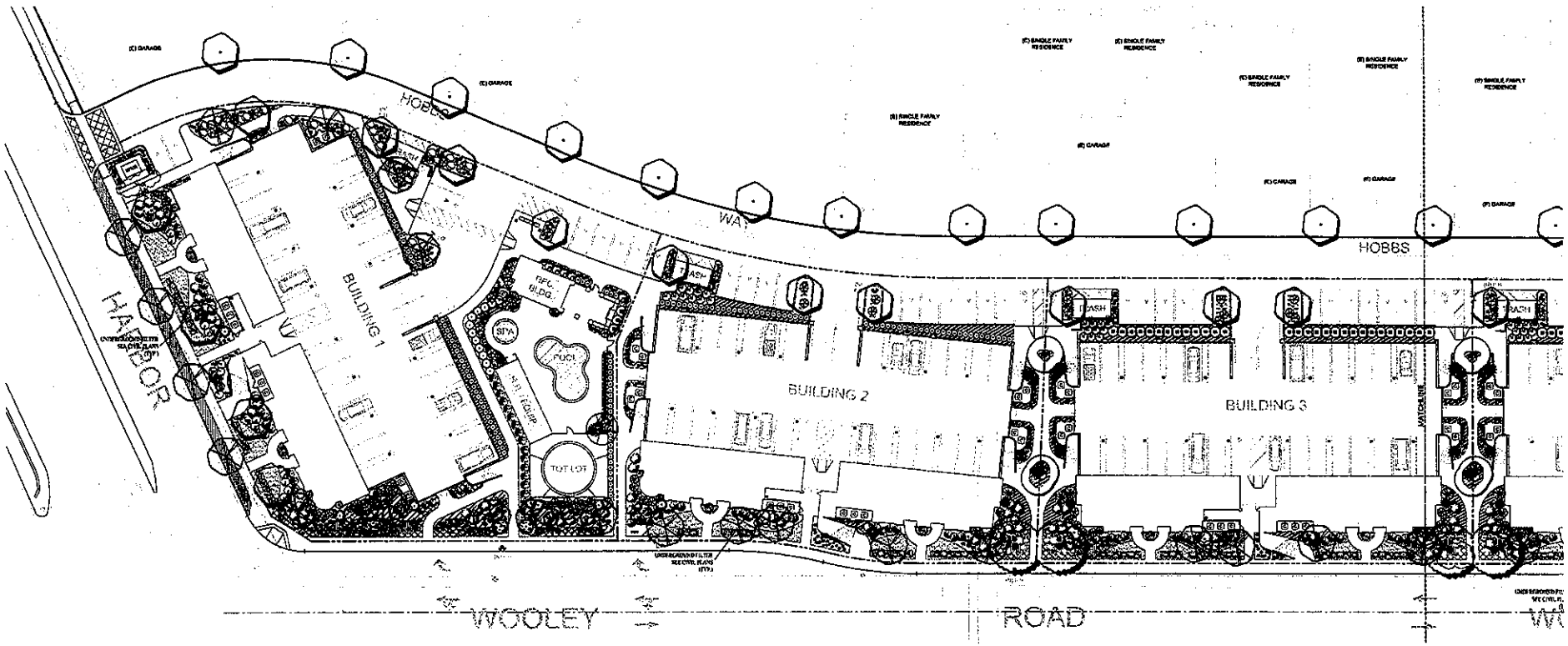
THE ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

P-29

SHEET NO. 35 OF 36

Philip Miller 6/9/2009 1:25 AM L-1,2,6,7-Wooley-site plntg. rec areas090220.dwg



PLANTING LEGEND

TREES

- Metrosideros excelsa — 24" box | New Zealand Christmas Tree
- Tristania conferta — 24" box | Brisbane Box Tree

PALMS (All palm heights are overall height)

- Brahea armata — 24" box | Mex. Blue Palm
- Chamaerops humilis — 36" box | Mediterranean Fan Palm
- Phoenix canariensis — 15 gal | Canary Island Date Palm
- Phoenix roebelinii — 15 gal | Pygmy Date Palm
- Washingtonia robusta — 15' | California Fan Palm
- Syagrus romanzoffianum — 30-32' | Queen Palm

SHRUBS

Note: legend symbols for shrubs and perennials are 2 x plan size.

- Agave attenuata — 5 gal | Agave
- Aloe barbadensis — 1 gal | Aloe
- Aloe nobilis — 5 gal | Dwarf Tiger Aloe
- Alyogyne huegelii 'Santa Cruz' — 5 gal | Blue Hibiscus
- Bougainvillea glabra 'Rosenka' — 1 gal | Rosenka Bougainvillea
- Bougainvillea 'Rosenka' — 5 gal | Bougainvillea
- Breynia nivosa 'Roseo-picta' — 15 gal | Variegated, Tricky and Tomorrow
- Cistus 'Sunset' — 5 gal | Pink Trailing Rockrose
- Dietes 'LemonDrops' — 5 gal | Yellow Iceplant Lily
- Echium fastuosum — 5 gal | Pride of Madeira
- Hibiscus rosa-sinensis 'Butterfly' — 5 gal | Yellow Hibiscus
- Nandina domestica 'Gulfstream' — 5 gal | Dwarf Heavenly Bamboo
- Nerium oleander 'petite pink' — 5 gal | Oleander
- Pittosporum eriocarpum — 5 gal | Pittosporum
- Pittosporum t. 'Marjol Gwen' — 15 gal | Variegated Red Flax
- Pittosporum t. variegata — 5 gal | Variegated tobira
- Prunus caroliniana 'Bright n Tight' — 15 gal | Columnar Cherry
- Raphiolepis indica 'Clara' — 5 gal | Indian Hawthorn
- Raphiolepis indica 'Jack Evans' — 5 gal | Indian Hawthorn
- Strelitzia nicholai — 5 gal | Giant Bird of Paradise
- Trachelospermum jasminoides — 1 gal | Star Jasmine

PERENNIALS

- Acapanthus 'Tinkerbell' — 1 gal | Dwarf Variegated Agapanthus
- Hemerocallis 'Early and Season' — 1 gal | Daylily
- Hemerocallis 'Lost Spoon' — 1 gal | Daylily

VINES

- Parthenocissus tricuspidata — 1 gal | Boston Ivy
- Trachelospermum jasminoides — 5 gal | Star Jasmine
- Ficus repens — 5 gal | Creeping fig
- Pandorea jasminoides — 5 gal | Bower Vine
- Gazania rigidiensis — 5 gal | Lavender Starflower

GROUNDCOVERS

- 4"o.c. Myoporum parvifolium 'Putah Creek' — 1 gal | Trailing Myoporum
- 8" o.c. Ceanothus horizontalis 'Yankee Point' — flats | Monterey Blue Fescue
- 12" o.c. Pelargonium peltatum — flats | Ivy Geranium
- 18" o.c. Pelargonium peltatum — flats | Ivy Geranium
- Myoporum pill flower — 1 gal | Trailing Myoporum
- Dymondia margaretae — flats | Dymondia
- Drosanthemum floribundum — flats | Rosea Ice Plant
- Rosmarinus officinalis 'Prostratus' — 1 gal | Dwarf Rosemary
- Trachelospermum jasminoides — 1 gal | Star Jasmine

Notes from DAC Meeting

1. ROOT BARRIERS- For all trees within 5 feet of sidewalk or curb, place root barrier panels as manufactured by Deep Root Corp., Model#UB24-2. Place against concrete walk, curb, wall, etc. adjacent to tree. Typical length is 10' overall, centered on tree(8' to either side). Deep Root Corp. (714)898-0563.
2. Trees shown along HOBBS WAY are offsite improvements. Irrigation for these trees shall be tied back into the project's irrigation system.
3. A Condominium Association or Master Property Homeowner's Association shall provide landscape maintenance for all landscaping fronting Harbor Blvd., Wooley Road and Canal Street.

PLANTING NOTES

1. The work to be performed under this contract shall include furnishing all labor, materials, tools, machinery and Equipment necessary to completely install plants, turf, mewstrips, etc. as shown on the plans.
2. Landscape contractor and all of his subcontractors shall comply with all state and local codes, ordinances and regulations.
3. Landscape contractor and all of his subcontractors shall store all garbage generated from site construction out of site from street and completely remove all garbage generated from construction upon completion and prior to beginning of maintenance period.
4. PLANTS - All plant material shall be well established, vigorous, of normal growth habit and free of diseases and/or insect infestation. Plants shall have normal, healthy root systems filling their container, but without being rootbound. Plants that do not comply with these conditions shall be removed from the site and replaced at no cost to the owner.
5. In the case of a discrepancy, the number of plants actually shown on the plan shall take precedent over the plant count shown on the callout. Landscape Contractor shall be responsible for supplying plants actually shown on plan without additional cost to the Owner.
6. Trunk Guard required on all trees in turf areas. Manufactured by Deep Root Corp. or equal. Size and installation per manufacturer specifications and details.
7. MULCH- Topdress all shrub areas with 2.5" layer of shredded mulch.
8. Thirty days after installation, fertilize landscape areas with Best Fert. Co. 16-6-8 applied at the rate recommended by manufacturer or as specified in soil analysis. Fertilizer applications to continue thereafter at rate recommended by manufacturer.
9. Contractor to contact Landscape Architect for observations and approval of all trees prior to planting. Allow 48 hours notice. (805) 383-7591.
10. SOIL AMENDMENT- A nitrolyzed organic soil amendment shall be rototilled into the top six inches of soil after Finish grade has been established. For turf and shrub areas with slopes less than 2:1, rototill at the following rates per 1000 square feet. For SLOPES of 2:1 or greater, broadcast and scarify into the top 2" if topsoil.

GENERAL SOIL PREPARATION:
4 cy nitrogen stabilized redwood, fir or cedar shavings(MINIMUM)
25 lbs. soil sulphur
150 lbs. 5-3-1 Gro-Power Fertilizer
25 lbs./cy agri. Gypsum

BACKFILL MIX: To be incorporated into plant holes at time of planting.

Acidic Plants (such as ferns, azaleas, camellias, ct.)	Acidic Plants (such as ferns, azaleas, camellias, ct.)
4 parts nitrolyzed amendment	2 part peatmoss
6 parts Native Soil	1 part sharp sand
Gro-power 5-3-1	Turf Supreme
Iron sulphite	Sequestrine Fe 330 from Chelare
Agri. Gypsum	

GENERAL NOTES

1. Completed landscape and irrigation systems must be observed and approved by the City of Oxnard Parks and Facilities division and the Landscape Architect (plan preparer). Allow 48 hours notice for the site visits. The following observations are the minimum required for Landscape Architect approval:
   a. Preconstruction
   b. Sleeve installation with open trenches
   c. Mainline installation with open trenches/Pressure Test
   d. Coverage Test of irrigation
   e. Final grading completion (Provide copies of soil amendment/fertilizer receipts)
   f. Upon receipt of plant material, prior to planting
   g. Upon 100% Layout, prior to planting
   h. Planting completion, beginning of Maintenance
   i. Completion of Maintenance
2. Upon completion of landscaping and approval by the Landscape Architect, the City of Oxnard Parks and Recreation Division must be contacted for final inspection. Only after completed landscape and irrigation systems are inspected and approved by the Parks and Recreation Division, can a Certificate of Occupancy be issued by the city.
3. No deviations from plans shall be made without authorization from Landscape Architect and the Parks and Facilities division prior to installation.
4. Contractor shall comply with all state and local codes, ordinances, and regulations having jurisdiction over this project.
5. Maintenance period shall not begin until Landscape Architect has inspected and approved installation of irrigation and planting. After approval, the maintenance and establishment period shall be 90 days. Contractor shall notify Landscape Architect one week prior to the end of the 90 day maintenance period for final inspection.

Scale: 1" = 20'

Philip S. Miller & Assoc.
Site Planning and Landscape Architecture
6201 Calle Bodega Camarillo, CA 93012 (805) 383-7591
E-mail: philipsmiller@verizon.net

REVISIONS	DATE:
DAC SUBMITTAL	3/5/09
DAC REVISIONS	5/27/09
DATE:	12/1/08
DRAWN:	ADB / RDO
CAD FILE:	

OXNARD SHORES COMPANY, LLC
1010 S. HARBOR BLVD.
OXNARD, CA 93035
Tel (805) 985-1557
Fax (805) 985-7332

SITE PLANTING
WESTERN HALF

Andrew David Hnatt
Steven B. Glander
DRAPHICS
891 Towne Avenue Camarillo, CA 93010
study@draphics.com (805) 388-0073 www.draphics.com
3-D PRESENTATION — DRAFTING — DESIGN

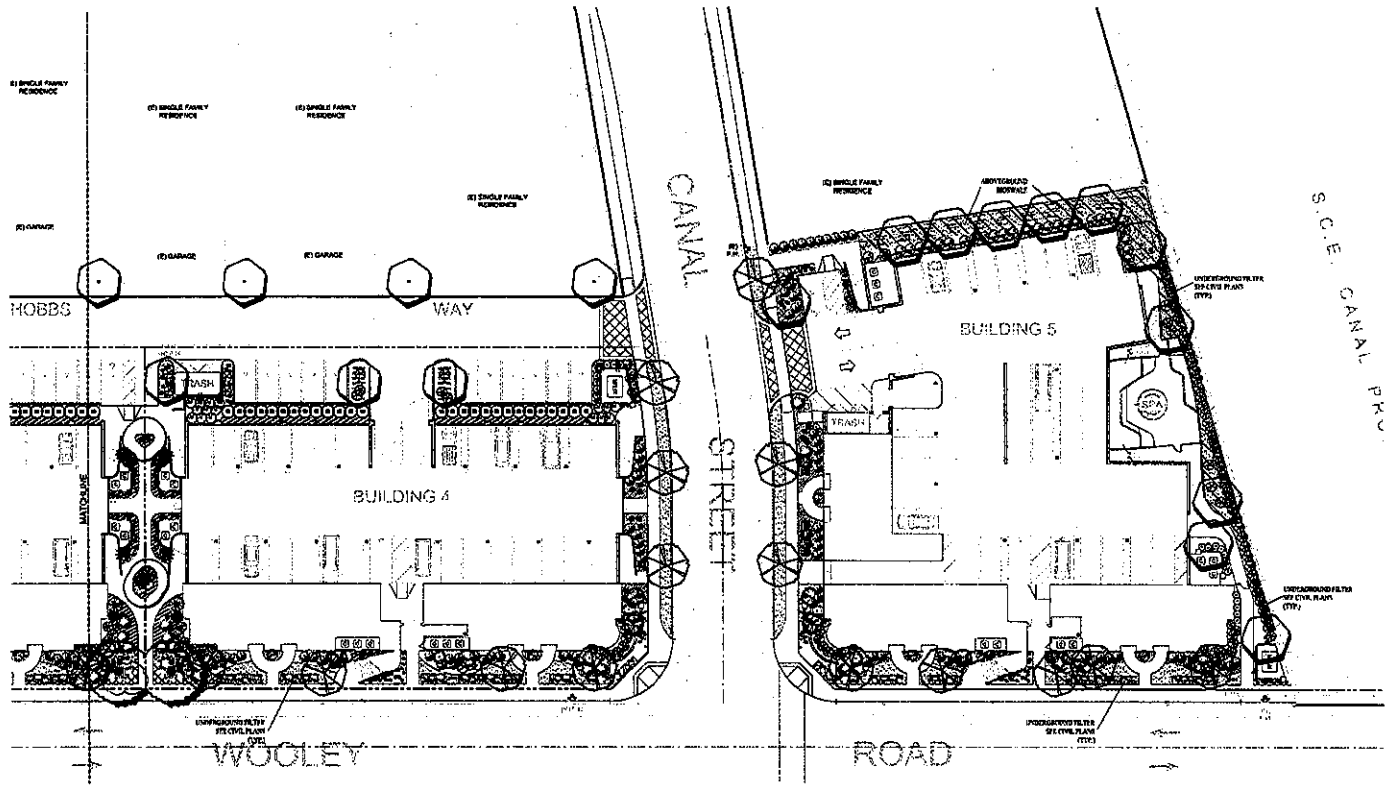
PROPOSED 70 UNIT TOWNHOME COMPLEX

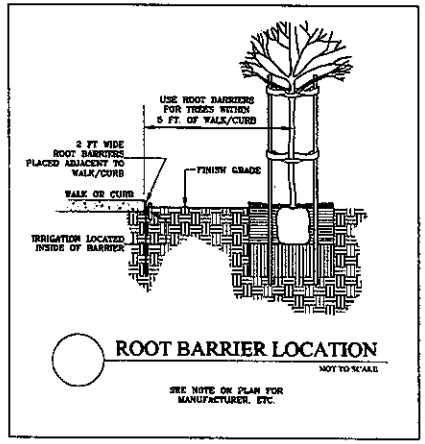
ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

L-1

SHEET NO. OF 36





PLANTING LEGEND

TREES

- Metrosideros excelsa — 24" box | New Zealand Christmas Tree
- Tristania conferta — 24" box | Brisbane Box Tree

PALMS (All palm heights are overall height)

- Bismarckia nobilis — 24" box | Max. Blue Palm
- Chamaerops humilis — 36" box | Mediterranean Fan Palm
- Phoenix canariensis — 16' | Canary Island Date Palm
- Phoenix dactylifera — 15 gal | Pygmy Date Palm- multi trunk
- Washingtonia robusta — 15' | California Fan Palm
- Cyperus ensosanthemum — 8-12' | Queen Palm

SHRUBS

Note: legend symbols for shrubs and perennials are 2 x plan size.

- Agave attenuata — 5 gal | Agave
- Aloe brevifolia — 1 gal | Aloe
- Aloe vilmoriana — 5 gal | Octopus Aloe
- Alyogyne huegelii 'Santa Cruz' — 5 gal | Blue Hibiscus
- Begonia richmondensis — 1 gal | Richmond Begonia
- Bougainvillea 'Rosenka' — 5 gal | Bougainvillea
- Dracaena marginata — 15 gal | Yesterday, Today and Tomorrow
- Elaeagnus pungens — 5 gal | Silver Nanjing
- Elaeo 'Emerald Beauty' — 5 gal | Yellow Gamgrid Lily
- Ficinia nodosa — 5 gal | Knobby Club Rush
- Hibiscus rosa-sinensis 'Butterfly' — 5 gal | Yellow Hibiscus
- Nandina domestica 'Gulfstream' — 5 gal | Dwarf Heavenly Bamboo
- Nerium oleander 'petite pink' — 5 gal | Oleander
- Orthodontium scilicum — 5 gal | Philodendron
- Pleomele a. 'Mood Queen' — 15 gal | Variegated Red Flax
- Pittosporum t. variegata — 5 gal | Variegated Isbon
- Prunus caroliniana 'Bright n Tight' — 15 gal | Columnar Cherry
- Raphiolepis indica 'Clara' — 5 gal | Indian Hawthorn
- Raphiolepis indica 'Jack Evans' — 5 gal | Indian Hawthorn
- Rhaphiolepis umbellata — 5 gal | Giant Bird of Paradise
- Trachelospermum jasminoides — 1 gal | Star Jasmine

PERENNIALS

- Agapanthus 'Peter Pan' — 1 gal | Dwarf Variegated Agapanthus
- Hemerocallis 'Early-gold Stream' — 5 gal | Daylily
- Hemerocallis 'Lime Stream' — 5 gal | Daylily

VINES

- Parthenocissus tricuspidata — 1 gal | Boston Ivy
- Trachelospermum jasminoides — 5 gal | Star Jasmine
- Ficus repens — 5 gal | Creeping Fig
- Pandorea jasminoides — 5 gal | Bower Vine
- Grevillea rosmarinifolia — 5 gal | Lavender Starflower

GROUNDCOVERS

- 9" o.c. | Ficinia nodosa — flats | Green Hooks
- 8" o.c. | Festuca ovina 'glauca' — flats | Blue Fescue
- Hayden Hill Fescue — Sod | by Southland Sod
- "Dix-Mere" Seeded Turf — By Pacific Sod 800-676-2876
- 24" o.c. | Muhlenbergia rigens 'Pink' — 1 gal | Deer Grass
- 8" o.c. | Ophiopogon japonicus — flats | Mondo Grass
- 12" o.c. | Pelargonium peltatum — flats | Ivy Geranium
- 12" o.c. | Polygonum capitatum — flats | Knotweed
- Sempervivum — 1 gal | Hen & Chicks

PLANTING NOTES

1. The work to be performed under this contract shall include furnishing all labor, materials, tools, machinery and Equipment necessary to completely install plants, turf, mowstrips, etc. as shown on the plans.
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8. Thirty days after installation, fertilize landscape areas with Best Fert. Co. 16-6-8 applied at the rate recommended by manufacturer or as specified in soil analysis. Fertilizer applications to continue thereafter at rate recommended by manufacturer.
9. Contractor to contact Landscape Architect for observations and approval of all trees prior to planting. Allow 48 hours notice. (805) 382-7591.
10. SOIL AMENDMENT - A nitrolyzed organic soil amendment shall be rototilled into the top six inches of soil after Finish grade has been established. For turf and shrub areas with slopes less than 2:1, respond at the following rates per 1000 square feet. For SLOPES of 2:1 or greater, broadcast and scarify into the top 2" of topsoil.

GENERAL SOIL PREPARATION:
4 cy nitrogen stabilized redwood, fir or cedar shavings (MINIMUM)
25 lbs. soil sulphur
150 lbs. 5-3-1 Gro-Power Fertilizer
25 lbs./cy agril. Gypsum

BACKFILL MIX: To be incorporated into plant holes at time of planting.

SOD/SEED	Acrylic Plants (such as ferns, azaleas, camellias, ct.)
4 parts nitrolyzed amendment	2 part permuon
6 parts Native Soil	1 part sharp sand
Gro-power 5-3-1	Turf Supreme
Iron sulphate	Sequestrine Fe 330 Iron Chelate
Agra. Gypsum	

GENERAL NOTES

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   g. Upon 100% Layout, prior to planting
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Notes from DAC Meeting

1. ROOT BARRIERS- For all trees within 5 feet of sidewalk or curb, place root barrier panels as manufactured by Deep Root Corp., Model#UB24-2. Place against concrete walk, curb, wall, etc. adjacent to tree. Typical length is 18' overall, centered on tree(9' to either side). DeepRoot Corp. (714)998-0363.
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Philip S. Miller & Assoc.
Site Planning and Landscape Architecture
6203 Calle Bodega Camarillo, CA 93012 (805) 383-7591
E-mail: philpmiller@verizon.net

Scale: 1" = 20'

REVISIONS:	DATE:
DAC SUBMITTAL	2/9/09
DAC REVISIONS	5/27/09
DATE:	12/17/08
DRAWN	KDS / SMD
CAD FILE	

OXNARD SHORES COMPANY, LLC
1616 S. HARBOR BLVD.
OXNARD, CA 93035
Tel (805) 985-1857
Fax (805) 985-1533

SITE PLANTING
EASTERN HALF

Andrew David Bratz
Steven B. Chesler
DRAPHICS
893 Towne Avenue Camarillo, CA 93010
(805) 388-0873
R-O PRESENTATION — DRAFTING — DESIGN

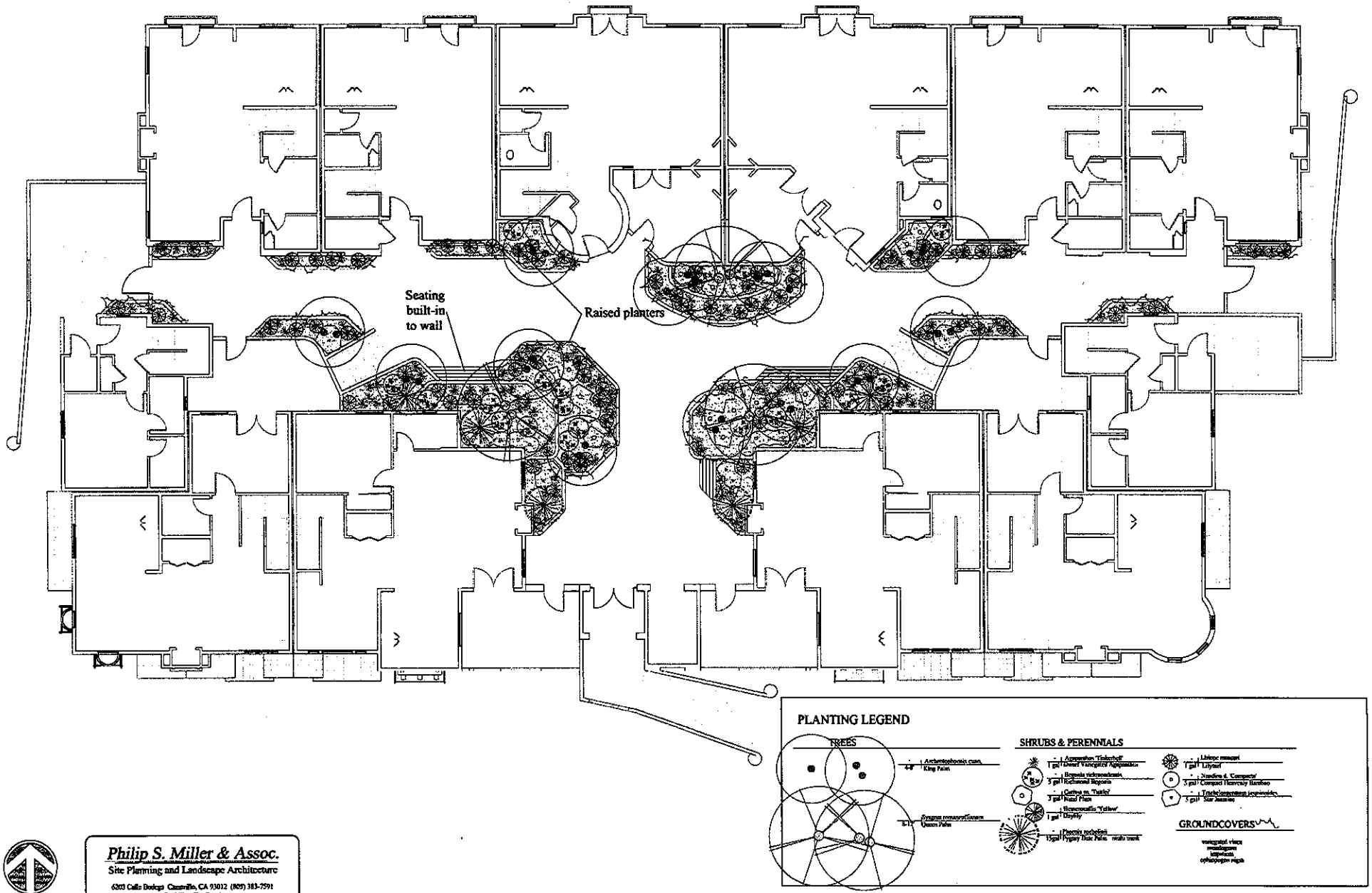
PROPOSED 70 UNIT TOWNHOME COMPLEX

ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

L-2

SHEET NO. OF 16



Scale: 3/16" = 1'-0"

Philip S. Miller & Assoc.
Site Planning and Landscape Architecture
6203 Calle Bodega Camarillo, CA 93012 (805) 383-7591
E-mail: philipsmiller@verizon.net

OXNARD SHORES COMPANY, LLC

BUILDING 1
PODIUM LEVEL

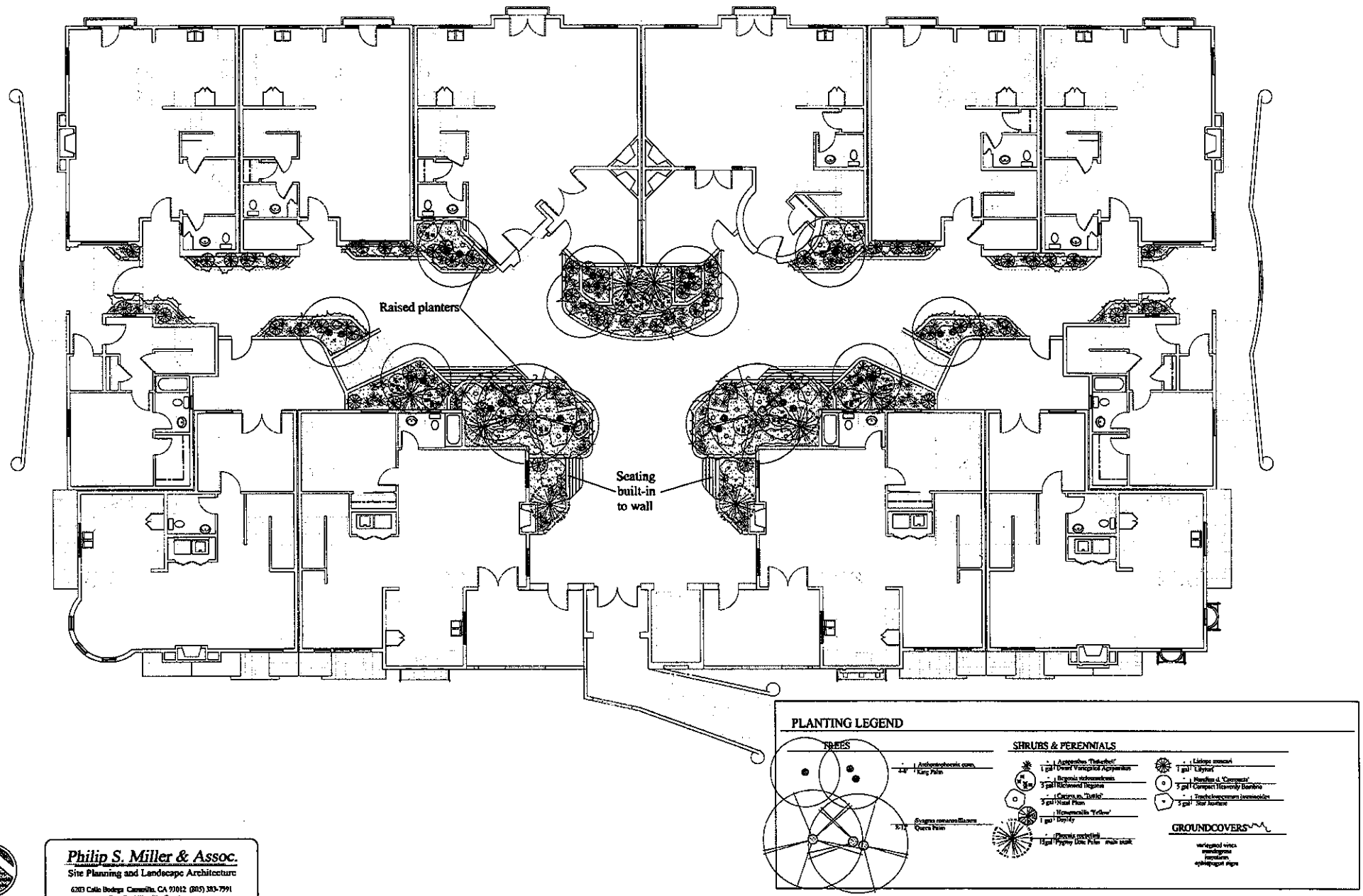
Andrew David Bratt
Steven H. Chandler
DRAPHICS
397 Towne Avenue Camarillo, CA 93010

PROPOSED 70 UNIT TOWNHOME COMPLEX

ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

L-3



Scale: 3/16" = 1'-0"

Philip S. Miller & Assoc.
Site Planning and Landscape Architecture
6203 Calle Bodega Camarillo, CA 93012 (805) 383-7591
E-mail: philipmiller@verizon.net

REVISIONS	DATE:
OAC SUBMITTAL	3/2/09
OAC REVISIONS	3/22/09
DATE:	10/11/08
DRAWN:	ADB / SDD
CAD FILE:	

OXNARD SHORES COMPANY, LLC
1016 S. HARBOR BLVD.
OXNARD, CA 93035
Tel (805) 985-1357
Fax (805) 985-1535

BUILDINGS 2,3&4
PODIUM LEVEL

Andrew David Bratz
Steven B. Olander
DRAPHICS
895 Tremo Avenue Camarillo, CA 93010
andy@draphics.com (805) 388-0073 www.draphics.com
3-D PRESENTATION — DRAFTING — DESIGN

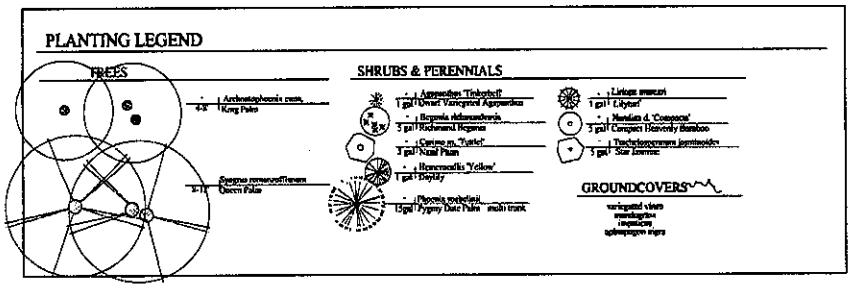
PROPOSED 70 UNIT TOWNHOME COMPLEX

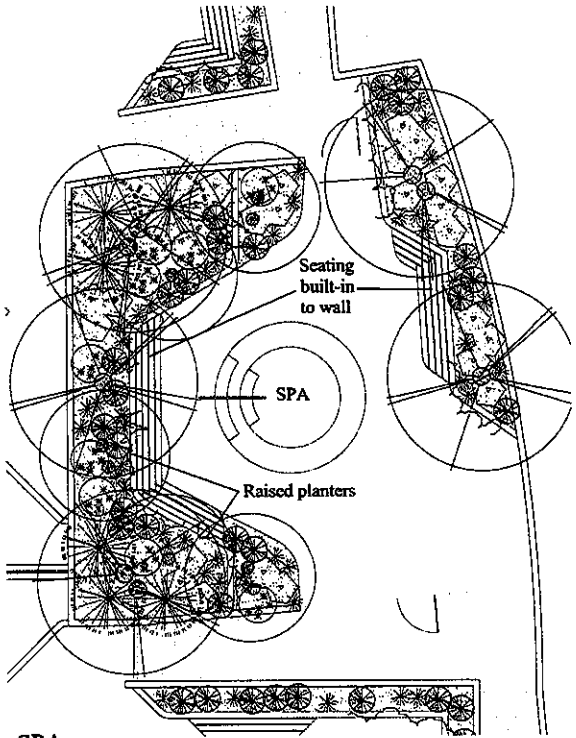
ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

L-4

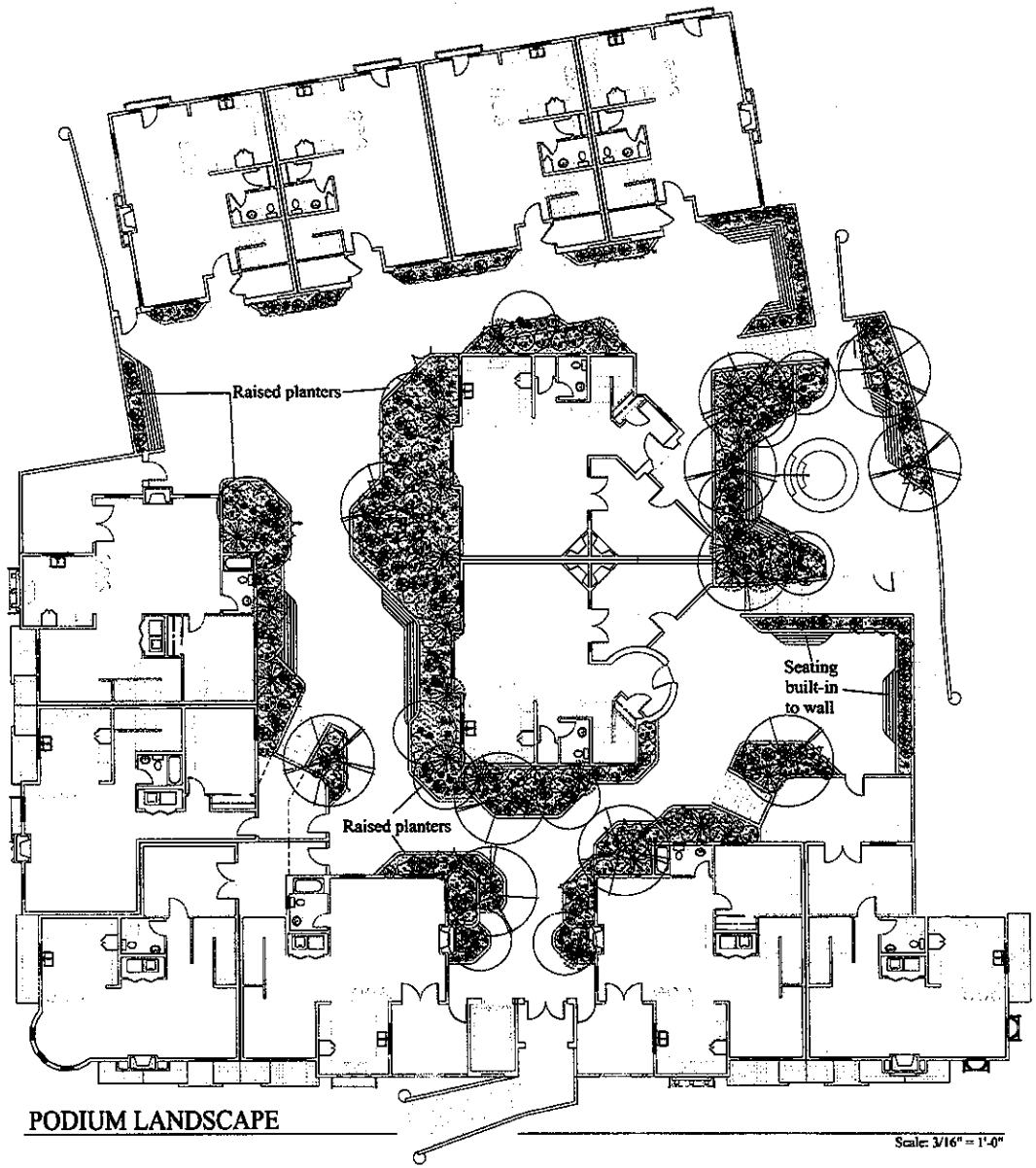
SHEET NO. OF





SPA

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



PODIUM LANDSCAPE

Scale: 3/16" = 1'-0"

VARIES

Philip S. Miller & Assoc.
Site Planning and Landscape Architecture
6203 Calle Bodega Camarillo, CA 93012 (805) 383-7591
E-mail: philipmiller@verizon.net

REVISIONS:	DATE:
DAC SUBMITTAL	3/2/05
DAC REVISIONS	5/27/05
DATE:	12/17/04
DRAWN:	ADB / SBO
CAD FILE	

OXNARD SHORES COMPANY, LLC

1015 S. HARBOR BLVD.
OXNARD, CA 93035

Tel (805) 985-1557
Fax (805) 985-1533

BUILDING 5
PODIUM LEVEL
LANDSCAPE & SPA

Andrew David Bruce
Steven B. Olander

DRAPHICS

895 Taunus Avenue Camarillo, CA 93010
andy@draphics.com (805) 388-0073 www.draphics.com

3-D PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

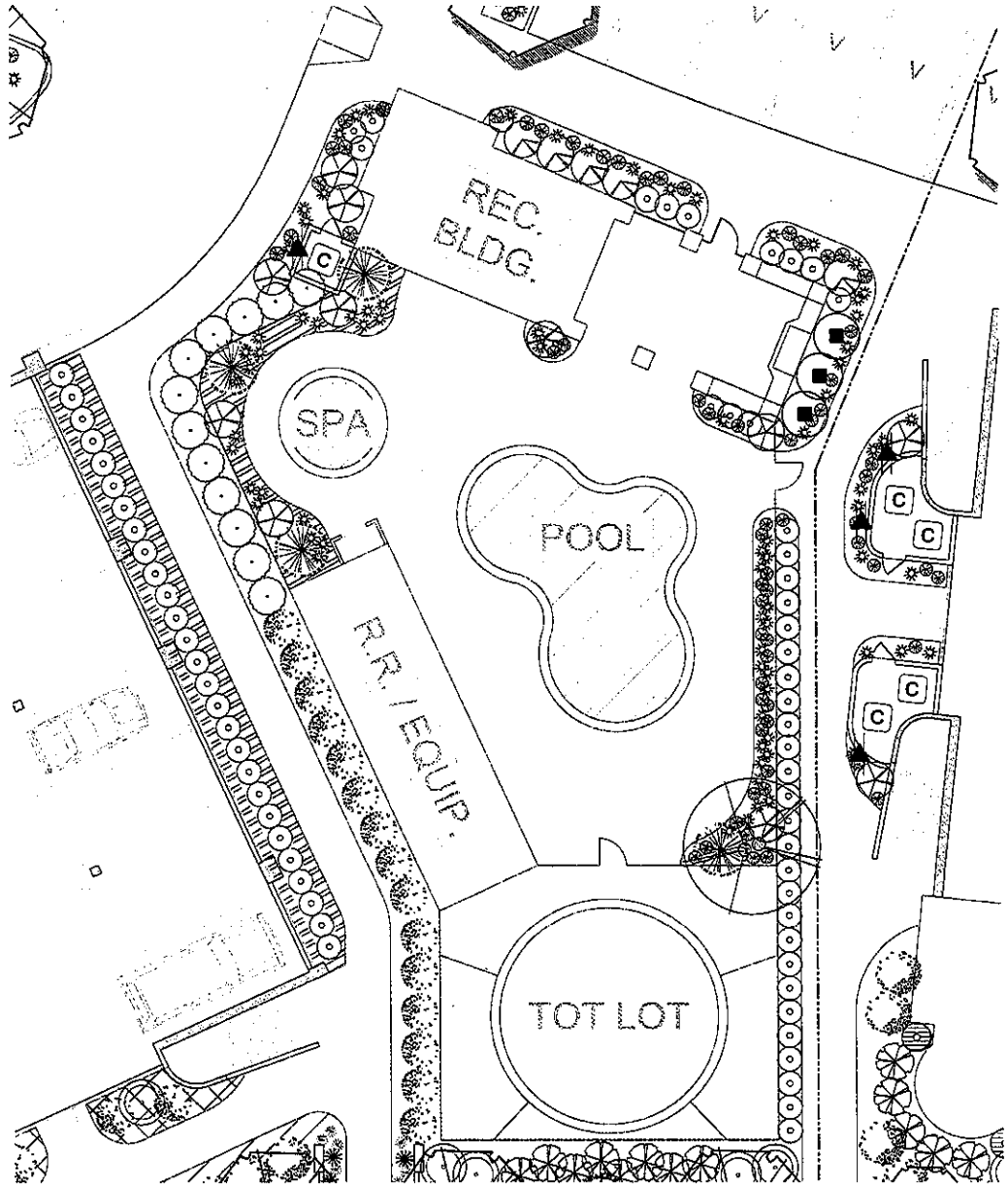
ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

L-5

SHEET NO. OF 38

Philip Miller 6/9/2009 1:35 AM L-1.2.6.7-Wooley-site plntg, rec areas090220.dwg



POOL/GYM/REC BUILDING

Scale: 3/16" = 1'-0"

PLANTING LEGEND

PALMS

- Phoenix rochelinii
15 gal Pygmy Date Palm- multi trunk

- Syagrus romanzoffianum
8-12' Queen Palm

SHRUBS

- Bougainvillea 'Rosenka'
5 gal Bougainvillea

- Philodendron selloum
5 gal Philodendron

- Trachelospermum jasminoides
1 gal Star Jasmine

- Hemerocallis
1 gal Daylily

- Nandina domestica 'Gulfstream'
5 gal Dwarf Heavenly Bamboo

- Nerium oleander 'petite pink'
5 gal Oleander

- Bouteloua gracilifora
15 gal Yesterday, Today and Tomorrow

- Pittosporum t. 'variegata'
5 gal Variegated Tobira

- Kilstarra rosa-sinensis 'Butterfly'
5 gal Yellow Hibiscus

- Dietes 'LemonDrops'
5 gal Yellow Fortnight Lily

GROUNDCOVERS

Gazania
Blue Fescue
Mondegrass

3/16" = 1'-0"

Philip S. Miller & Assoc.
Site Planning and Landscape Architecture
6203 Calle Bodega Camarillo, CA 93012 (805) 383-7591
E-mail: philipmiller@verizon.net

REVISIONS:	DATE:
OAC SUBMITTAL	5/2/09
OAC REVISIONS	5/27/09
DATE:	12/11/08
CHECKED	ADD / SBO
CAD FILE	

OXNARD SHORES COMPANY, LLC
1015 S. HARBOR BLVD.
OXNARD, CA 93035
Tel (805) 985-1337
Fax (805) 985-1533

POOL/REC AREA

Anthony David Brato
Steven B. Chandler
DRAPHICS
383 Tracone Avenue Camarillo, CA 93010
andy@draphics.com (805) 383-0073 www.draphics.com
D-G PRESENTATION — DRAFTING — DESIGN

PROPOSED 70 UNIT TOWNHOME COMPLEX

ANACAPA TOWNHOMES

WOOLEY ROAD, OXNARD, CA

L-6

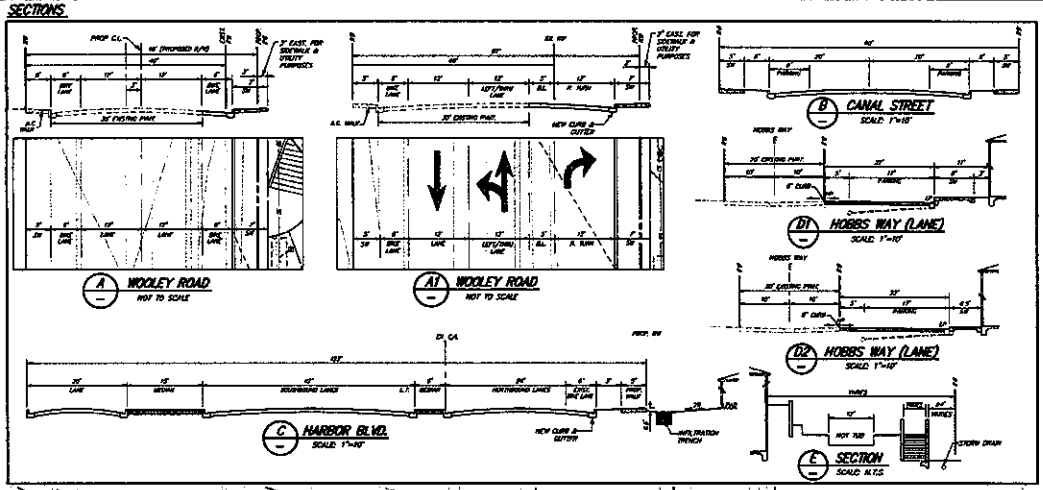
SHEET NO. OF 34

LEGEND

PROPOSED / EXISTING

PROPOSED	EXISTING
STORM DRAIN	STORM DRAIN
CATCH BASIN	WATER
SURFACE DRAIN	SEWER
WATER	GAS
SEWER, SEWER MANHOLE	TELEPHONE
TOP OF SLOPE	OVERHEAD ELEC.
TOE OF SLOPE	CHAIN LINK FENCE
FLOWLINE	WATER VALVE
EASEMENT LINE	FIRE HYDRANT
CONTOUR LINE	STREET LIGHT
RETAINING WALL	CONTROL LINE
SLOPE WALL	TRAFFIC SIGN
DECORATIVE WALL	UTILITY VAULTS
FENCE	
STREET LIGHT	
FIRE HYDRANT	
MAILBOX	
GRASS SWALE	
UNDERGROUND INFILTRATION AREAS (NO TREE PLANTING OR EXCAVATION ABOVE)	

SECTIONS



LAND USE DATA

TOTAL PROJECT AREA:	3.98 AC.
RESIDENTIAL TOWNHOUSE UNITS:	70 UNITS
PROJECT DENSITY: 70/3.98 AC.	17.67 D.U. / AC.
WOOLEY ROAD DEDICATION	< 0.22 AC. >
CANAL STREET DEDICATION	< 0.20 AC. >
A. AREA – LOT 1	0.91 AC.
LOT 2	0.62 AC.
LOT 3	0.64 AC.
LOT 4	0.62 AC.
B. AREA – LOT 5	0.75 AC.
TOTAL NET AREA	3.94 AC.

C. AREA DATA

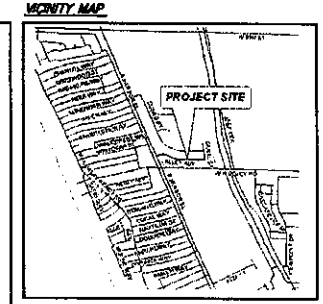
BLDG. COVERAGE:	84,823 S.F.	= 35 % OF SITE
LANDSCAPE PATIOS & WALKWAYS	69,438 S.F.	= 45 % OF SITE

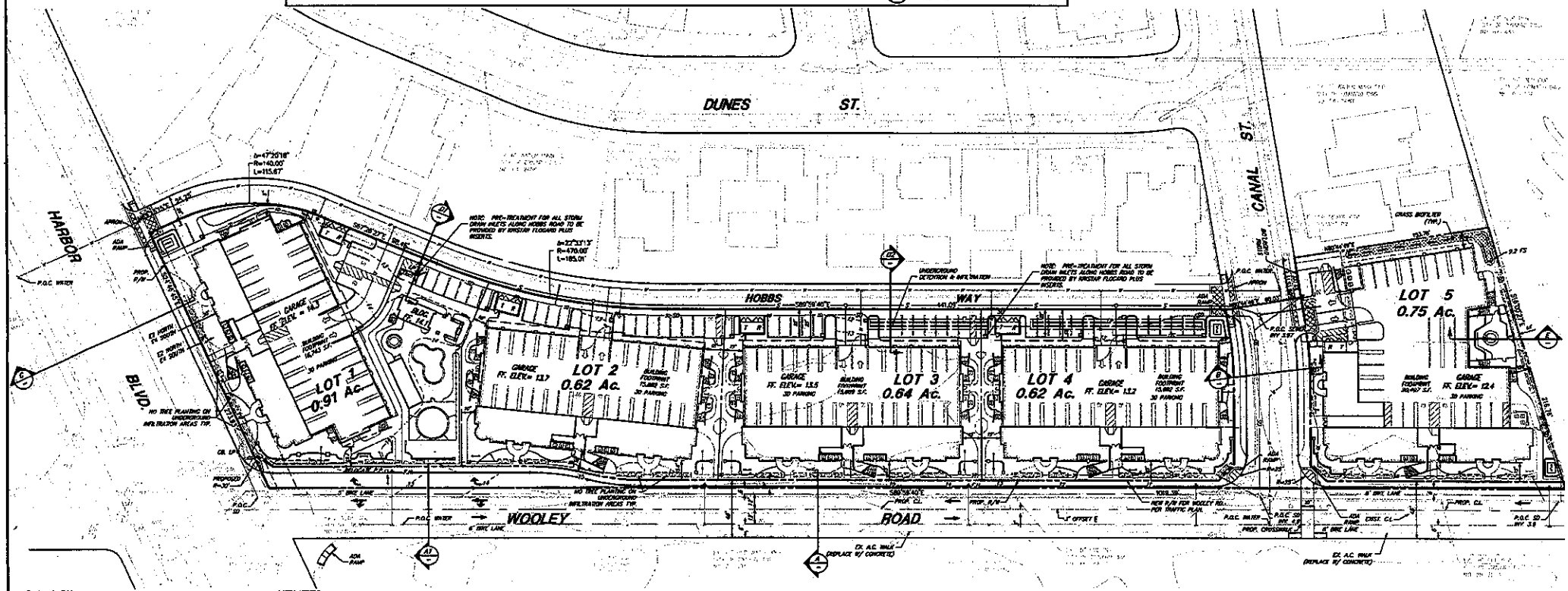
D. PARKING

RESIDENT PARKING REQUIRED:	
2 PER UNIT @ 61 UNITS =	122 STALLS
1 PER 1 BR UNIT @ 9 UNITS =	9 STALLS
TOTAL RESIDENT PARKING REQUIRED =	131 STALLS
VISITOR PARKING REQUIRED:	
1 PER UNIT @ 30 UNITS =	30 STALLS
1/2 PER UNIT FOR REMAINING UNITS (40) =	20 STALLS
TOTAL VISITOR PARKING REQUIRED =	50 STALLS

RESIDENT PARKING PROVIDED:	
STANDARD STALLS =	140 STALLS
ACCESSIBLE STALLS =	10 STALLS
TOTAL RESIDENT PARKING PROVIDED =	150 STALLS
VISITOR PARKING PROVIDED:	
STANDARD STALLS =	43 STALLS
ACCESSIBLE STALLS =	7 STALLS
TOTAL VISITOR PARKING PROVIDED =	50 STALLS

VICINITY MAP





BENCHMARK

VENTURA COUNTY BENCH MARK NO. 100-9

ELEVATION 14.35'
BEING AT THE CITY OF OXNARD, AT THE SOUTHEASTERLY CORNER OF THE INTERSECTION OF HARBOR BOULEVARD AND WEST FIFTH STREET. A CONCRETE CURB, STAMPED "100-9 1988" 118 FEET SOUTHEASTERLY FROM THE CENTER OF WEST FIFTH STREET, 70 FEET EASTERLY FROM THE CENTER OF HARBOR BOULEVARD, 6.5 FEET NORTHERLY FROM POWER POLE NUMBER 13370732, 1 FOOT WESTERLY FROM AN IRON GUARD POST.

EASEMENT SCHEDULE

PER LAND AMERICA LAWYERS TITLE TITLE REPORT (652501339-26 DATED: APRIL 9, 2003)

(5) PUBLIC UTILITIES AND POLE EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY PER 2386 OR 9
(6) BUILDING HEIGHT RESTRICTION (30') ON 16' WIDE STRIP PER 2386 OR 9

UTILITIES

WATER/SEWER:	GAS:	
CITY OF OXNARD	SOUTHERN CALIF. GAS CO.	
305 W. THIRD	130 S. PATTERSON AVE.	
OXNARD, CA. 93030	SANTA BARBARA, CA. 93111	
ELECTRIC:	TELEPHONE:	CABLE:
EDISON INTERNATIONAL	PACIFIC BELL	ADELPHIA
10000 TELEGRAPH RD.	2928 PALMA DR.	2855 GRAND OAKS BLVD STE 101
VENTURA, CA. 93004	VENTURA, CA. 93003	THOUSAND OAKS, CA 91320

TOPOGRAPHIC REFERENCE

CAC AERIAL MAPPING
DATED: 9-14-2003

NOTES

1. MULTI-LOT CONDOMINIUM SUBDIVISION PROPOSED FOR LOTS 1 & 5, RESPECTIVELY.
2. EXISTING GENERAL PLAN: RESIDENTIAL LOW-MEDIUM 6 TO 12 DU/AC.
   PROPOSED GENERAL PLAN: NO CHANGE.
   EXISTING ZONING: R-3-C
   PROPOSED ZONING: NO CHANGE.

SEE SHEET 2 FOR WOOLEY ROAD TRANSITION

GRAPHIC SCALE: 1"=30'

REVISION	DATE
FILE PROJECT	JULY 08
DAC REVISIONS	MAY 09

SUBDIVIDER:
Wooley Road, LLC
c/o
Capital Pacific Company
1260 E. Hueneme Road
Camarillo, CA 93010
(805) 485-4611
(805) 485-0333 FAX
John Mike Harker

OWNER:
Wooley Road, LLC
c/o
Capital Pacific Company
1260 E. Hueneme Road
Camarillo, CA 93010
(805) 485-4611
(805) 485-0333 FAX
John Mike Harker

ENGINEER:
JENSEN DESIGN & SURVEY, INC.
1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE (805) 654-0477
FAX (805) 654-9970

PREPARED BY: GREGORY SITE (805) 654-0477 EXT. 111 DATE

ANACAPA TOWNHOMES
TENTATIVE TRACT No. 5843
FOR CONDOMINIUM PURPOSES

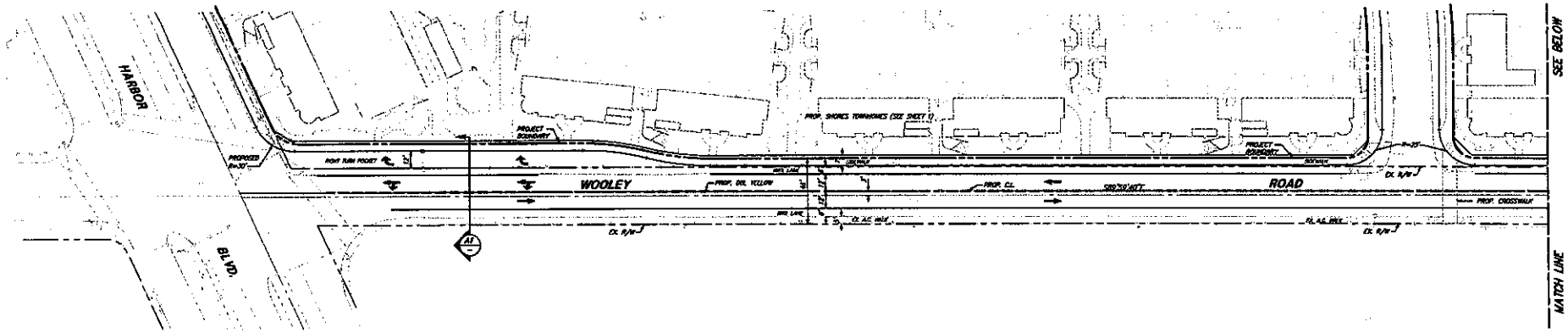
CITY OF OXNARD — COUNTY OF VENTURA — STATE OF CALIFORNIA

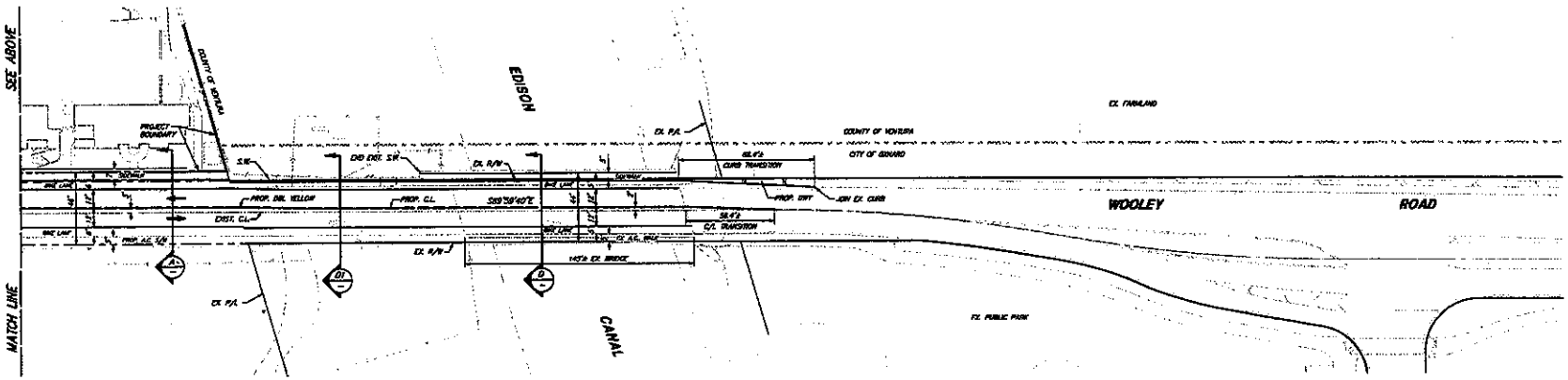
LEGAL DESCRIPTION: Portions of Lots 66, 67 and 68 of the Rancho Sespe, in the City of Oxnard, County of Ventura, State of California, as per map recorded in Book 8, Page 1 et. seq., in the office of the County Recorder of said County.

SCALE: 1"=30' — JN: CSC 1 3850

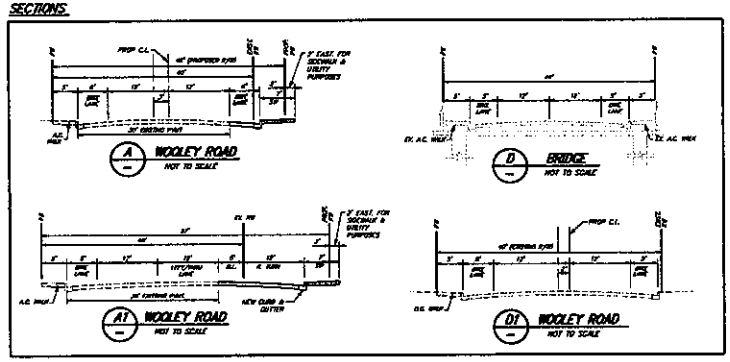
DATE: Jan 28, 2010 — ENG. NAME: 3850MAP.dwg

SHEET 1 OF 2





SECTIONS



TOPOGRAPHIC REFERENCE

CBC AERIAL MAPPING
DATE: 8-14-2003

GRAPHIC SCALE 1"=30'

BENCHMARK

VENTURA COUNTY BENCH MARK NO. 100-9

ELEVATION 14.36'
NAVD 88
IN THE CITY OF GUARD, AT THE SOUTHEASTERLY CORNER OF THE INTERSECTION OF HARBOR BOULEVARD AND WEST FIFTH STREET, A CONCRETE CURB, STAMPED "100-9 1988". 116 FEET SOUTHEASTERLY FROM THE CENTER OF WEST FIFTH STREET, 78 FEET EASTERLY FROM THE CENTER OF HARBOR BOULEVARD, 6.5 FEET NORTHERLY FROM POWER POLE NUMBER 1370926, 1 FOOT WESTERLY FROM AN IRON GUARD POST.

EASEMENT SCHEDULE

PER LAND AMERICA LAWYERS TITLE TITLE REPOR #63901239-38
DATED APRIL 8, 2003

E3 E4 PUBLIC UTILITIES AND POLE EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY PER 2586 OR 9
BUILDING HEIGHT RESTRICTION (PT) ON 14' WIDE STRIP PER 2586 OR 9

WOOLEY ROAD TRANSITION

REVISION	DATE
FILE PRE-SAC	JULY 08

SUBDIVIDER:
Wooley Road, LLC
c/o
Edward Rose Company
1012 S. Victor Blvd.
Oxnard, Ca. 93030
805/988-1567
805/988-1583 FAX
Attn: Mike Walker

OWNER:
Wooley Road, LLC
c/o
Edward Rose Company
1012 S. Victor Blvd.
Oxnard, Ca. 93030
805/988-1567
805/988-1583 FAX
Attn: Mike Walker

ENGINEER:
JENSEN DESIGN & SURVEY, INC.
1672 DONLON STREET
VENTURA, CA.P. 93003
TYPHONE 805/654-0277
FAX 805/654-0278

FREDERICK T. GARCIA R.C.E. 56328 EXP. 12-31-10

ANACAPA TOWNHOMES TENTATIVE TRACT No. 5843 FOR CONDOMINIUM PURPOSES

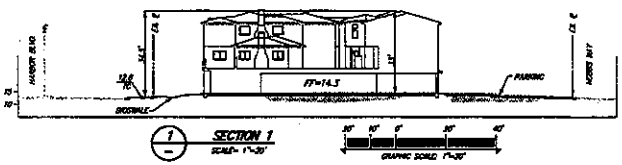
CITY OF GUARD COUNTY OF VENTURA STATE OF CALIFOR

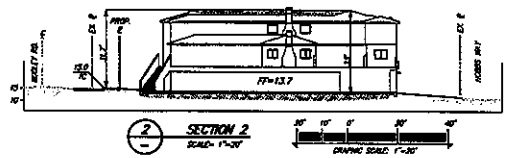
LEGAL DESCRIPTION: Portion of Lots 30, 31 and 32 of the Patterson Rancho, in the City of Guard, County of Ventura, State of California, as per map recorded in Book 2 Page 1 et., of Maps, in the office of the County Recorder of said County.

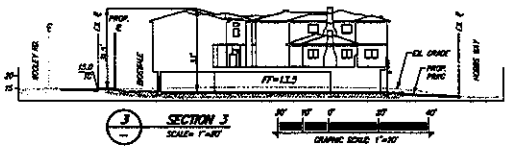
SCALE: 1"=30' JN: CDC 1 3838

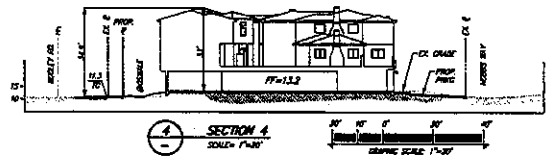
DATE: Jan 29, 2010 DWG NAME: 3838TRACT.dwg

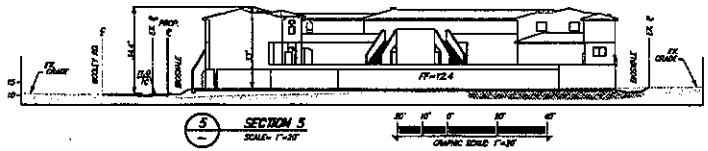
SHEET 2 OF

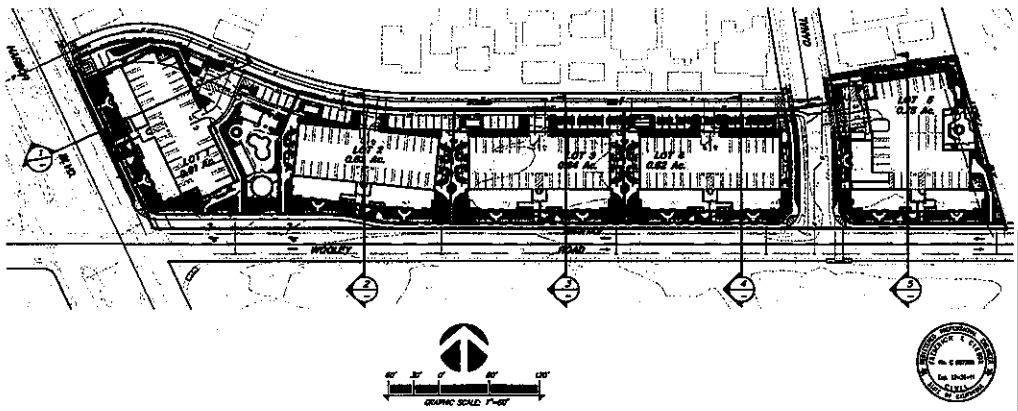












REVISION	DATE

SUBDIVIDER:
Wooley Road, LLC
c/o
Sunset Shores Company
1972 E. Gonzales Road
Oxnard, CA 93036
805.983.0202
805.983.0212 FAX
Attn: Mike Mellon
mellon@sunsetshores.com

OWNER:
Wooley Road, LLC
c/o
Sunset Shores Company
1972 E. Gonzales Road
Oxnard, CA 93036
805.983.0202
805.983.0212 FAX
Attn: Mike Mellon

ENGINEER:
JENSEN DESIGN & SURVEY, INC.
1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE 805/650-0077
FAX 805/654-0479

PREPARED BY: CHARLES R. DE MESA (CRD) 10-31-10
DATE

BUILDING HEIGHTS

THE SHORES
TENTATIVE TRACT No. 5843
FOR CONDOMINIUM PURPOSES

CITY OF OXNARD — COUNTY OF VENTURA — STATE OF CALIFORNIA

LEGAL DESCRIPTION: Portions of Lots 30, 31 and 32 of the Hollywood Beach, in the City of Oxnard, County of Ventura, State of California, as per map recorded in Book 21, Page 1 et. al of Maps, in the office of the County Recorder of said County.

SCALE: 1"=20'
JN.: OSC 1 3830
DATE: Jan 28, 2010
ENG. NAME: 3830sections.dwg

SHEET 3 OF 3

Planning Division
214 South 'C' Street
Oxnard, CA. 93030
Phone (805) 385-7858
Fax (805) 385-7417

INITIAL STUDY
MITIGATED NEGATIVE DECLARATION NO. 09-03

Coastal Development Permit (PZ No. 08-400-04)
Tentative Subdivision Map No. 5843 (PZ No. 09-300-01)
Coastal Zone Variance (PZ No. 09-590-01)

4781 and 5001 West Wooley Road
Northeast Corner of Harbor Boulevard and Wooley Road

January 15, 2010

Introduction

This Initial Study/Mitigated Negative Declaration has been prepared in accordance with relevant provisions of the *California Environmental Quality Act (CEQA) of 1970*, as amended, CEQA *Guidelines* as revised, and the City of Oxnard Threshold Guidelines, as revised. Section 15063(c) of the CEQA *Guidelines* states that the purposes of an Initial Study are to:

1. Provide the Lead Agency (i.e. City of Oxnard) with information to use as the basis for deciding whether to prepare a Program, Supplemental, Subsequent, or Project Environmental Impact Report (EIR); a Negative Declaration, or a Mitigated Negative Declaration;

2. Enable an applicant and/or Lead Agency to modify a project to mitigate adverse impacts, thereby enabling the project to qualify for a Negative Declaration;

3. Assist the preparation of an EIR, if one is required, by:
   - Focusing the EIR on the effects determined to be significant;
   - Identifying the effects determined not to be significant;
   - Explaining the reasons why potentially significant effects would not be significant; and

4. Facilitate environmental assessment early in the design of a project;

5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;

6. Eliminate unnecessary environmental review ; and

7. Determine whether a previously prepared EIR could be used with the project.

The purpose of the City of Oxnard *Threshold Guidelines* is to inform the public, project applicants, consultants, and City staff of the threshold criteria and standard methodology used in determining whether or not a project (individually or cumulatively) could have a significant effect on the environment. Furthermore, the *Threshold Guidelines* provide instructions for completing the Initial Study and determining the type of environmental document required for individual projects.

An EIR is a detailed statement that describes and analyzes the significant environmental impacts of a proposed project, discusses ways to reduce or avoid them, and suggests alternatives to the project, as proposed. Determining the significance of environmental impacts is a critical and possibly controversial aspect of the environmental review process. A determination of significance may require that the project be substantially altered, or that mitigation measures be employed to avoid the impact or reduce it below the level of significance. If the significant adverse impact cannot be reduced or avoided, an EIR must be prepared to allow decision makers to consider adopting overriding considerations.

Determining the significance of impacts is often controversial because the decision requires staff to use their judgment regarding a topic that may not be clearly defined by an objective scientific standard or the law. The State CEQA Guidelines define the term "significant impact on the environment" as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project. However, there are topics for which there is no clear definition of what constitutes a substantial change because the significance of an activity may vary according to location, context, and/or local community standards.

To help clarify and standardize decision-making in the environmental review process, Oxnard has adopted thresholds of environmental significance in several topical areas. Thresholds are measures of environmental change that are either quantitative for topics like noise, air quality, and traffic; or qualitative for topics like aesthetics, land use compatibility, and biology. For some projects special studies and/or outside professional judgment may enter into the decision-making process. Therefore, Oxnard's thresholds are intended to supplement CEQA provisions governing the definition of significance.

The City's 1995 environmental thresholds are being updated as part of the 2030 General Plan environmental review and certification process. New thresholds are anticipated by the end of 2009 or early 2010. In the interim, thresholds used in recent large environmental impact reports (The Village Specific Plan, Ormond Beach) and the 2030 General Plan EIR are considered more current than the 1995 *Thresholds Guidelines* where they may conflict.

When other agencies have some jurisdiction or discretionary action over a project, the project proponent will have to meet the thresholds, design, mitigation, and monitoring requirements imposed by those agencies, as well as those established by the City of Oxnard.

CITY OF OXNARD
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

1. Project Title: Anacapa Townhomes Condominium Development

2. Lead Agency Name and Address: City of Oxnard, Planning Division, 214 South 'C' Street, Oxnard, CA 93030

3. Contact Person and Phone Number: Brian Foote, A.I.C.P., Associate Planner (805) 385-8312

4. Project Location: 4781 and 5001 W. Wooley Road (northeast corner of Harbor Boulevard and Wooley Road). APN: 196-003-329. See Figure 1 (Vicinity Map) and Figure 2 (Aerial Photo).

5. Applicant Name and Address: Oxnard Shores Co. LLC, 1015 S. Harbor Boulevard, Oxnard, CA. 93035

6. General Plan Designation: Residential Low Medium (RLM)

7. Zoning: Garden Apartment Coastal (R-3-C, allows up to 18 units per net acre)

8. Description of Project: The proposal is for development of a 3.91 acre vacant property, to include:

   a) Tentative Subdivision Map for Tract No. 5843 (PZ No. 09-300-01) to subdivide the property into five residential parcels and create a total of 70 air-rights condominium units;
   b) A Coastal Development Permit (PZ No. 08-400-04) to construct five, multifamily, three-story structures with a combined total of 70 condominium dwelling units, parking garages, recreation facilities, and associated landscaping and driveways (see Figures 3a & 3b); and,
   c) A Coastal Zone Variance (PZ No. 09-590-01) to modify development standards for front, side, and rear yard setbacks to allow architectural projections (e.g. staircases, vertical columns, portions of two rear walls, and a portion of one side wall), and distance between parking spaces and dwelling units. See Figure 4.

a.) Tentative Tract Map

The City Council adopted Ordinance No. 2159 on April 19, 1988, approving the Development Agreement between the City of Oxnard and Oxnard Shores Development Company for the Wooley Road Property (Instrument No. 88-059788 recorded on May 2, 1988, and Instrument No. 89-174751 recorded on October 31, 1989). The agreement established the R-3-C zoning which allows up to 70 units based on the estimated gross acreage of 3.91 acres (i.e. 17.9 units per acre).

Table 1. Proposed Lot Sizes

Lot Number	Proposed Land Use	Number of Condo Units	Lot Area (Condominium)
1	Residential Condominiums	14	39,640 SF (0.91 acre)
2	Residential Condominiums	14	27,007 SF (0.62 acre)
3	Residential Condominiums	14	27,878 SF (0.64 acre)
4	Residential Condominiums	14	27,007 SF (0.62 acre)
5	Residential Condominiums	14	32,670 SF (0.75 acre)
Total		*70*	*3.54 acres (net after street dedications)*

Access to the development will be provided by extending Canal Street by approximately 150 feet to connect to Wooley Road and utilizing the existing alley between Canal Street and Harbor Boulevard. The developer will dedicate 9,012 square-feet to widen Canal Street and construct an intersection at Wooley Road. Also, the developer will dedicate a 8,704 square-foot portion at the southwest corner of the property in order to construct a 250-foot long right-turn lane on westbound Wooley Road. The existing alley between Harbor Boulevard and Canal Street will be widened, resurfaced, and reconstructed with full improvements.

b.) Coastal Development Permit

The proposed project includes five multi-family structures with a combined total of 70 townhouse-style units. The exterior architectural design is in the Spanish Mediterranean style. There will be a total of 11 floor plans (see Table 2) that vary the unit sizes and interior layouts. The proposed Site Plan and Elevations are shown in Figures 3a and 3b. The applicant has received approval from the City Council to pay the in-lieu affordable housing fee rather than provide affordable units within the project for low-income and very low-income households.

Table 2. Plan Type, Size, and Quantity

Plan Type	Unit Floor Area (Square Feet)	Bed / Bath	Unit Quantity
A	1,849	2 / 3	3
A1	1,858	2 / 3	1
B	1,818	2 / 3	5
B1	1,848	2 / 3	1
C	1,742	2 / 2	10
C1	1,672	2 / 2	1
D	1,551	1 / 2	1
E	1,006	1 / 1	8
F	1,410	2 / 2	8
G	1,433	2 / 2	2
H	1,561	2 / 2½	2
H2	1,562	2 / 2½	8
J	1,546	2 / 2½	6
J1	1,550	2 / 2½	4
K	1,951	3 / 2½	5
L	1,939	3 / 2½	1
L1	1,987	3 / 2½	4
Total			*70*

The development standard for Interior Yard Area requires a minimum of 25% of the site area (or 38,732 square-feet) and is satisfied with approximately 26% (or 40,492 square-feet) provided on-site. Additional private open space, either a private patio or balcony, is also provided for each unit and varies in size between 102 and 271 square-feet (providing a total of approximately 8,307 square-feet of private open space in addition to the common open space areas). A minimum of 181 on-site parking spaces are required, and a total of 200 spaces will be provided in accordance with the City's Zoning Ordinance. The proposed project otherwise meets all current development standards, and would be constructed according to current energy and building codes.

c.) Coastal Zone Variance

A Coastal Zone Variance request was submitted to modify the development standards for front, side, and rear setbacks. The specific variances are listed in Table 3 by number, and Figure 4 illustrates the locations of each corresponding number. The architectural projections include seven staircases, two sets of vertical columns, portions of two rear walls, and a portion of one side wall. Due to the shape of the property and narrow property boundaries, the resulting design and layout does not allow the project to comply with some setback areas.

Table 3. Variance for Front/Side/Rear Setbacks (see Figure 4)

Variance Number	Description	Minimum Setback (ft)	Proposed Setback (ft)	Variance Request (ft)
1	Stairway	10	5	*5*
2	Rear Wall	25	5	*20*
3	Stairway	15	3	*12*
4	Rear Wall	25	19	*6*
5	Stairway	15	0	*15*
6	Column	25	23	*2*
7	Column	25	23	*2*
8	Stairway	15	0	*15*
9	Column	25	23	*2*
10	Column	25	23	*2*
11	Column	10	3	*7*
12	Stairway	10	4	*6*
13	Stairway	15	0	*15*
14	Column	10	8.5	*1.5*
15	Side Wall	10	4	*6*
16	Column	10	6	4

A Variance approval may also be required for the advisory standards pertaining to distances between parking spaces and dwelling units they serve. The maximum distances from parking spaces to the units they serve are: a) 50 feet for resident parking, and b) 100 feet for visitor parking. Resident parking in all five structures will not comply with the 50 feet maximum, and visitor parking for Buildings 1 and 5 will not comply with the 100 feet maximum. Due to the shape of the property and its affect on the proposed site design, the parking areas do not allow the developer to comply with the maximum distances. The proposed project otherwise meets all current development standards.

Figure 1: Vicinity Map

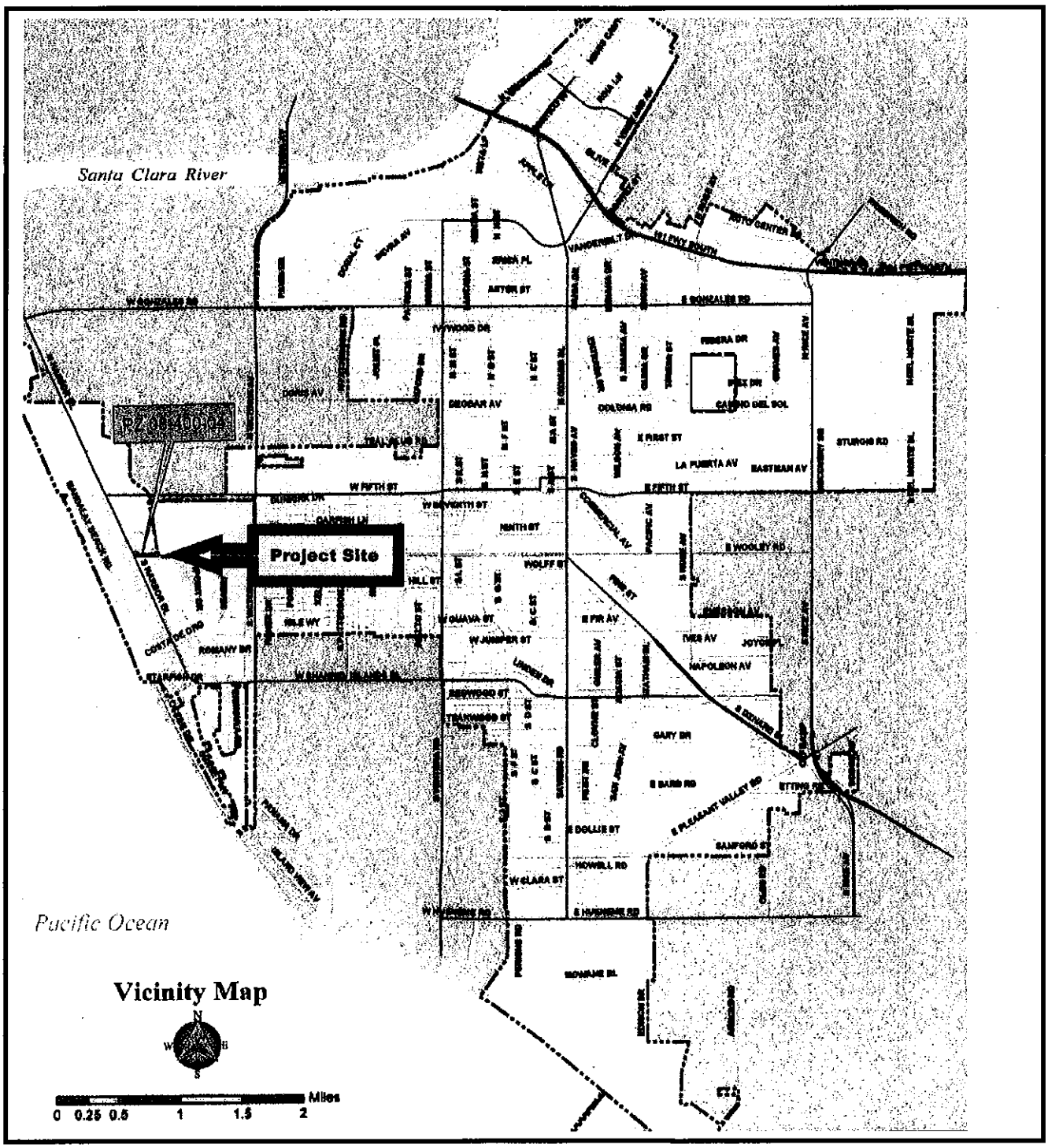


Figure 2: Aerial Photo

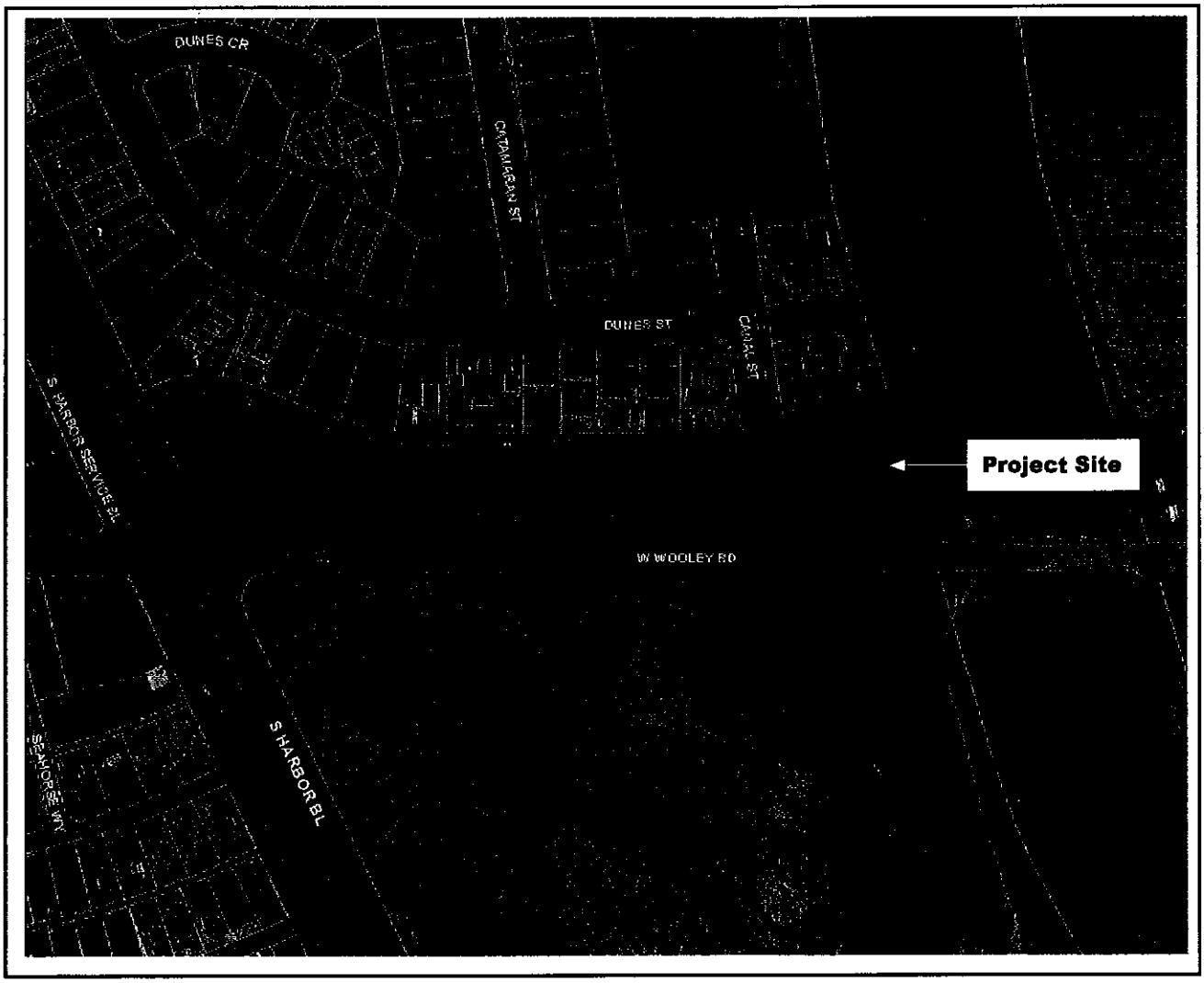
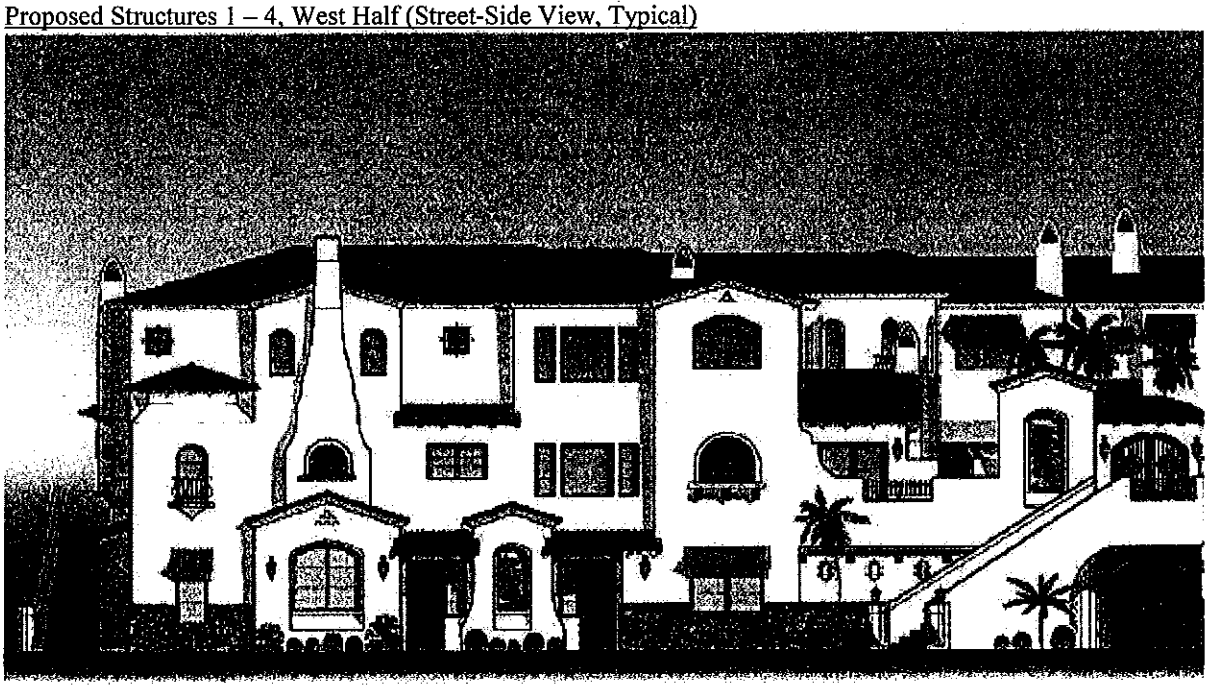


Figure 3a: Conceptual Site Plan & Elevations

Figure 3b: Conceptual Site Plan & Elevations

Proposed Structures 1 – 4, West Half (Street-Side View, Typical)



Proposed Structures 1 – 4, East Half (Street-Side View, Typical)

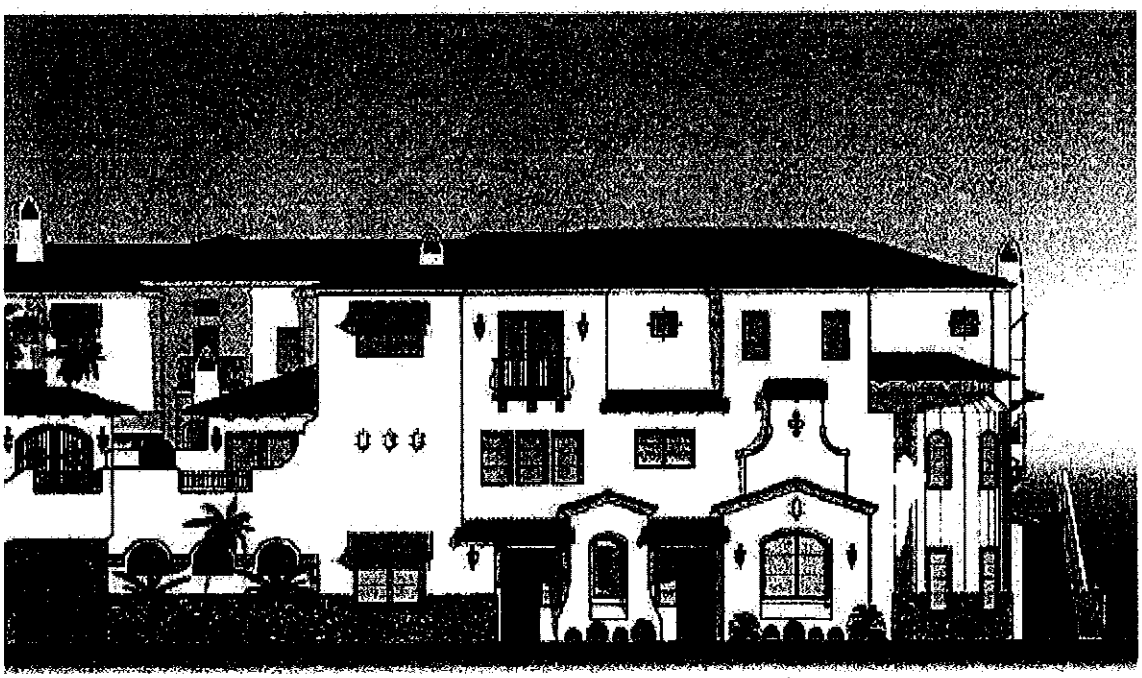
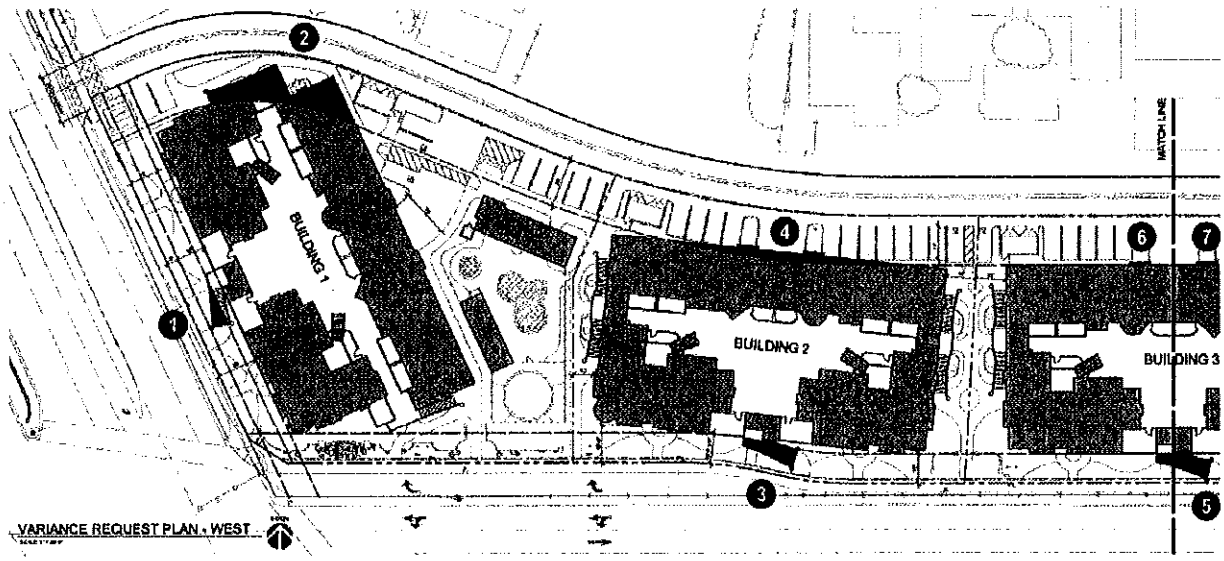
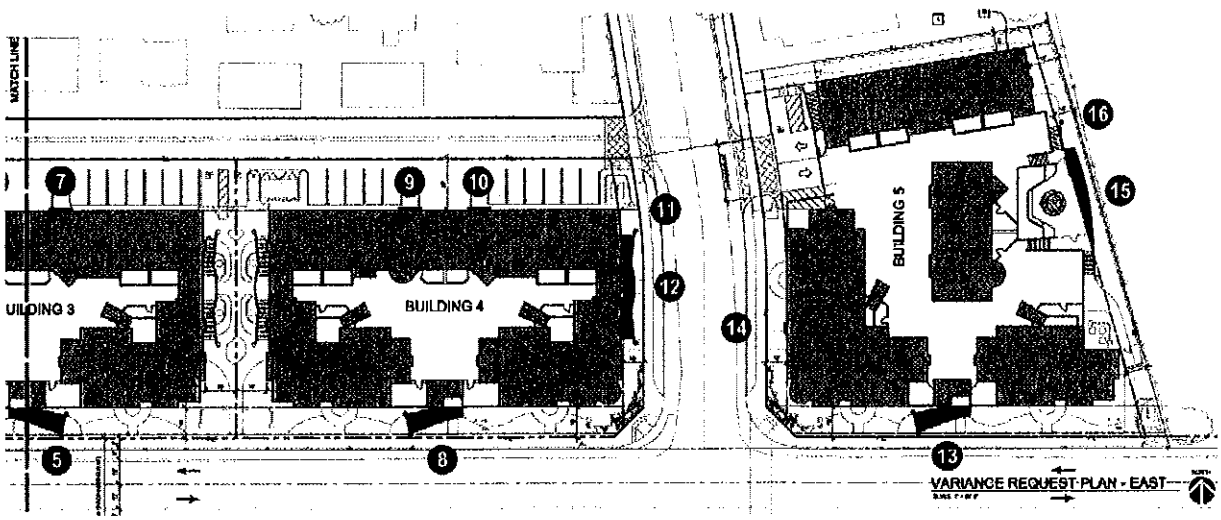


Figure 4: Variance Request

West Half of Proposed Site Plan



East Half of Proposed Site Plan



9. Surrounding Land Uses and Setting: The project site is vacant with non-irrigated natural vegetation. To the south is Wooley Road abutting the site and open space in the Coastal Resource Protection (RP) zone. To the west is Harbor Boulevard abutting the site, and a retail center at the northwest corner of Harbor Boulevard and Wooley Road in the Coastal Neighborhood Commercial (CNC) zone. Further to the west on Wooley Road are multi-family apartments in the R-3-C zone, and a neighborhood with single-family detached homes in the Single-Family Beach (R-B-1) zone. To the north are single and duplex residences in the Coastal Low-Density Multiple Family (R-2-C) zone. To the immediate east is the Reliant/Edison canal that provides cooling water to the Reliant Mandalay power plant. Beyond the canal is agricultural land in unincorporated County of Ventura. See Figure 5, Coastal Zoning Map.

Table 4. General Plan, Zoning Designations, and Land Use

Location	General Plan Designation	Zoning Designation	Neighborhood Name	Existing Land Use
Project site	Coastal Zone	R-3-C	Oxnard Dunes	Vacant
North	Coastal Zone	R-2-C	Oxnard Dunes	Multi-Family & Single-Family Attached Homes
South	Coastal Zone	RP	Channel Islands	Open Space
East	EC	CR	–	Edison Canal & Agriculture
West	Coastal Zone	CNC, R-3-C, R-B-1	Oxnard Shores	Retail Shopping Center, Multi-Family Attached Units, Single-Family Detached Homes

Legend: R-3-C – Garden Apartment Coastal; R-2-C – Multiple-Family Coastal; R-B-1 – Single-Family Beach; EC – Edison Canal; RP – Coastal Resource Protection; CR – Community Reserve; CNC – Coastal Neighborhood Commercial

10. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement): Coastal Permit from the California Coastal Commission (according to the *Post-LCP Permit and Appeal Jurisdiction Map No. 131 (Oxnard Quadrangle)* adopted on November 20, 1985).

11. Coastal Zone and California Coastal Commission: The project site is located within the Oxnard Coastal Zone. Oxnard has a certified Coastal Land Use Plan and Program. This project, if approved by the Planning Commission and City Council of the City of Oxnard, would not be appealable to the Coastal Commission per Section 17-58(K) of the Oxnard City Code.

12. The following reports and studies have been prepared by independent consultants to analyze the proposed development, and are hereby incorporated by reference. These reports and studies are available for review at the City of Oxnard Service Center, located at 214 South 'C' Street in downtown Oxnard, during the hours of 8:00 a.m. to 6:00 p.m. Monday through Thursday, and 9:00 a.m. to 5:00 p.m. on alternating Fridays.

- *Site Specific Noise Study, Oxnard Shores LLC, Shores Townhomes, Oxnard, CA.* November 5, 2008. Prepared by Acentech, Inc., Westlake Village CA.

- *Traffic and Circulation Study (ATE Project #08116).* December 4, 2008. Updated June 10, 2009. Prepared by Associated Transportation Engineers, Santa Barbara CA.

- *A Phase One Site Survey Cultural Resources Investigation of a Tract of Land Located at the Intersection of Wooley Road and Harbor Boulevard, City of Oxnard, California.*. October 27, 2008. Prepared by Environmental Research Archaeologists, Los Angeles CA.

- *Preliminary Hydrology Report, The Shores Townhouse Project.* December 16, 2008. Prepared by Jensen Design & Survey, Inc., Ventura CA.

- *Biological Resources Assessment: Anacapa Townhomes.* December 2009. Prepared by PCR Services Corporation, Irvine CA.

- *Update to 2005 Biological Resources Assessment.* November 10, 2008. Prepared by PCR Services Corporation, Irvine CA.

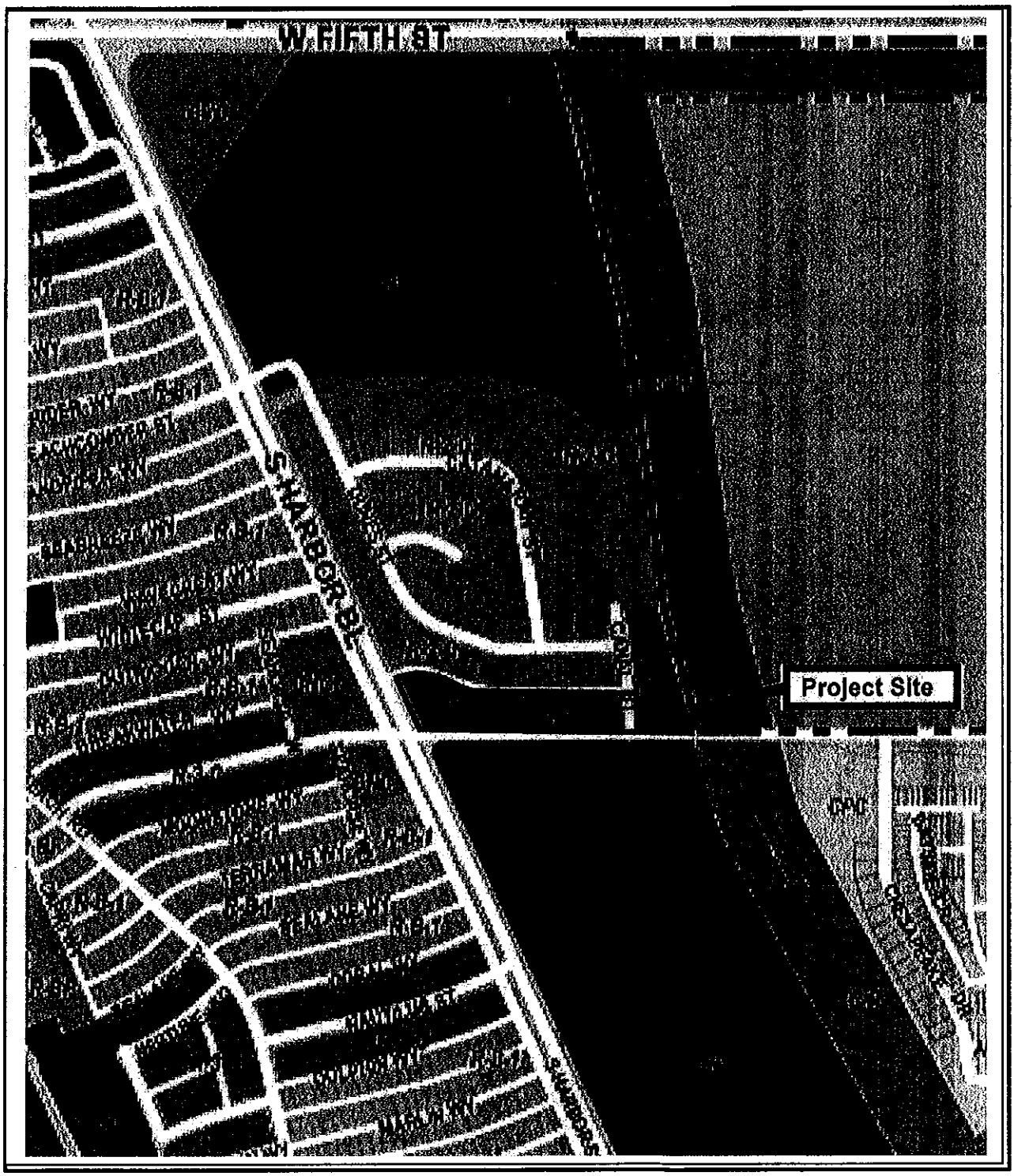
- *Biological Resources Assessment.* February 2005. Prepared by PCR Services Corporation, Irvine CA.

- *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch. NE Corner of Harbor Boulevard and Wooley Road, Oxnard, California.* November 28, 2008. Prepared by Subsurface Designs, Inc., Sylmar CA.

- *Phase II Sample Results, The Dunes Property Oxnard, California.* October 9, 2008. Prepared by Waterstone Environmental, Inc., Anaheim CA.

13. This Mitigated Negative Declaration (MND) incorporates by reference the Oxnard Village Specific Plan (Wagon Wheel) Final and Draft Environmental Impact Report (EIR No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. The Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). The cumulative impact analyses in the Wagon Wheel EIR for the western portion of Oxnard are incorporated by reference with regards to topics addressed by this MND unless other cumulative analyses are specifically presented. Reference is also made to technical studies completed as part of the 2030 General Plan and are individually included by reference and available from the City's Planning Division Internet site, at Oxnard libraries, and from the Planning Division office at the above location.

Figure 5: Coastal Zoning Map



Source: City of Oxnard *Zoning Map,* current edition.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☐ Transportation/Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	Date
BRIAN FOOTE, A.I.C.P.	Associate Planner
Print Name	Title

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," cited in support of conclusions reached in other sections may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a. Earlier Analysis Used – Identify and state where they are available for review.
   b. Impacts Adequately Addressed – Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c. Mitigation Measures – For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identity: a) The significance criteria or threshold, if any, used to evaluate each question; and b) The mitigation measure identified, if any, to reduce the impact to less than significance.

A. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (*2020 General Plan, VIII - Open Space/ Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources*)	☐	☐	☒	☐
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (*2020 General Plan, VIII - Open Space/ Conservation Element; XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources*)	☐	☐	☒	☐
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (*2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources*)	☐	☐	☐	☒
4. Create a source of substantial light or glare, which would adversely affect day or nighttime views in the area? (*2020 General Plan, VIII - Open Space/Conservation Element, XII - Community Design Element; FEIR 88-3, 4.12 - Aesthetic Resources*)	☐	☐	☒	☐

Discussion:

1-2) The project proposal includes the development of three-story buildings that will not exceed the height limitations of the R-3-C zone as listed in the Coastal Zoning Ordinance. Natural scenic resources within the City of Oxnard include the beaches, sand dunes, coastline agricultural areas, and parks. Manmade aesthetic resources in the City of Oxnard include structures of historic significance and areas with special architectural design themes. The project site does not contain any historic resources. Harbor Boulevard and Wooley Road are designated as Scenic Highways in the General Plan (see Figure 6; Open Space/Conservation Element, Figure VIII-9); however, the Coastal Land Use Plan (Section 3.2.5 – Visual Resources) specifically states that the ocean is not visible from Harbor Boulevard. The majority of Harbor Boulevard south of 5th Street is enclosed by concrete block walls on both sides and residential dwellings in the Oxnard Shores and Oxnard Dunes neighborhoods, and as a result there are no views to the ocean from either Harbor Boulevard or Wooley Road. After development, the project will not block or interfere with views from Harbor Boulevard or Wooley Road toward beaches, sand dunes, or other scenic resources. As a part of the project, the existing overhead utility lines and poles adjacent to the project site (i.e. the north side of Wooley Road) will be removed and placed underground, thereby improving the aesthetic quality of the area as well as the scenic routes. Views of the Los Padres mountains from Wooley Road and, to a lesser extent, Harbor Blvd. will be blocked by the proposed development. The mountain views remain at locations just east and north of the project site. Since the project site has been previously designated for development and the proposed project conforms to the height limit, the impact on mountain views is considered less than significant. Impacts will be less than significant.

Figure 6: Scenic Routes

Source: City of Oxnard, Geographic Information Systems (ESRI ArcMap, Version 9.3).

The proposed project is consistent with the City's current Coastal Land Use Plan and the Coastal Zoning Ordinance, as well as the Development Agreement between the City of Oxnard and Oxnard Shores Development Company for the Wooley Road Property (Instrument No. 88-059788 recorded on May 2, 1988, and Instrument No. 89-174751 recorded on October 31, 1989). The proposed project is consistent with Policy 8 of the Coastal Land Use Plan, in that the City Council approved a Transfer of Development Rights from several beachfront parcels to the inland property on Wooley Road (see Figure 14 – Transfer of Development Rights) for the purpose of avoiding significant environmental impacts and preserving coastal resources and beach areas, including substantial scenic vistas and scenic resources along the beachfront. The Settlement Agreement resulted in the transfer of ownership of numerous properties to the State Lands Commission of the State of California for the purpose of creating additional public beaches, including 14 large beach areas and 9 public access areas measuring approximately 1,438 lineal feet for public access. A complete analysis with background information is provided in the *Final Environmental Impact Report for Oxnard Shores Agreement for Settlement of Litigation* (ENVICOM Corp., March 18, 1988), and is hereby incorporated by reference. Overall, impacts to aesthetic resources are less than significant, and no mitigation measures are necessary.

3) The proposal is an in-fill project that is surrounded by urban development, on property with a coastal zoning designation as Garden Apartment Coastal (R-3-C). The project site is vacant and views will be improved by providing new residential development that is designed to be consistent with existing surrounding residential neighborhoods. As a part of the project, the existing overhead utility lines and poles along the south side of the project site (i.e. the north side of Wooley Road) will be removed and placed underground, thereby improving the aesthetic quality of the area and scenic routes. By developing a vacant property, the project will be consistent with the Community Design Element of the General Plan, including Objective 4 that states, "Revitalize areas of the City that are currently deteriorated or detract from the visual quality of the City." The proposed building heights will be slightly taller than adjacent residences and buildings, but height will be within the limitations of the Coastal Zoning Ordinance and may be permitted with approval of the Coastal Development Permit. This project will not have any detrimental impact to the existing visual character or quality of the site and its surroundings. There will be no impact, and no mitigation is necessary.

4) The proposed project would result in the construction of 70 condominium units within several buildings, on property with a coastal zoning designation as Garden Apartment Coastal (R-3-C). The project will generate an amount of light typical for residential development as envisioned in the Coastal Land Use Plan and Coastal Zoning Ordinance. Light and glare can be expected from new street lights, exterior light fixtures, parking lot lighting, and vehicles. As a result, there will be additional sources of light or glare since the project site is currently vacant and unimproved. However, the Design Standards of the Coastal Zoning Ordinance require that light sources be stationary and deflected away from adjacent properties. The proposal is an in-fill project surrounded by urban development, and the intensity and amount of light will be no more than that being generated from the structures in the adjacent retail center and the Oxnard Shores and Oxnard Dunes neighborhoods. The Building Division will review construction drawings to ensure compliance with the California Building Code as it applies to residential construction and lighting. Any impacts to aesthetic resources as a result of light or glare will be less than significant, and no mitigation is necessary.

Cumulative Development:

1-4) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse aesthetic cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None Required.

Monitoring: None Required.

Result After Mitigation: Not Applicable.

B. AGRICULTURAL RESOURCES*

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources*)	☐	☐	☐	☒
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources*)	☐	☐	☐	☒
3. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.7 - Agricultural Resources*)	☐	☐	☐	☒

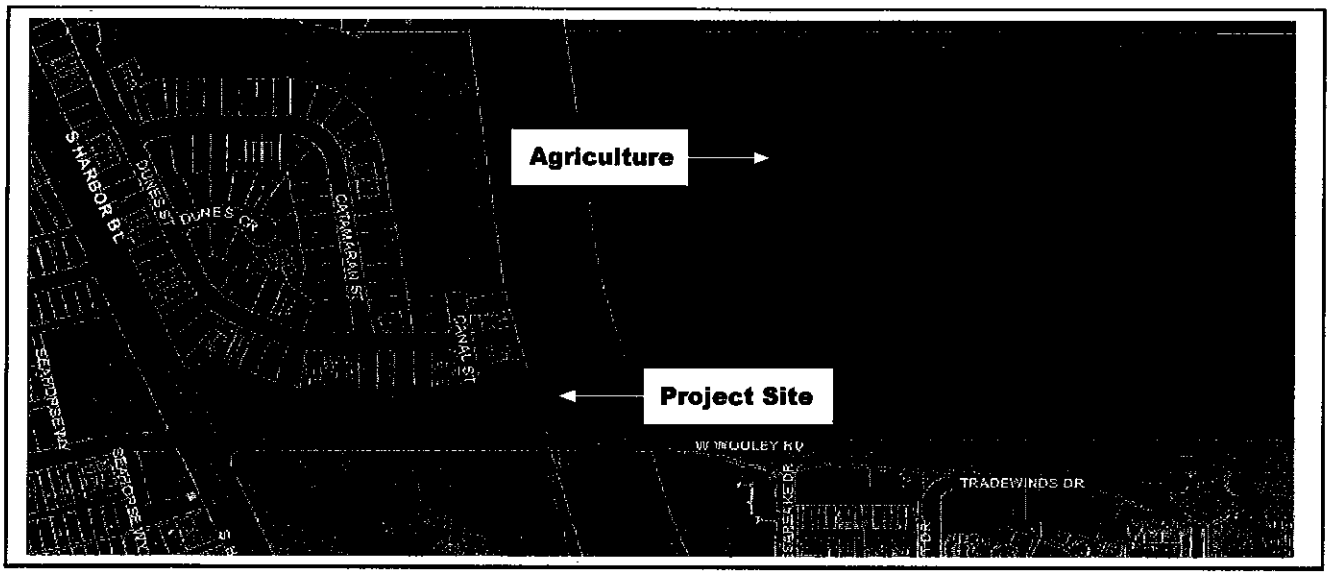
* *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agricultural and farmland.*

Discussion:

1 & 3) The project site is located in an urbanized developed area largely surrounded by urban development, and is not used or zoned for agricultural use. No impacts are anticipated related to agricultural resources.

2) The Edison Canal is located adjacent to the easterly boundary of the project site. The waterway portion of the canal is approximately 100 feet wide, and the total right-of-way is approximately 300 feet wide. The property on the east side of the Edison Canal has an agricultural land use, and is located in an agricultural zone within the jurisdiction of County of Ventura (see Figure 7 – Agricultural Land Use). The result is a minimum of 300 feet of separation between the project site and the nearest agricultural land use. According to the 2020 General Plan EIR (page 4.7-18), there should be a minimum of 100 feet of buffer to avoid conflicts between agricultural and residential land uses, and such buffers may be infrastructure easements, roadways, open space, etc. According to the Agricultural/Urban Buffer Policy of Ventura County, there should be a minimum of 300 feet of separation between active agricultural land uses and new development. The existing 300-foot wide Edison Canal property between the project site and nearest agriculture land use is an adequate buffer. Therefore, there will be no impact, and no mitigation measures are required.

Figure 7 – Agricultural Land Use



Source: City of Oxnard, Geographic Information Systems (ESRI ArcMap, Version 9.3).

Cumulative Development:

1-3) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse agricultural impacts will occur on the west side of Oxnard as a result of cumulative projects.

C. AIR QUALITY* Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (*FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002Computer Program)*	☐	☐	☒	☐
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (*FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2002 Computer Program)*	☐	☒	☐	☐
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (*FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2007 Computer Program)*	☐	☐	☒	☐
4. Expose sensitive receptors to substantial pollutant concentrations? (*FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2007 Computer Program)*	☐	☐	☒	☐
5. Create objectionable odors affecting a substantial number of people? (*FEIR 88-3, 4.5 - Air Quality; Ventura County Air Quality Assessment Guidelines; Urbemis 2007 Computer Program)*	☐	☐	☐	☒

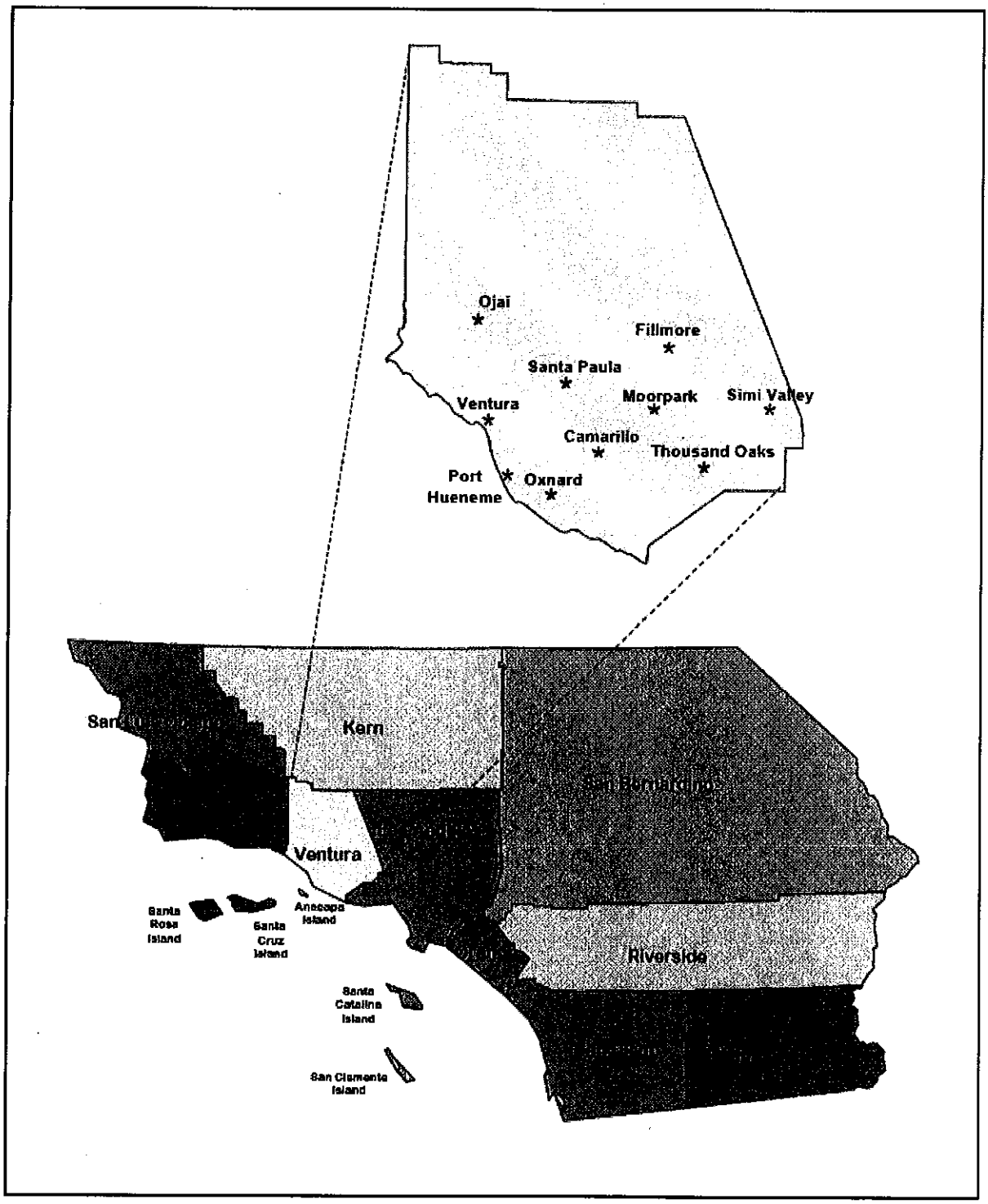
* *Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.*

Discussion:

The City of Oxnard and the proposed project are located within the jurisdiction of the Ventura County Air Pollution Control District (APCD), see Figure 8. *It is the applicant's responsibility to contact the APCD to verify compliance with any permitting needs of the APCD.*

1-3) Short-term impacts to air quality are the result of grading and other construction activities associated with the project, such as earth-moving and heavy equipment vehicle operations. The Air Pollution Control District considers short-term activities related to construction to be less than significant impacts. Standard APCD mitigations will be required in order to minimize on-site construction emissions and maximize dust suppression. Also, the developer will not be installing a pile foundation for the buildings, and therefore, pile-driving equipment will not be operated and there will not be any associated emissions from the equipment. By requiring compliance with standard mitigation measures identified in the City's *Threshold Guideline—Initial Study Assessment* (February 1995) and compliance with APCD permitting requirements, short-term air quality impacts would be considered less than significant. Mitigation measures C-1 through C-6 will reduce emissions to the extent that is practically feasible during construction.

Figure 8 – Ventura County Air Pollution Control District



Source: *Ventura County Air Quality Assessment Guidelines*, Ventura County APCD.

Long-term impacts of the proposed project (e.g. residential activities and vehicle trips) will result in an increase in vehicle trips to and from the site. Potential long-term air quality impacts associated with the proposed project can be contributed primarily to vehicular emissions and residential appliances. The project has been designed to reduce long-term emissions (e.g. Energy Star appliances, insulation beyond Title 24 CCR requirements, passive cooling and ventilation, etc.). The City's adopted thresholds of significance for Reactive Organic Compounds (ROC) and Nitrogen Oxide (NOx) emissions is 25 pounds per day. Project emissions were calculated utilizing the Urban Emissions (URBEMIS 2007, Version 9.2.4) computer modeling program. The results from the model simulation are summarized in Table 5 (see also Appendix 1). The URBEMIS model estimates that the proposed project would not generate vehicle emissions or other long-term emissions that might exceed the City's air quality thresholds. With implementation of mitigation measures C-7 and C-8, potential long-term impacts will be reduced to the extent feasible.

Table 5. Area Source & Operational Emissions (in Pounds Per Day)

Operational (Vehicles)	3.8	3.3	3.7[1]	3.2[1]
Area Source (Stationary)	3.9	0.5	3.9	0.5
Total Emissions	7.7	3.8	7.6	3.7
APCD Threshold Amount	25.0	25.0	25.0	25.0
Exceeds Threshold?	No	No	No	No
Significant Impact?	**No**	**No**	**No**	**No**

Source: URBEMIS 2007, Version 9.2.4

[1] *The URBEMIS model assigns a 2% trip reduction value if local-serving retail uses are located within ½ mile of the project site. The measure assumes that the presence of retail will reduce a small percentage of the total trips associated with residential land uses.*

Consistency with the 1997 Air Quality Management Plan (AQMP). The Ventura County Air basin is currently a non-attainment area for both the Federal and State standards for ozone and the state standards for PM10. Exceeding the air quality standards is the result of past and ongoing urban and rural development that has caused emissions to exceed the air basin's capacity for dispersal and removal of air pollutants. It should be noted, however, that the goal of the Ventura County Air Quality Management Plan (AQMP), which was most recently revised in 1997, is to reduce pollutant concentrations below National Ambient Air Quality Standards (NAAQS) through the implementation of air pollutant emissions controls. The plan predicts attainment of the Federal ozone standards by the year 2005. To achieve full compliance, the Federal 1-hour ozone standard cannot be exceeded more than one day in any year for three consecutive years. Although there were no events exceeding the Federal 1-hour ozone standard throughout the South Central Coast Air Basin in 2004 and 2005, there were two episodes in 2003. Attainment, therefore, has not yet been achieved.

The project is consistent with the site's land use designation in the City's Coastal Land Use Plan. In addition, the population increase upon occupancy is within the current and future demographic projections for the City. According to the APCD Guidelines, the consistency of a project with the current Ventura County Air Quality Management Plan is assessed based on whether the project is consistent with the local land use designation and current population projections. As the current project is consistent with the site's land use designation and within the adopted VCOG demographic projections for the area, the project is considered to be consistent with the Ventura County Air Quality Management Plan.

Greenhouse Gases.

Background. In response to growing scientific and political concern with global climate change, California has recently adopted a series of laws to reduce emissions of GHGs to the atmosphere from commercial and private activities within the State. In September 2002, then-Governor Gray Davis signed Assembly Bill (AB) 1493, requiring the development and adoption of regulations to achieve "the maximum feasible reduction of greenhouse gases" emitted by noncommercial passenger vehicles, light-duty trucks, and other vehicles used primarily for personal transportation in the State. In September 2006, Governor Arnold Schwarzenegger signed the California Global Warming Solutions Act of 2006, also known as AB32, into law. AB 32 commits the State to achieving 1990 levels of GHGs by 2020. To achieve this goal, AB32 mandates that the ARB establish a quantified emissions cap, institute a schedule to meet the cap, implement regulations to reduce statewide GHG emissions from stationary sources, and develop tracking, reporting, and enforcement mechanisms to ensure that reductions are achieved. Senate Bill (SB) 1368, a companion bill to AB 32, requires the California Public Utilities Commission (PUC) and CEC to establish GHG emission performance standards for the generation of electricity. These standards will also apply to power that is generated outside of California and imported into the State.

In October 2006, Governor Schwarzenegger issued an Executive Order in which he designated the Cal/EPA Secretary with the primary responsibility for implementing AB 32 (rather than providing the ARB with unfettered discretion as the law required). In late December, the Governor announced the members of a blue-ribbon Market Advisory Committee board to devise approaches to develop a market for carbon trading. More developments are likely as the Governor and the Legislature determine who has primary responsibility for implementation and the relationship between regulations and market-based mechanisms. Because, the intent of AB 32 is to limit 2020 emissions to the equivalent of 1990, and the present year (2007) is near the midpoint of this timeframe, it is expected that the regulations would affect many existing sources of greenhouse and not just new general development projects.

In response to the Executive Order, the Secretary of Cal/EPA created the Climate Action Team (CAT), which, in March 2006, published the *Climate Action Team Report to Governor Schwarzenegger and the Legislature* (the "2006 CAT Report "). The 2006 CAT Report identifies a recommended list of strategies that the State could pursue to reduce climate change greenhouse gas emissions. These are strategies that could be implemented by various State agencies to ensure that the Governor's targets are met and can be met with existing authority of the State agencies.

Setting – Existing State-Wide Greenhouse Gas Emissions. In December 2006, the California Energy Commission published the *Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004*. This report indicates that California is the second largest emitter of greenhouse gasses in the United States next to Texas. This is largely a result of the number of people living in a large state, as opposed to a small state such as Rhode Island. California generates about half as much CO_2 emissions as Texas. When considering fossil fuel emissions at the individual person level, California is second lowest in the nation in per capita CO_2 emissions with only the District of Columbia lower. Between 1990 and 2000, California's population grew by 4.1 million people and during the 1990 to 2003 period, California's gross state product grew by 83 percent (in dollars, not adjusted for inflation). However, California's greenhouse gas emissions grew by only 12 percent between 1990 and 2003. The report concludes that California's ability to slow the rate of growth of greenhouse gas emissions is largely due to the success of its energy efficiency, renewable energy programs, and commitment to clean air and clean energy. In fact, the State's programs and commitments lowered its greenhouse gas emissions rate of growth by more than half of what it would have been otherwise.

Impacts – Greenhouse Gas Emissions. No air agency, including the VCAPCD, or municipality, including the City of Oxnard, has yet established project-level significance thresholds for GHGs emissions. Thus, emissions of GHGs can be quantified, but should not be used to determine significance under CEQA. Furthermore, the regulations required to

meet the goal under AB 32 of reducing emissions to 1990 levels by 2010 are still under development, expected to be finalized by January 1, 2008, and implemented no later than January 1, 2010. The list of discrete early action measures that can be adopted and implemented before January 1, 2010, was adopted by the ARB in June, 2007. The three early action measures focus on major State-wide contributing sources and industries, not on individual development projects or practices. These three measures are: 1) a low-carbon fuel standard; 2) reduction of refrigerant losses from motor vehicle air conditioning system maintenance; and 3) increased methane capture from landfills. At this time, there is no single criterion by which the implementation of a project can be judged to support or hinder attainment of the State's goals. The project's emissions are below the adopted thresholds for NOx and ROC, and a possible GHG threshold being considered would use the same threshold, resulting in no significant impact, if that GHG threshold is adopted. In the absence of an adopted GHG threshold, no impact determination is made for the project.

Compliance with Strategies. The consistency of the proposed project with the strategies from the 2006 CAT Report is evaluated in Table 6. As shown, the project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California.

Table 6
Project Consistency with 2006 CAT Report Greenhouse Gas Emission Reduction Strategies

Strategy	Project Consistency
California Air Resources Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the ARB I September 2004.	Consistent. The vehicles that travel to and from the Project site on public roadways would be in compliance with ARB vehicle standards that are in effect at the time of vehicle purchase.
Diesel Anti-Idling In July 2004, the ARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Consistent. Current State law restricts diesel truck idling to five minutes or less. Diesel trucks making deliveries to the project site are subject to this state-wide law.
Hydrofluorocarbon Reduction 1) Ban retail sale of HFC in small cans. 2) Require that only low GWP refrigerants be used in new vehicular systems. 3) Adopt specifications for new commercial refrigeration. 4) Add refrigerant leak-tightness to the pass criteria for vehicular inspection and maintenance programs. 5) Enforce federal ban on releasing HFCs.	Consistent. This strategy applies to consumer products. All applicable products would comply with the regulations that are in effect at the time of manufacture.
Transportation Refrigeration Units, Off-Road Electrification, Port Electrification (ship to shore) Require all new transportation refrigeration units (TRU) to be equipped with electric standby. Require cold storage facilities to install electric infrastructure to support electric standby TRUs. Off-road Electrification Port Electrification	 Not applicable. Not applicable. Not applicable. Not applicable.

Manure Management Improved management practices, manure handling practices, and lagoon/liquid waste control options.	Not applicable.
Semi Conductor Industry Targets Emission reduction rules for semiconductor operations.	Not applicable.
Alternative Fuels: Biodiesel Blends ARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	Consistent. The diesel vehicles that travel to and from the project site on public roadways could utilize this fuel once it is commercially available.
Alternative Fuels: Ethanol Increased use of E-85 fuel.	Consistent Future residents of the project site could purchase flex-fuel vehicles and utilize this fuel once it is commercially available in the region and local vicinity.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy duty vehicles and an education program for the heavy duty vehicle sector.	Consistent. The heavy-duty vehicles that travel to and from the project site on public roadways would be subject to all applicable ARB efficiency standards that are in effect at the time of vehicle manufacture.
Reduced Venting and Leaks on Oil and Gas Systems Improved management practices in the production, processing, transport, and distribution of oil and natural gas.	Not applicable.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not applicable.
Achieve 50% Statewide Recycling Goal Achieving the State's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48% has been achieved on a statewide basis. Therefore, a 2% additional reduction is needed.	Consistent. As discussed in Section IV.A, Impacts Found to be Less Than Significant, Solid Waste, the project would divert at least 50 percent of its solid waste after the recyclable content is diverted. Mitigation measure UTIL-7 provides recycling bins at the project site to promote recycling of paper, metal, glass, and other recyclable material.
Landfill Methane Capture Install direct gas use or electricity projects at landfills to capture and use emitted methane.	Not applicable.
Zero Waste – High Recycling Efforts to exceed the 50 percent goal would allow for additional reductions in climate change emissions.	Consistent. As discussed in Section P (Utilities and Service Systems), Impacts Found to be Less Than Significant, the project would divert at least 50 percent of its slid waste after the recyclable content is diverted. Recycling bins will be provided at the project site to promote recycling of paper, metal, glass, and other recyclable material. The project would also be subject to all applicable State and City requirements for solid waste reduction as they change in the future.

Department of Forestry	
Forest Management Increasing the growth of individual forest trees, the overall age of trees prior to harvest, or dedicating land to older aged trees.	Not applicable.
Forest Conservation Provide incentives to maintain an undeveloped forest landscape.	Not applicable.
Fuels Management/Biomass Reduce the risk of wildland fire through fuel reduction and biomass development.	Not applicable.
Urban Forestry A new statewide goal of planting 5 million trees in urban areas by 2020 would be achieved through the expansion of local urban forestry programs.	Consistent. The landscaping proposed for the project would include new trees.
Afforestation/Reforestation Reforestation projects focus on restoring native tree cover on lands that were previously forested and are now covered with other vegetative types.	Not applicable.
Department of Water Resources	
Water Use Efficiency Approximately 19% of all electricity, 30% of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce greenhouse gas emissions.	Consistent. The project would be required to be constructed in compliance with the standards of Title 24 that are in effect at the time of development.
Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	Consistent. The project would be required to be constructed in compliance with the standards of Title 24 that are in effect at the time of development.
Appliance Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the Energy Commission to adopt and periodically update its appliance energy efficiency standards (that apply to devices and equipment using energy that are sold or offered for sale in California).	Consistent. Under State law, appliances that are purchased for the project – both pre- and post-development – would be consistent with energy efficiency standards that are in effect at the time of manufacture.
Fuel-Efficient Replacement Tires & Inflation Programs State legislation established a statewide program to encourage the production and use of more efficient tires.	Consistent. Future residents of the project site could purchase tires for their vehicles that comply with state programs for increased fuel efficiency.
Cement Manufacturing Cost-effective reductions to reduce energy consumption and to lower carbon dioxide emissions in the cement industry.	Not applicable.
Municipal Utility Energy Efficiency Programs/Demand Response Includes energy efficiency programs, renewable portfolio standard, combined heat and power, and transitioning away from carbon-intensive generation.	Not applicable.

Municipal Utility Renewable Portfolio Standard California's Renewable Portfolio Standard (RPS), established in 2002, requires that all load serving entities achieve a goal of 20 percent of retail electricity sales from renewable energy sources by 2017, within certain cost constraints.	Not applicable.
Municipal Utility Combined Heat and Power Cost effective reduction from fossil fuel consumption in the commercial and industrial sector through the application of on-site power production to meet both heat and electricity loads.	Not applicable.
Municipal Utility Electricity Sector Carbon Policy State agencies to address ways to transition investor-owned utilities away from carbon-intensive electricity sources.	Not applicable.
Alternative Fuels: Non-Petroleum Fuels Increasing the use of non-petroleum fuels in California's transportation sector, as recommended as recommended in the CEC's 2003 and 2005 Integrated Energy Policy Reports.	Not applicable.
Business, Transportation and Housing	
Measures to Improve Transportation Energy Efficiency Builds on current efforts to provide a framework for expanded and new initiatives including incentives, tools, information that advance cleaner transportation and reduce climate change emissions.	Not applicable.
Smart Land Use and Intelligent Transportation Systems (ITS) Smart land use strategies encourage jobs/housing proximity, promote transit-oriented development, and encourage high-density residential/commercial development along transit corridors. ITS is the application of advanced technology systems and management strategies to improve operational efficiency of transportation systems and movement of people, goods and services. The Governor is finalizing a comprehensive 10-year strategic growth plan with the intent of developing ways to promote, through state investments, incentives and technical assistance, land use, and technology strategies that provide for a prosperous economy, social equity and a quality environment. Smart land use, demand management, ITS, and value pricing are critical elements in this plan for improving mobility and transportation efficiency. Specific strategies include: promoting jobs/housing proximity and transit-oriented development; encouraging high density residential/commercial development along transit/rail corridor; valuing and congestion pricing; implementing intelligent transportation systems, traveler information/traffic control, incident management; accelerating the development of broadband infrastructure; and comprehensive, integrated, multimodal/intermodal transportation planning.	Consistent. The project is an infill development at the corner of two arterials along which transit service would likely occur in the future, assuming that funding and ridership demand were adequate.
Department of Food and Agriculture	
Conservation Tillage/Cover Crops Conservation tillage and cover crops practices are used to improve soil tilth and water use efficiency, and to reduce tillage requirements, labor, fuel, and fertilizer requirements.	Not applicable.

Enteric Fermentation Cattle emit methane from digestion processes. Changes in diet could result in a reduction in emissions.	Not applicable.
State and Consumer Services Agency	
Green Buildings Initiative Green Building Executive Order, S-20-04 (CA 2004), sets a goal of reducing energy use in public and private buildings by 20 percent by the year 2015, as compared with 2003 levels. The Executive Order and related action plan spell out specific actions state agencies are to take with state-owned and –leased buildings. The order and plan also discuss various strategies and incentives to encourage private building owners and operators to achieve the 20 percent target.	Consistent. The project would be required to be constructed in compliance with the standards of Title 24 that are in effect at the time of development. The current 2005 Title 24 standards are approximately 8.5 percent more efficient than those of the 2001 standards.
Public Utilities Commission (PUC)	
Accelerated Renewable Portfolio Standard The Governor has set a goal of achieving 33 percent renewable in the State's resource mix by 2020. The joint PUC/Energy Commission September 2005 Energy Action Plan II (EAP II) adopts the 33 percent goal.	Not applicable.
California Solar Initiative The solar initiative includes installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses, increased use of solar thermal systems to offset the increasing demand for natural gas, use of advanced metering in solar applications, and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	Inconsistent. Solar panels are not proposed as part of the project. At a minimum, the swimming pool building shall be redesigned to accommodate solar panels for heating the pool water to the maximum extent feasible to reduce natural gas demand. (Mitigation C-8)
Investor-Owned Utility Programs These strategies include energy efficiency programs, combined heat and power initiative, and electricity sector carbon policy for investor owned utilities.	Not applicable.
Sources: Climate Action Team, 2006 and Christopher A. Joseph & Associates, 2007.	

4) Carbon Monoxide (CO) Hot Spots and Sensitive Receptors. Projects generating traffic impacts may result in the formation of Carbon Monoxide (CO) hot spots. Although the Ventura County Air Basin is currently an attainment area for CO, exhaust emissions can potentially cause a direct, localized "hotspot" impact at or near the proposed development. CO is a product of incomplete combustion of fossil fuel; unlike ozone, CO is emitted directly out of a vehicle exhaust pipe and is heavier than air. The optimum conditions for a CO hotspot is cool and calm weather (a stable and reduced air mixing layer) at a congested major roadway intersection with sensitive receptors nearby, and where vehicles are either idling or moving at a stop-and-go pace. The URBEMIS model estimates that the project may generate approximately 13 pounds per day of CO gases during construction. To analyze the project for operational and vehicle impacts, information from the project traffic study (*Traffic and Circulation Study, ATE Project #08116.* December 4, 2008, by Associated Transportation Engineers) was used to determine if any intersections would have a significant decrease in the level of service affected by the project. No intersections or locations have been identified as having the potential for CO hot spot impacts. Therefore, no impact is expected.

Sensitive receptors are defined as young children, ill persons, elderly persons, hospitals, etc. Sensitive receptors may include some residents in the Oxnard Dunes neighborhood to the north, and possibly the Oxnard Shores neighborhood to the west. Although incident(s) of minor and temporary exposure might occur, it is not considered exposure to a substantial level of pollutant concentration. Therefore, any impacts would be considered less than significant.

5) Odors are typically associated with industrial type land uses (e.g. manufacturing, chemical production or processing, energy production, livestock, etc.). Noxious odors are not normally associated with residential land uses. There will be no impacts from this project.

Cumulative Development:

1-5) Although the Ventura County Air Basin is currently a non-attainment area for federal and state standards for ozone and state standard for PM10, the APCD predicts attainment through implementation of the control mechanisms in its Air Quality Management Plan. The proposed project is consistent with population projections in the AQMP, will be consistent with the AQMP, and therefore cumulative impacts are considered to be less than significant. Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse air quality and related cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s): The following mitigation measures shall be applicable to the project.

C-1 The developer shall prepare and submit an Air Emissions Mitigation Plan for Dust Control. This Plan shall be included as part of the construction contract and submitted to the City of Oxnard for review and approval prior to the issuance of grading permits. This plan shall include the following elements:

- Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means, generally at least three times a day (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.
- Revegetate or apply APCD-approved chemical soil stabilizers to all inactive portions of the construction site that are inactive for four or more days.
- Suspend or curtail all excavation, earth moving, and grading operations during episodes of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent fugitive dust from being a nuisance or hazard.
- Material transported in trucks off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended. Material transported on site shall be sufficiently watered or secured to prevent fugitive dust.
- Inform all employees involved in grading operations on the project to wear face masks during dry periods to reduce inhalation of dust.
- Signs shall be posted on-site requiring traffic speeds to not exceed 15 miles per hour.
- Sweep streets at the end of the day if visible soil material is carried over to adjacent streets and roads.
- At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.

C-2 Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications. Minimize idling time. Prohibit the use of on-site electric generators, and connect to utility lines adjacent to the project site.

C-3 If feasible, use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric.

C-4 During construction, contractors 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.

C-5 A temporary fence around the project site shall include an opaque visual barrier up to 6 feet high. The fence shall include signs identifying the name, telephone number, and emergency contact information for the contractor(s) responsible for the site, construction activities, and rectifying any nuisance conditions.

C-6 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.

C-7 As stated in the APCD Guidelines, applicants are required to mitigate environmental impacts associated with their projects to the greatest extent feasible. The following are those measures that could be feasibly implemented to mitigate operational phase air quality impacts of the proposed project:

- Lighting for public streets, parking areas, and recreational areas shall utilize energy-efficient mechanical, computerized, or photo cell switching devices to reduce energy usage.
- Energy-efficient, automated controls for air conditioners shall be installed into proposed buildings to reduce energy consumption and emissions.
- Automatic lighting on/off controls and energy-efficient lighting shall be installed into proposed buildings to reduce electricity consumption and associated emissions.
- Light-colored roofing materials as opposed to dark roofing materials shall be used on proposed buildings. Light colored materials reflect sunlight and minimize heat gains in buildings. This measure would lessen the overall demand for mechanical air conditioning systems.
- Wall and attic insulation shall be provided in proposed buildings beyond the requirements of Title 24, *California Code of Regulations*.
- Built-in energy-efficient appliances shall be installed into proposed buildings.
- Special sunlight filtering window coatings or double-paned windows shall be installed into proposed buildings to reduce thermal gain in hot weather and loss in the cold weather, thus reducing emissions associated with heaters and air conditioners.

C-8 The design of the swimming pool building shall incorporate solar panels to the maximum extent feasible for pool water heating.

C-9 All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive dust), and Rule 10 (Permits Required).

Required Monitoring: Building Division staff and Public Works Division staff shall review grading and construction plans to ensure compliance. Building Division and Public Works Division inspectors shall field monitor all applicable measures during grading activities and during construction.

Result After Mitigation: Less than significant.

D. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan*)	☐	☒	☐	☐
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan*)	☐	☐	☐	☒
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan*)	☐	☐	☐	☒
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan*)	☐	☒	☐	☐
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan*)	☐	☐	☐	☒
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (*2020 General Plan, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.10 - Biological Resources; and Local Coastal Plan*)	☐	☐	☐	☒

Discussion:

1) The proposed infill project would result in the construction of 70 condominium units on approximately 3.54 acres of land largely surrounded by urban development. **The project site is not designated nor determined to be an Environmentally Sensitive Habitat Area (ESHA).** PCR Services Corporation prepared and submitted the following reports for this project: *Biological Resources Assessment* (February 2005), *Update to 2005 Biological Resources Assessment* (November 2008), and *Anacapa Townhomes Biological Resources Assessment* (December 2009). All reports have been independently reviewed and verified by Rincon Consultants, Inc., on behalf of the City. Site conditions are now best described as ornamental and ruderal (see Figure 9 – Biological Resources). The investigations of the project site included several inspections by qualified biologists, and reviews of literature and archives including lists maintained by the U.S. Fish & Wildlife Service and the California Department of Fish & Game. The results of all reports indicate that no plant or wildlife species listed as Threatened or Endangered were observed on the project site (see Appendix 2) and no sensitive habitat areas were present on the project site. The Least Bell's Vireo, a State-listed and federally-listed endangered species, has been observed ¼ mile north of the project site near Fifth Street, and mitigation measure D-2 will ensure that no potentially significant impacts will occur. The potential exists for the Silvery Legless Lizard to be in the vicinity of the project site, and mitigation measure D-3 will ensure that no potentially significant impacts will occur. If there are any impacts, the level will be less than significant with implementation of the mitigation measures listed below. Rincon Consultants, Inc., has independently verified that the proposed mitigations will be adequate, and CDFG and USFWS has no further comments or concerns.

2) The project will not have any adverse effect on any riparian habitat or other sensitive natural community as identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. PCR Services Corporation prepared and submitted the following reports for this project: *Biological Resources Assessment* (February 2005), *Update to 2005 Biological Resources Assessment* (November 2008), and *Anacapa Townhomes Biological Resources Assessment* (December 2009). All reports have been independently reviewed and verified by Rincon Consultants, Inc., on behalf of the City. The site is not identified in the 2020 General Plan conservation element, and is not a part of a larger component of habitat area. No potentially significant impacts are anticipated to occur.

3) There are no federally protected wetlands that occur within the project area. There will be no impacts.

4) PCR Services Corporation prepared and submitted the following reports for this project: *Biological Resources Assessment* (February 2005), *Update to 2005 Biological Resources Assessment* (November 2008), and *Anacapa Townhomes Biological Resources Assessment* (December 2009). All reports have been independently reviewed and verified by Rincon Consultants, Inc., on behalf of the City. **The site is not an Environmentally Sensitive Habitat Area (ESHA).** The results indicated that there is no habitat present on the Wooley Road site that could support migratory birds, there were no migratory birds observed on or near the site, and therefore no impacts are anticipated. Mitigation measure D-1 will ensure that any birds protected by the Migratory Bird Treaty Act will not be potentially affected by the project. The project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, and there will be no impact. The project will not impede the use of native wildlife nursery sites, and there will be no impact.

5 & 6) The proposal will not conflict with any local policies or ordinances that protect biological resources, or a Habitat Conservation Plan or Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is consistent with Policy 8 of the Coastal Land Use Plan, in that the City Council adopted Ordinance No. 2159 on April 19, 1988, approving the Development Agreement between the City of Oxnard and Oxnard Shores Development Company for the Wooley Road Property, in order to transfer the development rights

from several beachfront parcels (i.e. the resource area) to the inland property on Wooley Road for the purpose of preserving beach access and open space, in addition to avoiding other adverse environmental impacts.

The Coastal Zoning Ordinance created the Resource Protection (RP) zoning district specifically to protect, preserve and restore environmentally sensitive habitat areas. The project site is not located within or adjacent to a Resource Protection (RP) zone. **The project site is not designated nor determined to be an Environmentally Sensitive Habitat Area (ESHA).** The nearest RP zone is on the parcel to the south of Wooley Road. Since Wooley Road currently separates the project site from the open space and dunes on the south side of Wooley Road, the existing road serves as a buffer between the project site and the RP zone. Before the project is completed, Wooley Road will be fully improved to a width of at least 46 feet, and up to 58 feet wide near the intersection with Harbor Boulevard. The width of the existing road together with the setbacks on the project site will provide at least 50 feet of buffer area. Therefore, there will be no impacts.

Cumulative Development:

1-4) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse biological cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s):

D-1 The developer shall avoid grubbing or grading the site during the breeding season (i.e. February 15 through August 31) as the preferred mitigation. If avoidance is not feasible and grubbing/grading will occur during the breeding season, then the project site and adjacent open space areas shall be surveyed by a qualified biologist for the presence of nesting birds prior to removal of vegetation. The developer shall be required to submit a report documenting the findings of the site survey to the Planning Division for review and approval. The site survey shall be conducted within 30 days of the beginning of any grubbing/grading activity. If any active nests are detected, then a 300-foot buffer (or as otherwise deemed appropriate by the biological monitor in consultation with the City and CDFG) shall be placed around the nest site until the nestlings have successfully fledged.

D-2 Focused pre-construction surveys for the Least Bell's Vireo (LBV) will be conducted in suitable habitat within 500 linear feet of construction activities. The surveys will follow agency protocol as to survey methodology (i.e. time of day and climatic conditions). However, a modified survey schedule is appropriate given the site-specific circumstances. Therefore, surveys of the area within 500 feet of construction activities and the area where LBV has been reported will be initiated if commencement of construction is to occur during the breeding season for the species (April 10 to July 31). If no LBV are detected within 500 feet of the construction activities during any of the three survey bouts, no further action is required. If, however, LBV are detected within 500 feet of construction activities, CDFG and the U.S. Fish & Wildlife Service (USFWS) will be contacted to determine what, if any, actions need to be taken to avoid adverse effects on the species. Such actions, if necessary, may include one or more of the following: phasing the construction activities to avoid certain construction activities

within 500 feet of occupied LBV habitat until after the breeding season has ended; noise monitoring; and nest monitoring. If LBV is detected in suitable habitat farther away than 500 feet, these areas will be monitored during each of the three survey bouts so as to gain assurances that occupied habitat remains more than 500 feet from construction activities. The findings of the surveys will be documented and submitted to the City within 10 days of completion, as well as CDFG and USFWS as applicable.

D-3 Prior to the initiation of construction activities, a temporary silt fence will be installed along the project site's easterly boundary to prevent ingress of Silvery Legless Lizards (SLL) onto the site for the duration of construction activities. The fencing will be keyed into the ground to a depth of at least three inches. Preconstruction surveys for SLL will then be conducted within areas of the site that could be used by the species. The surveys will be conducted according to the following protocol provided by CDFG.

Surveys will be conducted on a warm day (70 to 80 degrees Fahrenheit) in the mid-morning and no longer than two weeks prior to the commencement of soil disturbance activities. Relative soil moisture should be approximately 65% to 80% with soil temperature being 60 to 70 degrees Fahrenheit. Two person teams will work together with one person using a hand rake to gently rake the loose litter and soil down to substrate. The other person will search the areas being raked for SLL.

Surveys will employ a "three-pass" methodology to locate as many SLL as possible. If SLL are found during the first pass, an overnight period of no disturbance will occur before the second pass. Similarly, if SLL are found during the second pass, another overnight period of no disturbance will occur before the third pass. If during any pass no SLL are found, the survey will be concluded.

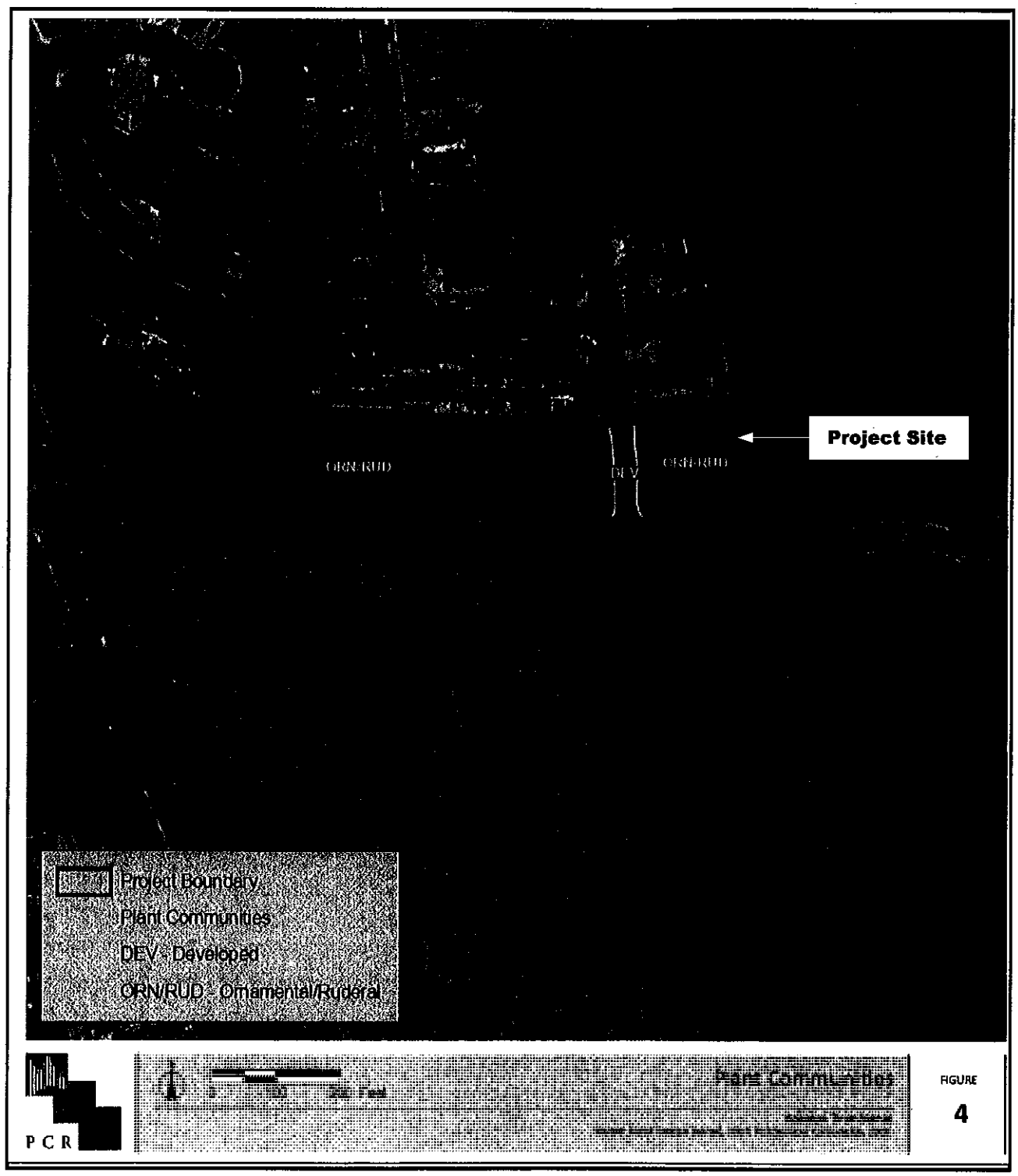
Any SLL found will be placed in a lidded, vented box containing clean sand. Areas of moist and dry sand will be present in the box. Boxes will be kept out of direct sunlight and protected from temperatures over 72 degrees Fahrenheit. The temperatures of the sand in the box will be kept under 66 degrees Fahrenheit. Information on each lizard captured will be recorded, including date of capture, location, length, color, age, and tail condition. All lizards will be relocated to suitable off-site habitat the same day as capture. GPS location of released lizards will be recorded. CDFG will be notified about any injured SLL.

All work will be performed by personnel who hold active permits from CDFG in order to conduct the work. At the conclusion of the surveys, documentation of survey results and associated records will be submitted to the City within 10 days of completion, as well as to CDFG.

Monitoring: Planning staff will review and approve the site survey reports prior to issuance of any grading or building permits. Development Services inspectors will monitor the on-site grading and construction activities.

Result after Mitigation: With implementation of the above mitigation measure, the project will not result in any potentially significant adverse effects on biological resources.

Figure 9 – Biological Resources



Source: PCR Services Corp., *Biological Resources Assessment* (2009), Figure 4.

E. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources*)	☐	☐	☐	☒
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources*)	☐	☒	☐	☐
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.12 - Aesthetic Resources*)	☐	☐	☐	☒
4. Disturb any human remains, including those interred outside of formal cemeteries? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.11 - Cultural Resources*)	☐	☐	☐	☒

Discussion:

1) The project site does not contain any historical structures or resources. According to the 2020 General Plan EIR (page 4.11-3), historical structures in the City of Oxnard are generally located within the Cultural Heritage District and Heritage Square in the downtown area. No impact is expected to historical resources.

2, 4) A report *A Phase One Site Survey Cultural Resources Investigation* (October 27, 2008) was prepared for this project by Environmental Research Archaeologists, and the investigation included a site inspection, archive search, and review of literature. The results of the investigation indicate that the area is not considered a likely source of historic or archaeological artifacts. The project site is within the area of the Chumash Tribal Territory and the literature search indicated a potential for the occurrence of cultural resources (e.g. sites and artifacts), however, the site inspection did not reveal any evidence of artifacts, sites, or other cultural resources. Based on the information provided in the Phase I study, a Phase II Archaeological Survey is not warranted. No evidence is available to suggest the project site has been used for ancient or pre-California human burials. The California Health and Safety Code (Section 7050.5) states that if human remains are discovered on-site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. As compliance with State law is a standard requirement on all development, no mitigation is required for the unlikely event that human remains are discovered on-site. The development of the project will require subsurface excavation, re-compaction, and grading of the site, and therefore the potential exists that previously unknown subsurface artifacts or deposits might exist on-site that could be disturbed by grading and other subsurface activities. Although it is not expected that subsurface artifacts will be present, Mitigation Measure E-1 is included as a precaution in the event that any subsurface discoveries are made, and will ensure that any impact would be less than significant.

3) Regarding paleontological resources, the 2020 General Plan EIR (page 4.11-2) indicates that the Oxnard Plain Basin as a whole is comprised of recent alluvial deposits which due to their geologic youth do not contain fossils. Therefore, paleontological resources are not expected to occur on the project site. No impact is expected to paleontological resources, and no mitigation measures are necessary.

Cumulative Development:

1-4) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-04) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional cultural resource or related cumulative impacts will occur as a result of cumulative projects.

Mitigation Measure(s):

E-1 Based on the recognized sensitivity for the occurrence of buried sites and artifacts and as mandated by the City of Oxnard archaeological guidelines, Developer shall pay for monitoring by a qualified Archaeologist and Native American Monitor (specifically a qualified Ventureno Chumash descendant). A contract with the Archaeologist shall be presented to the City prior to issuance of grading permits. Monitoring shall be required during all activity involving soil disturbance including grading (cut and fill) or other excavation (e.g., trenching). Should movement of soils during grading for re-compaction activities show no evidence of an archaeological site or artifacts, and with the concurrence of the City of Oxnard Planning and Environmental Services Division and the on-site Native American Monitor, further monitoring at this location by the Archaeologist may no longer be required. In the event that a prehistoric site or historic remains older than 50 years is identified during monitoring, the Archaeologist and/or Native American Monitor shall be empowered to stop all construction activities in the vicinity of the find. The Archaeologist shall document, identify, and evaluate the potential significance of any find. Such evaluation may require a Phase II site subsurface excavation and evaluation program. Should any remains prove to be significant, avoidance of the resource is the preferred mitigation. If avoidance through project redesign is not feasible, further investigations in the form of a Phase III data recovery program will be implemented to mitigate impacts to the identified resource. The Native American Monitor shall remain on-site throughout any necessary site documentation, evaluation, and mitigation processes.

Contracts shall include weekly reports from the archaeological monitor to the Planning Division summarizing the Archaeologist's activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building occupancy for each building.

Monitoring: Planning staff will review the Archaeological / Native American monitoring contract(s) prior to issuance of any grading permits. Planning staff will ensure the monitoring reports are received prior to Planning Division inspection for final building permit sign-off. Development Services staff will monitor on-site construction activities.

Result after Mitigation: With implementation of the above mitigation measures, the project will not result in any potentially significant adverse effects on the environment related to cultural resources.

F. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? Refer to Division of Mines and Geology Special Pub. 42. (*2020 General Plan, IX-Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☐	☒
b. Strong seismic ground shaking? (*2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☒	☐
c. Seismic-related ground failure, including liquefaction? (*2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☒	☐	☐
d. Landslides? (*2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☐	☒
2. Result in substantial soil erosion, or the loss of topsoil? (*2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☐	☒
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (*2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☒	☐	☐
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (*2020 General Plan, IX - Safety Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☒	☐

Discussion:

1-3) The City of Oxnard is located in an area that has a high potential for seismic ground shaking (2020 General Plan, Figure IX-2; Coastal Land Use Plan, Section 3.3). The 2020 General Plan Safety Element, Table IX-1 and Figure IX-2, lists fault systems that are located in the vicinity of the City of Oxnard (see Figure 10 – Geologic Hazards). There are no known active faults within the City limits, and the Subsurface Designs report states that the property is not in an Earthquake Fault Zone. The 2020 General Plan (Figure IX-2) identifies the project site as being within an area that is marked by a High Potential for Liquefaction. Although the *Preliminary Soils Engineering Investigation* report determined that the site does not have historically high levels of groundwater, the report confirmed that there is a potential for liquefaction to occur on the site (see Figure 11 – Liquefaction Potential). There is no potential for landslides on or near the site due to the level topography. Impacts will be less than significant.

The *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (November 28, 2008) prepared by Subsurface Designs, Inc., recommends that a mat foundation be constructed, plus removing and compacting the upper 6 feet of topsoil on the project site. Development Services Department staff will review the final design during the Plan Check process prior to issuing any building or grading permits, and will ensure that the plans satisfy the requirements of the 2007 California Building Code for Seismic Zone 4 applicable to Oxnard. With implementation of the recommended design features to mitigate potential structural problems associated with liquefaction and other geologic conditions, the impacts would be reduced to a level that is considered less than significant. Mitigation Measure F-1 will also result in any impacts being less than significant.

The current project is consistent with Policy 39 of the Coastal Land Use Plan that requires review of any seismic, liquefaction, or other geologic hazards. Also, the City Council adopted Ordinance No. 2159 on April 19, 1988, approving the Development Agreement between the City of Oxnard and Oxnard Shores Development Company for the Wooley Road Property, in order to transfer the development rights from several beachfront parcels (i.e. the relatively higher-risk area) to the inland property on Wooley Road for the purpose of avoiding and/or reducing significant environmental impacts from natural hazards such as tsunamis, storms, wave action, beach erosion, etc.

4) The Subsurface Designs report indicates that the expansion potential is very low for the soils beneath the surface of the project site. No mitigation measures are required or recommended. Impacts, if any, will be less than significant.

Cumulative Development:

1-4) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse geology and soils impacts will occur as a result of cumulative projects.

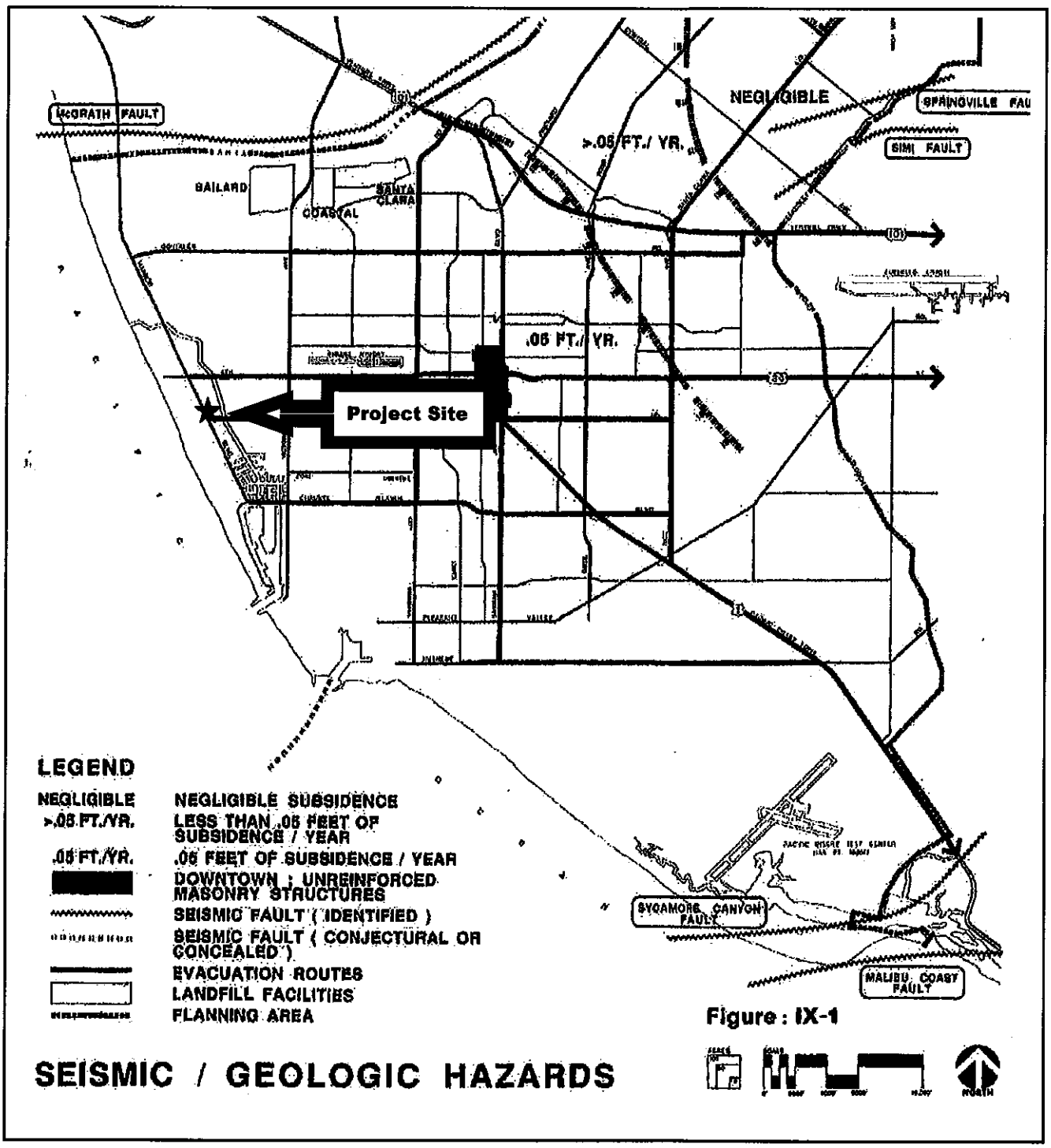
Mitigation Measure(s):

F-1 The developer shall be required to incorporate a mat foundation into each building according to the recommendations of the *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (by Subsurface Designs, Inc. November 28, 2008). A pile foundation shall be prohibited.

Required Monitoring: Building Division staff and Public Works Division staff shall review grading and construction plans to ensure compliance. Building Division and Public Works Division inspectors shall field monitor all applicable measures during grading activities and during construction.

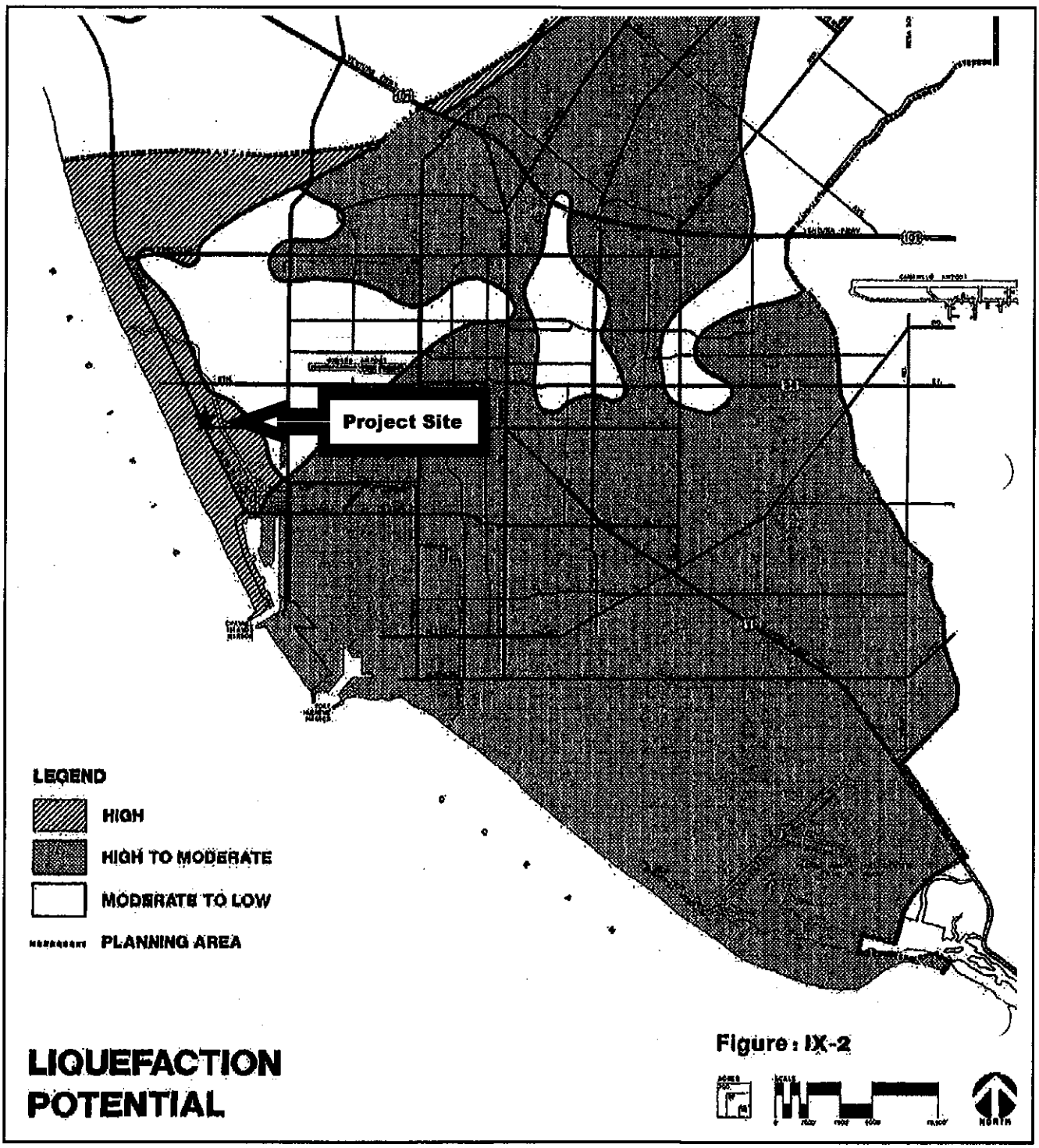
Result After Mitigation: Less than significant.

Figure 10 – Geologic Hazards



Source: City of Oxnard *2020 General Plan*, Figure IX-1.

Figure 11 – Liquefaction Potential



Source: City of Oxnard *2020 General Plan,* Figure IX-2.

G. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials? (*2020 General Plan, IX - Safety Element*)	☐	☐	☐	☒
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (*2020 General Plan, IX - Safety Element*)	☐	☐	☐	☒
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (*2020 General Plan, IX - Safety Element*)	☐	☐	☐	☒
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (*2020 General Plan, IX - Safety Element*)	☐	☐	☐	☒
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (*2020 General Plan, IX - Safety Element*)	☐	☐	☒	☐
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (*2020 General Plan, IX - Safety Element*)	☐	☐	☐	☒
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (*2020 General Plan, IX - Safety Element; City of Oxnard Emergency Preparedness Plan and Response Manual*)	☐	☐	☐	☒
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (*2020 General Plan, IX - Safety Element*)	☐	☐	☐	☒

Discussion: The information in this section is based on the *Phase II Sample Results, The Dunes Property, Oxnard California* (October 9, 2008) prepared by Waterstone Environmental, Inc., Anaheim CA.

1 & 2) The proposed project will not create any significant hazards to the public or the environment through the routine transport, use or disposal of hazardous materials. There will be storage and use of small domestic quantities of oil, gasoline, household solvents and cleaners, and other household chemicals that would be associated with the project. The storage and use of such small quantities of household materials would not result in any health hazards. The proposed project will not create any significant hazards through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. There will be no impacts.

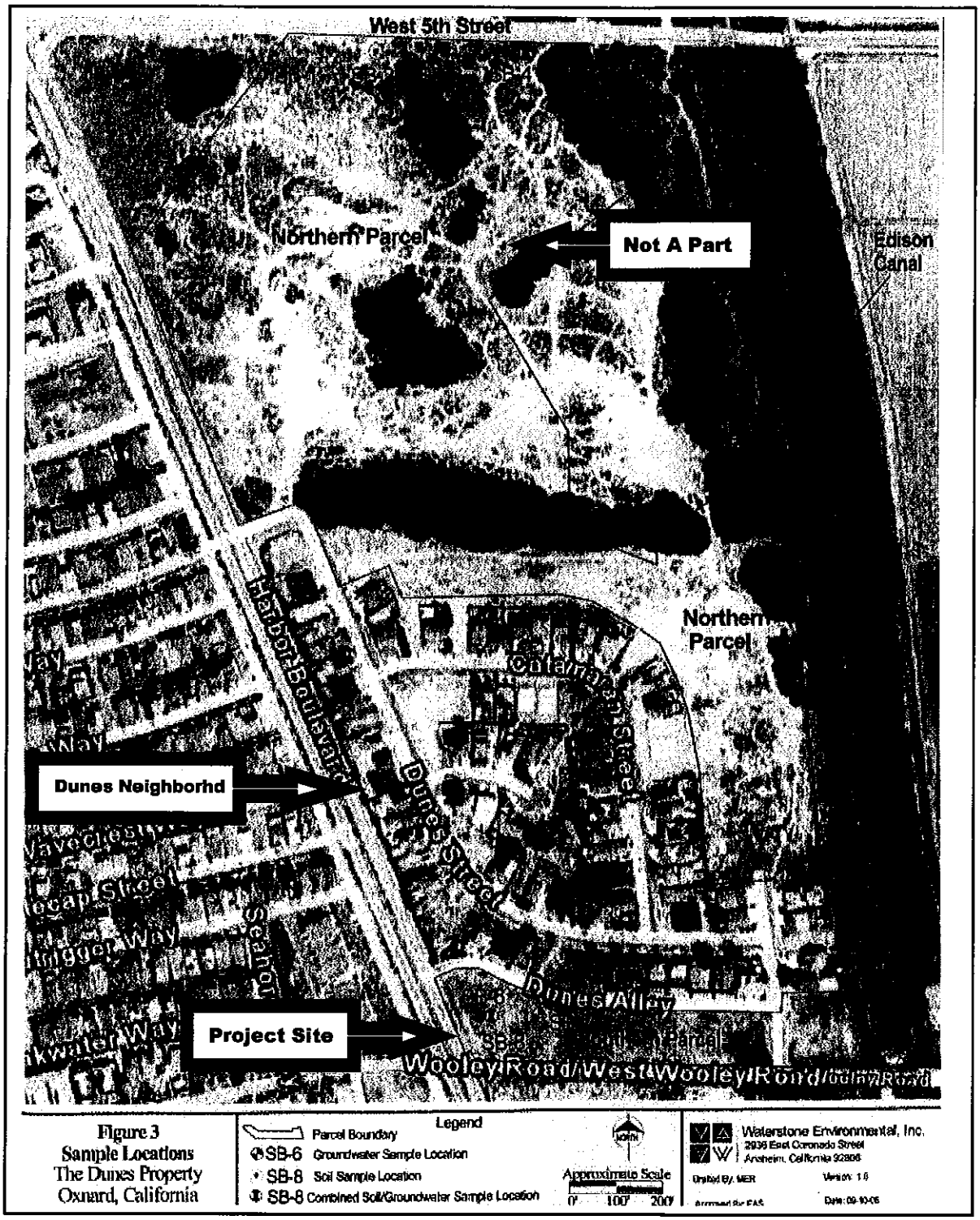
3) The project will not emit or contain any known hazardous materials during or after construction. The project is not located within one-quarter mile of a school. It is anticipated that the storage of small quantities of oil, gasoline, and household chemicals would be present for domestic household uses, and the storage and use of such small quantities of household materials would not result in a potentially significant health hazards. There will be no impacts.

4) The project site is not on the list of hazardous materials and cleanup sites compiled pursuant to Government Code Section 65962.5. A parcel to the north of the project site (see Figure 12) was formerly on the Department of Toxic Substances Control (DTSC) list in the 1980's, the entire site was cleaned to the satisfaction of DTSC, a sign-off letter from DTSC was issued on June 19, 1991, and the property was removed from the DTSC list on July 29, 1991. A portion of the northerly property has previously been developed with duplexes and single-family residences (a total of 148 dwelling units) and is now known as the Dunes Neighborhood (Figure 12). Due to the proximity of the current project to the northerly parcel at 5th Street, as well as the former activities that historically occurred on and near the project site, the developer retained an independent consultant to investigate the site for the presence of any hazardous substances. Results do not exceed any regulatory standards (see Appendix 3). **No potentially significant levels of hazardous substances, materials, or other conditions were found to be present in the soil or groundwater.** The results and recommendations of the *Phase II Sample Results* include the following:

- No Volatile Organic Compound (VOC) was detected in the groundwater sample collected in the southwestern portion of the subject property (i.e. the 4-acre parcel located at the northeast corner of Wooley Road and Harbor Blvd.).
- Total Petroleum Hydrocarbons (TPH) was detected in one of six soil samples collected and analyzed from the southern portion of the subject property (i.e. the 4 acres located at the northeast corner of Wooley Road and Harbor Blvd.). The detectable concentrations of petroleum hydrocarbons are below action levels for both diesel and oil range TPH.
- Toulene was the only detectable Volatile Organic Compound (VOC) detected in the soil samples collected and analyzed from the southern portion of the subject property. A trace concentration (significantly below any type of regulatory level or guideline) of toluene was detected in one of six samples orders of magnitude below residential and industrial Preliminary Remediation Goals (PRG's).
- Metals were detected in all of the six soil samples collected and analyzed from the southern portion of the subject property. All metals detected at concentrations consistent with published values of naturally-occurring background levels of metals in the area, with the exception of Barium in one of the samples.
- One soil sample exhibited an elevated concentration of Barium to warrant further Toxicity Characteristic Leaching Procedure (TCLP) analysis for hazardous determination. The subsequent analysis found that the concentration of Barium in the soil was at a non-hazardous level, based on established standards of the State of California and Federal Government.
- Waterstone recommends no further investigation in the area of the former oil field "petroleum waste pit" in the southern portion of the subject property.

No mitigation measures are recommended or required. The project site was determined to be suitable for residential development, and will not create any significant hazards to the public or the environment. There will be no impacts.

Figure 12 – Sample Locations



Source: *Phase II Sample Results, The Dunes Property*, Figure 3, by Waterstone Environmental, Inc. (October 9, 2008).

5) The project site is approximately 6,000 feet (more than 1 mile) southwest of the runway at Oxnard Airport, is within the Oxnard Airport Sphere of Influence, and is therefore also covered by the Ventura County Comprehensive Land Use Plan. Although the site is not under a direct flight pattern for the airport, it is subject to overflight of aircraft arriving and departing the Oxnard Airport (see Figure 17). The project will not result in a safety hazard for people residing in the project area. No potentially significant impacts are anticipated, and no mitigation is required or recommended. Any impacts will be less than significant.

6) The project site is not located in the vicinity or sphere of influence of any private airstrip. There will be no impact.

7) The project will not interfere with an adopted emergency response plan or emergency evacuation plan. At the time of construction, the developer will be required to widen and/or rehabilitate portions of Wooley Road and Harbor Boulevard, which would facilitate orderly evacuation of the project site and adjacent neighborhoods in the event of an emergency. The City's Fire Department maintains the tsunami evacuation plans and other emergency preparedness plans, and has reviewed and accepted the proposal. Therefore, there will be no impacts.

8) The project site is located within an urban area and surrounded by urban development. No wildlands exist in the vicinity of the project site, and the development of the site will not result in any hazards related to wildland fires. Therefore, there will be no impacts.

Cumulative Development:

1-8) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse hazards and hazardous materials impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None Required.

Monitoring: None Required.

Result After Mitigation: Not Applicable.

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Violate any water quality standards or waste discharge requirements? (*2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (*2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/ Conservation Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (*2020 General Plan, VIB - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff, in a manner which would result in substantial erosion or siltation on- or off-site? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐
5. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☐	☒
6. Otherwise substantially degrade water quality? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☐	☒

H. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☐	☒
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐
10. Inundation by seiche, tsunami, or mudflow? (*2020 General Plan, VII - Public Facilities Element, VIII - Open Space/Conservation Element, IX - Safety Element; FEIR 88-3, 4.9 - Water Resources*)	☐	☐	☒	☐

Discussion:

1, 3, 4, 5, 6) Water quality impacts associated with the proposed use would primarily be those from motor vehicles and landscape maintenance. The primary source of contaminants would be oil, grease, and particulates emitted by motor vehicles that are transported by runoff drainage. However, the project site has been designed to incorporate grassy bioswales and detention basins in order to filter the runoff and allow recharge of the groundwater, prior to discharge to the stormwater drainage system. There are no surface water bodies or wetlands within the vicinity of the proposed project; however, existing absorption rates, drainage patterns, and runoff rates of the subject site would be affected by an increase in impervious surfaces on-site. The *Preliminary Hydrology Report* states that runoff will be directed towards several grass swale filter areas along the south perimeter of the site. The parking areas will have several CONTECH Vortech Units to store and treat runoff, and will be equipped with insert filters to purify the water. This runoff water will be directed to existing catch basins in Wooley Road, then into the existing stormwater collector line to be conveyed to the canal for discharge. These City facilities have the capacity to accept drainage from the site.

The proposed project will be required to comply with the National Pollutant Discharge Elimination System (NPDES) program, which will result in cleaner water being directed into the City's storm drain system. In order to comply with the NPDES requirements for a permit to discharge storm water, a project that disturbs five acres or more must prepare a Storm Water Pollution Prevention Plan or "SWPPP" (see mitigation H-1). A SWPPP outlines both a plan to control storm water pollution during construction and after construction is complete. A SWPPP will be required for this project, and is subject to review and approval by the City of Oxnard in order to verify compliance with applicable NPDES requirements. Impacts are expected to be less than significant.

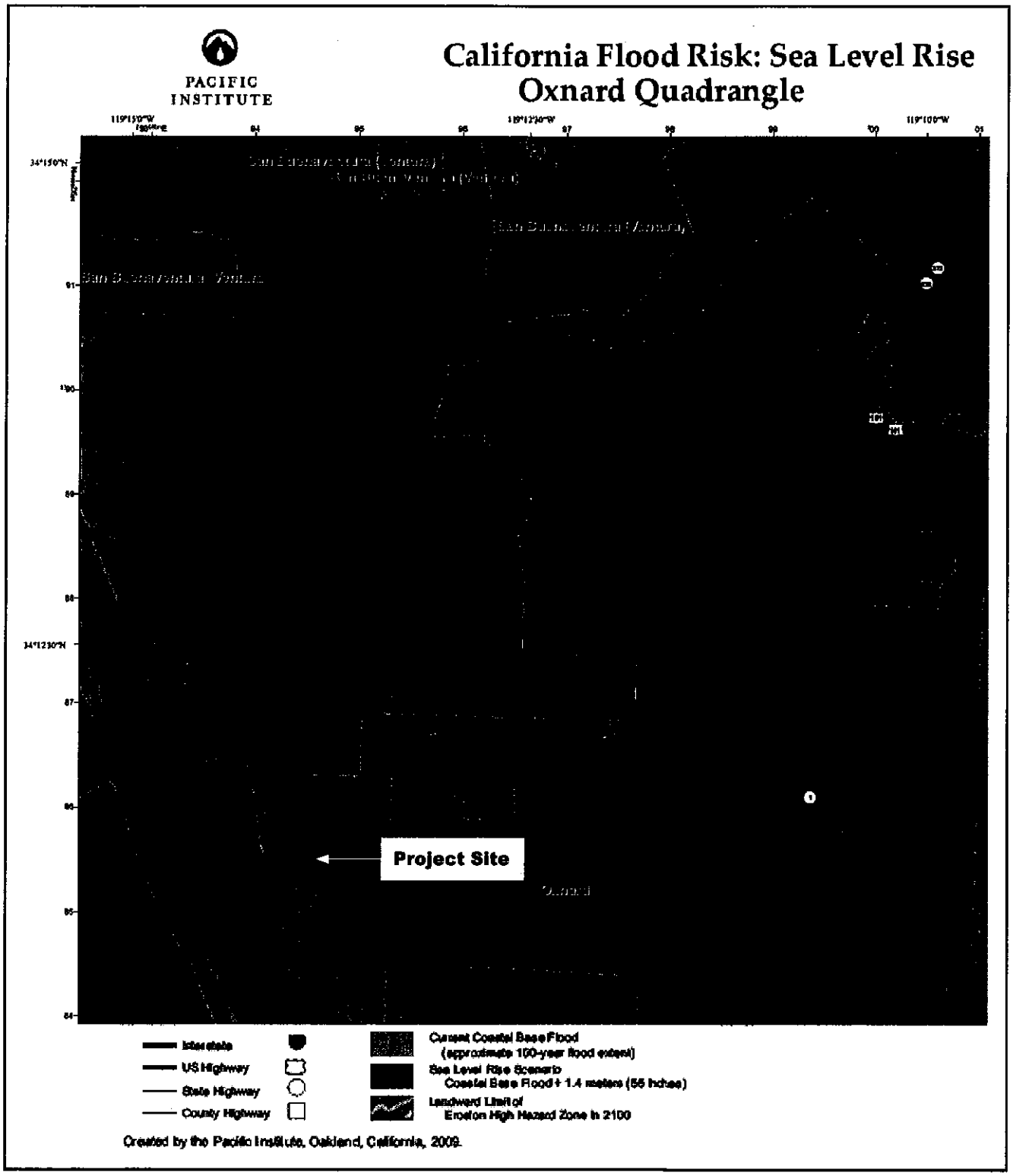
2) The project area would be served by City municipal water; the City obtains most of its water from the Calleguas Water District, which in turn purchases most its water from the Metropolitan Water District of Southern California. Other sources of water include local well water from United Water Conservation District and City wells. In order to address water supply needs at a regional level, representatives of the City of Oxnard, the Port Hueneme Water Agency (PHWA), the United Water Conservation District (UWCD), and the Calleguas Municipal Water District (CMWD) meet regularly. A collective effort to ensure continued delivery of high-quality water to the area has been initiated through the Groundwater Recovery Enhancement and Treatment (GREAT) Program; a new, regional groundwater desalination facility is associated with this program and is intended to serve the Cities of Oxnard and Port Hueneme. The proposed project will result in approximately 200 additional residents in the City than that which exists today. Based on an average per capita water demand rate of 155 gallons per day (GPD) per person, the anticipated increase in water demand would be approximately 31,000 GPD, or approximately 35 Acre-Feet per Year (AFY). The water demand required by the proposed development is included in the *2005 Urban Water Management Plan* which documents adequate long-term supply. The City's projected water supplies will meet the City's projected demand during normal, single dry, and multiple dry years through Year 2030. This includes the proposed project as well as the anticipated cumulative development expected to occur during that time frame. For a complete discussion, refer to section 4.14.1 & 4.14.2 of the Oxnard Village (Wagon Wheel) Specific Plan EIR. Impacts will be less than significant.

7 & 8) The proposed project site is located outside of the 100-year flood plain, according to Figure IX-3 in the 2020 General Plan. The project site is within Flood Zone B of the Flood Insurance Rate Maps (FIRM), and is an area between the 100-year and 500-year flood and some areas may be subject to 100-year (Q100) flooding. To protect the proposed buildings, the standard engineering requirement is to elevate the finish floor of each building approximately 1 foot above the on-site Q100 depths. The proposed project will be consistent with Coastal Policy 40 that requires the developer to agree to indemnify and hold the City harmless from any liability or damages resulting from the construction of his development (see mitigation measure H-2). Therefore, impacts will be less than significant.

9 & 10) The project site is located approximately 2,000 feet from the Pacific Ocean and adjacent to the Edison Canal., and located in an area that may be subject to inundation by a tsunami (2020 General Plan, Figure IX-3). The California Emergency Management Agency (Cal EMA) reviewed and updated the tsunami map in August 2009, and the City's tsunami evacuation plans and other emergency preparedness plans are adequate and will continue to serve the City well. The projected tsunami recurrence interval is hundreds to thousands of years along the Southern California coast (Legg et al., 2003). The California coastline has a tsunami warning system that will help ensure timely evacuation of the residents in affected areas. The risk exists, but is not considered potentially significant; because the risk cannot be completely eliminated, mitigation measure H-2 is included that requires the Developer to acknowledge the risks of development and indemnify and hold the City of Oxnard harmless from any liability or damages resulting from the construction of the project. Therefore, any impacts are considered less than significant.

Global climate change will have increasingly significant impacts on California and its coastal environments and communities. The state Coastal Act, through the Local Coastal Plans, mandates the protection, conservation, restoration, and enhancement of the state's coastal resources. As a result, the City must consider climate change, including global warming and potential sea level rise, through its planning and regulatory activities, and work to reduce greenhouse gas emissions and the detrimental impacts of global warming on the coast. While the amount of future sea level rise cannot be predicted with certainty, global climate change and 100-year flood events will certainly continue. Figure 13 – Sea Level Rise & Flood Risk (next page) illustrates one possible scenario for inundation areas during a 100-year flood, according to a recent report by the Pacific Institute. The map shows the areas of the city that may experience temporary flooding during 100-year flood events, if the average height of sea level were to rise approximately 4 feet over an unknown period that would be, at a minimum, 50 years. If sea level rise was less than the 4 feet assumed in the model simulation, then the inundation areas would not be as extensive throughout the City.

Figure 13 – Sea Level Rise & Flood Risk



As discussed in paragraph 7 & 8 above, the project site is located outside of the 100-year flood plain as identified in current Flood Insurance Rate Maps. The site is within Flood Zone B and is an area between the 100-year and 500-year flood and some areas may be subject to 100-year (Q100) flooding. To protect the proposed buildings, the finish floor of each structure will be elevated approximately 1 foot above the on-site Q100 depths. In addition, the project site on Wooley Road has a higher elevation than the beachfront parcels subject to the Development Agreement between the City of Oxnard and Oxnard Shores Development Company (Instrument No. 88-059788 and Instrument No. 89-174751), and therefore, the Wooley Road property is exposed to less relative risk from flooding or tsunami events compared to the beachfront parcels. In the event of long-term sea level rise, a worst-case scenario for this project would be approximately 4 feet of floodwater around the first floor and parking garages. However, because the risk cannot be completely eliminated, a mitigation measure is included that requires the Developer to acknowledge the risks of development and indemnify and hold the City of Oxnard harmless from any liability or damages. The proposed project will be consistent with Coastal Policy 40 that requires the developer to agree to indemnify and hold the City harmless from any liability or damages resulting from the construction of his development. By proceeding to obtain building and grading permits, the Developer acknowledges and assumes any potential risks associated with the project location and proximity to the coast. Any impacts are considered to be less than significant.

Cumulative Development:

1-5) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse cumulative impacts to hydrology and water quality will occur as a result of cumulative projects.

Mitigation Measure(s):

H-1 Developer shall submit a Storm Water Pollution Prevention Plan (SWPPP) to demonstrate compliance with National Pollutant Discharge Elimination System (NPDES) requirements prior to issuance of building permits.

H-2 Prior to issuance of any permits, the Developer shall submit documentation agreeing to indemnify and hold the City of Oxnard harmless from any liability or damages resulting from the construction of the project.

Monitoring:

H-1 Public Works Staff shall review and approve the SWPPP prior to issuance of a Building Permit.

H-2 Development Services Department staff and the City Attorney shall review and approve the Agreement prior to issuance of any permits.

Result After Mitigation: Less than significant.

I. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Physically divide an established community? (*2020 General Plan, V - Land Use Element; FEIR 88-3, 4.1 - Land Use*)	☐	☐	☐	☒
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (*2020 General Plan; City adopted Specific Plans; Local Coastal Program; and Zoning Ordinance; FEIR 88-3, 4.1 - Land Use*)	☐	☐	☐	☒
3. Conflict with any applicable habitat conservation plan or natural community conservation plan? (*2020 General Plan, VIII - Open Space/Conservation Element; FEIR 88-3, 4.1 - Land Use*)	☐	☐	☐	☒

Discussion:

1) The project site is in the Garden Apartment Coastal (R-3-C) zone of the Coastal Zoning Map (see Figure 5). The site is surrounded by residential, retail and open space uses. The project will not change any of the land use designations as prescribed by the Coastal Zoning Ordinance. The proposed project will not physically divide an established community. There will be no impact.

2) The proposed project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The project is consistent with the policies of the state Coastal Act in that the new residential development is concentrated in an existing developed area and consistent with the City's service capacities. The proposed project is consistent with Coastal Act Policy No. 30250, in that the development is located contiguous with existing developed areas with adequate public services, and where it will not have significant adverse effects on coastal resources. The project is designed and conditioned to be consistent with the City's current Coastal Land Use Plan and the Coastal Zoning Ordinance, as well as the Development Agreement between the City of Oxnard and Oxnard Shores Development Company for the Wooley Road Property (Instrument No. 88-059788 recorded on May 2, 1988, and Instrument No. 89-174751 recorded on October 31, 1989). A complete analysis with background information is provided in the *Final Environmental Impact Report for Oxnard Shores Agreement for Settlement of Litigation* (ENVICOM Corp., March 18, 1988), and is hereby incorporated by reference. The proposed project is consistent with Policy 8 of the Coastal Land Use Plan, in that the City Council approved a Transfer of Development Rights from several beachfront parcels to the inland property on Wooley Road (see Figure 14 – Transfer of Development Rights) for the purpose of avoiding significant environmental impacts and preserving coastal resources and beach areas. Therefore, there will be no impacts.

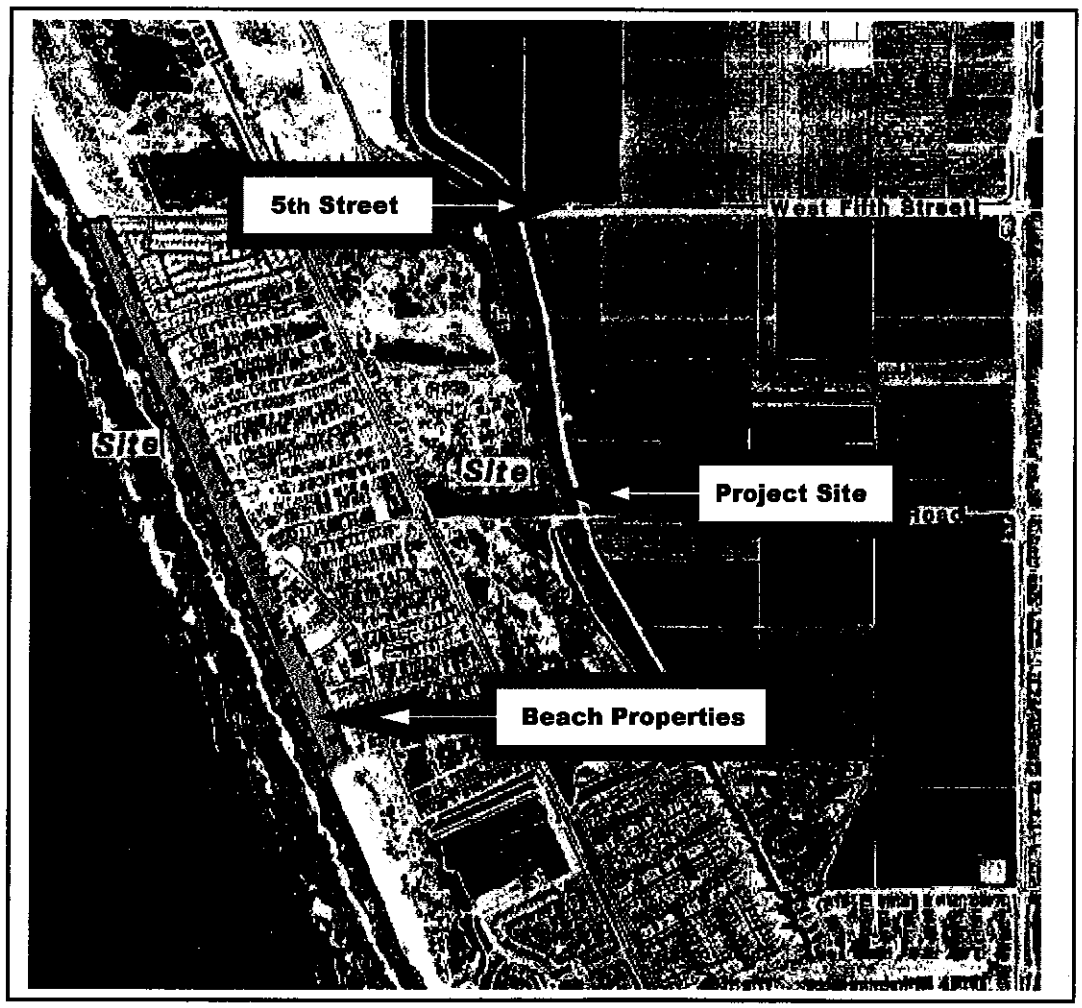
3) No habitat conservation plan or natural community conservation plan exist for the project site. Therefore, no impacts to land use and planning are expected.

Cumulative Development:

1-3) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse land use impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required.
Monitoring: None required.
Result After Mitigation: Not Applicable.

Figure 14 – Transfer of Development Rights



Source: *Draft EIR for Oxnard Shores Agreement for Settlement of Litigation,* Plate 1 (page 4-2).

J. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (*2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☐	☒
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (*2020 General Plan, V - Land Use Element; FEIR 88-3, 4.8 - Earth Resources*)	☐	☐	☐	☒

Discussion:

1 & 2) According to the Open Space/Conservation Element of the 2020 General Plan (Figure VIII-7), the project will not result in the loss of availability of mineral resources, since the project site is not located near an area of importance for mineral deposits. In the City of Oxnard, the deposits of minerals, sand, and gravel occur predominantly along the Santa Clara River Channel, along the 101 Freeway corridor, and along the eastern edge of the City extending east from Oxnard Boulevard. The project does not fall within any of the areas listed as having significant mineral deposits. Therefore, no impacts to natural and mineral resources are expected.

Development of the subject site would increase the rate of consumption of fuel and other energy sources. During construction, energy resources would be necessary for on-site building activities, equipment operations, and transport vehicles bringing supplies to the site and hauling away debris. After construction, necessary energy resources might include gasoline for project vehicle trips, natural gas for heating and cooling, and electrical service for lighting. The proposal does not create any unique demand on the resources described above. Mitigation measure C-8 (requiring photovoltaic solar panels to be included in the design of the swimming pool building to heat pool water) will also reduce the long-term use of electricity, thereby resulting in less demand on energy-production facilities and less consumption of fossil fuels. Therefore, no impacts are expected on natural and mineral resources.

Cumulative Development:

1 & 2) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts. Therefore, no additional adverse mineral resource impacts will occur as a result of cumulative projects.

Mitigation Measure(s): None required.
Monitoring: None required.
Result After Mitigation: Not Applicable.

K. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (*2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15*)	☐	☐	☒	☐
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (*2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15*)	☐	☐	☒	☐
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (*2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15*)	☐	☒	☐	☐
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? (*2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15*)	☐	☒	☐	☐
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (*2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 - 19-60.15*)	☐	☐	☐	☒
6. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (*2020 General Plan, X - Noise Element; FEIR 88-3, 4.4 - Noise; Oxnard Sound Regulations - Sections 19-60.1 through 19-60.15*)	☐	☐	☐	☒

Discussion: The information in this section is based on the *Site Specific Noise Study, Oxnard Shores LLC, The Shores Townhomes* (November 5, 2008) prepared by Acentech, Inc., and the *Traffic and Circulation Study* (December 4, 2008) prepared by Associated Transportation Engineers.

1 & 2) Operational & Traffic Noise - The City has established noise guidelines in the Noise Element of the City's General Plan. These guidelines identify compatible exterior noise levels for various types of land uses, and the maximum allowable noise levels vary depending on the land use. According to the City's Threshold Guidelines, noise levels exceeding 65 dB CNEL in outdoor living areas for residential land uses are usually considered significant (see Figure 15 – Noise Compatibility Matrix; and Figure 16 – Typical Decibel Level of Common Sounds). Noise levels in interior areas for residences should be 45 dB CNEL or less, and are usually considered significant if exceeding 50 dB.

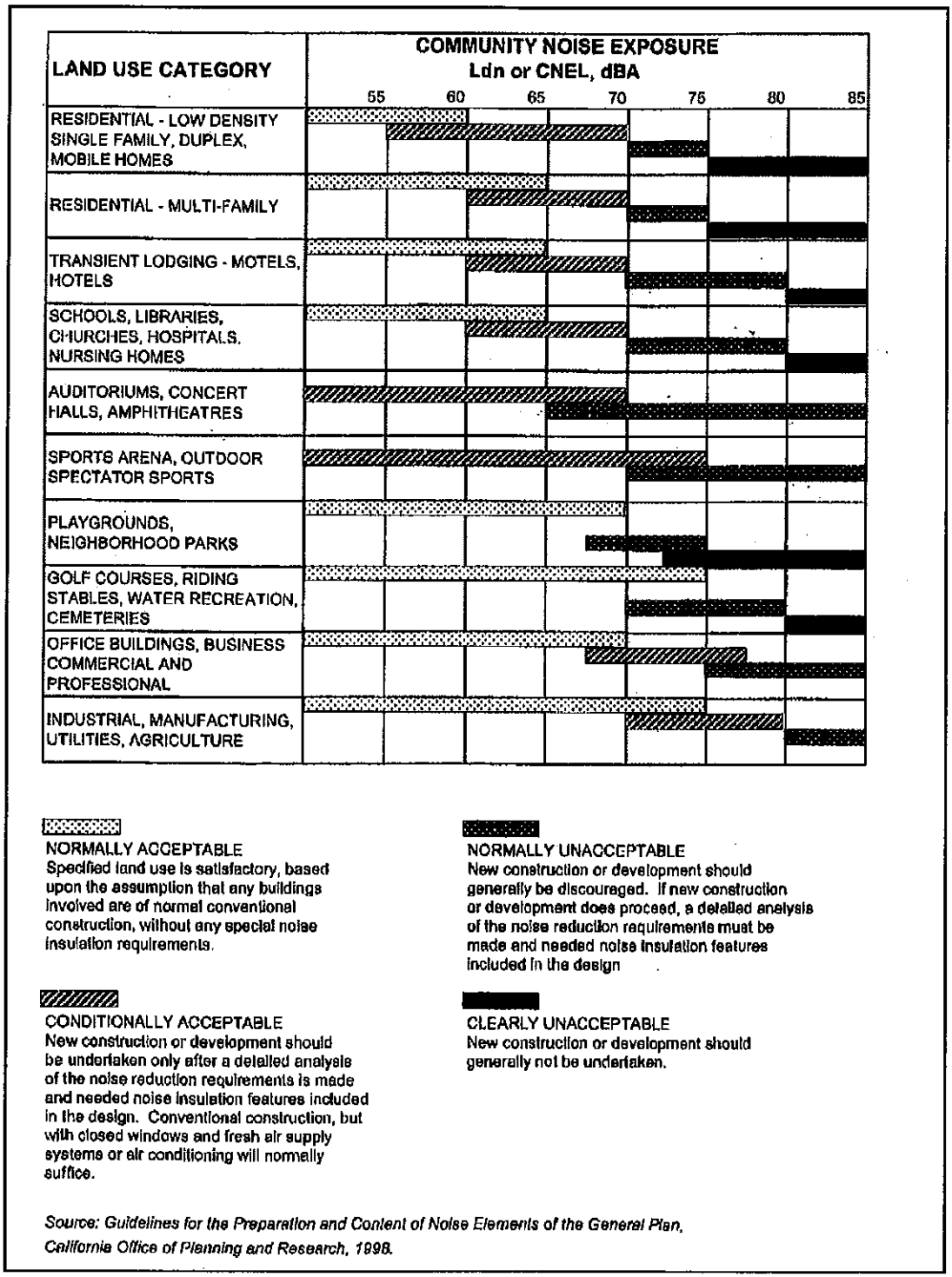
Operational noises from the project will be typical for residential development (e.g. doors and windows opening/closing, electrical devices, motors, ventilation, etc.) and is not expected to exceed 65 dB CNEL outdoors or 45 dB CNEL indoors. The project will be affected by noise from traffic along Harbor Blvd. and Wooley Rd. According to the *Site Specific Noise Study* prepared by Acentech, Inc., the future noise levels will not exceed the thresholds for exterior or interior noise. The design of the site and construction materials will substantially reduce noise levels for the project (both interior and exterior), and the building design does not allow outdoor living areas to face the adjacent streets. The structures will be constructed according to current California Building Code standards, including noise reduction in building materials. Impacts will be less than significant, and mitigation is not required.

Construction Noise - The City limits the hours of construction activities to Monday through Saturday from 7:00 a.m. to 6:00 p.m., and the City's noise ordinance regulates the volume and intensity of noise. Construction would involve clearing, grading, foundation construction and finish construction. The noise levels generated by construction equipment would vary greatly depending upon factors such as the type and specific model of the equipment, the operation being performed and the condition of the equipment. Based on typical construction operations, it is expected that during the clearing and grading activities the equipment will include a scraper, dozer, blade, loader, and water truck. When the grading and construction equipment are operating, some residences north of the project site could be disturbed by the noise from engines, mufflers, tools, etc. However, the average noise level is not anticipated to exceed 65 dB CNEL in outdoor areas for residential land uses. The developer will not be allowed to install structural foundations based on piles (see Mitigation K-1), and therefore, all impacts will be avoided in terms of the noise and vibration associated with pile-driving equipment and activities related to pile foundations. Because of the short-term duration of grading and construction activities, plus the City's existing noise ordinance, the potential noise impacts to adjacent residences are less than significant. No mitigation is required.

3 & 4) Since the project site is currently vacant, the construction of 70 condominium dwelling units will increase the ambient noise levels in the vicinity from sources such as motor vehicles (in addition to the typical household noises to be expected from a residential land use). An April 2008 noise study that was prepared for the 104-unit Deckside Villas planned unit development on the southeast corner of Wooley Road and Victoria Avenue recorded ambient traffic exterior noise levels in excess of 65 dB L_{eq}, which is an existing condition that exceeds the City of Oxnard's noise threshold of significance. The Deckside Villas project, developed in the early 1980's, is the only housing development on Wooley Road without soundwalls constructed between the development and the adjacent Primary Arterial streets. The proposed project will generate additional trips that will exacerbate the existing traffic-generated ambient noise levels around the Deckside Villas.

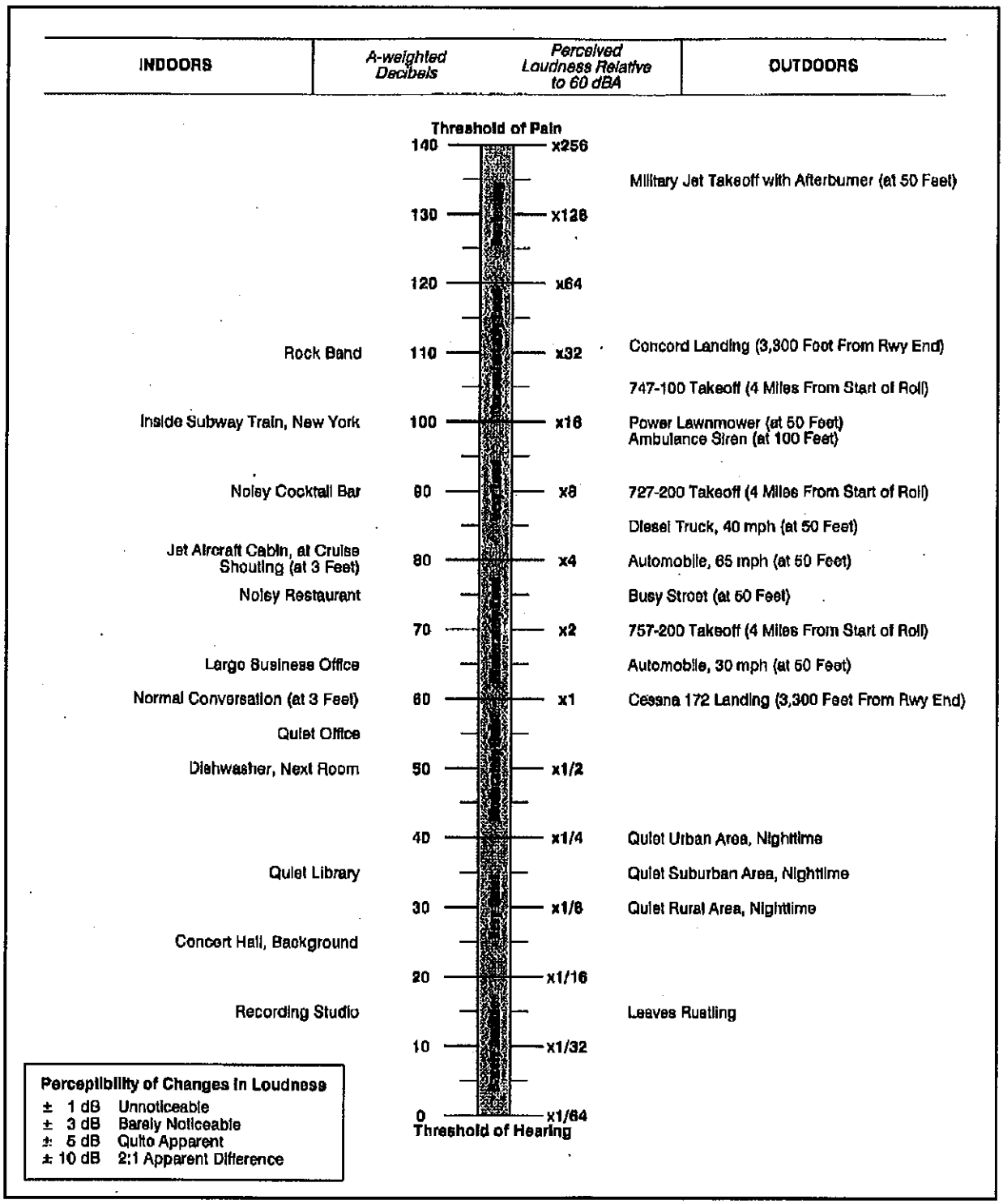
According to the project traffic study updated on June 10, 2009, the existing traffic volume is a total of 1,218 trips traveling to or from Wooley Road at the intersection of Victoria Avenue during the AM/PM peak hours (see Figure 3 in the *Traffic and Circulation Study*). The project would add 40 trips (67 x (0.20 + 0.15 + 0.20 + 0.05)) along Wooley Road that would pass the Deckside Villas during peak hours (see Table 4 and Figure 5 in the *Traffic and Circulation Study*). The future traffic volume for Existing + Project + Pending Projects during the AM/PM peak hours is estimated to be 2,243 trips (see Figure 6 in the *Traffic and Circulation Study*). Therefore, the project's contribution to the estimated 1,025 (2,243-1,218) new trips on Wooley Road during peak hours will be 3.9% (40/1,025 = 0.039). The Deckside Home Owner's Association (HOA) obtained an estimate of $100,000 to construct a 1,500-foot length of a perimeter Proto II soundwall to reduce ambient noise from traffic. Permit fees, engineering, demolition, and landscape reconstruction would add approximately 25%, for a total cost of $125,000. In order to reduce the future traffic noise to a level less than 65 dB L_{eq} (i.e. less than significant impact) at the Deckside Villas development, mitigation measure K-2 requires the applicant to pay into a fund for soundwall construction an amount proportional to the project's impact, or a total of $4,875.00 (0.039 x 125,000). With payment of the project's proportional share of the soundwall to mitigate the noise from the increased traffic that will result from the project, there would be no significant impact by this project to ambient traffic-generated noise.

Figure 15 – Noise Compatibility Matrix



Source: Guidelines for the Preparation and Content of Noise Elements of the General Plan, California Office of Planning and Research, 1998.

Figure 16 – Typical Decibel Level of Common Sounds



Source: California Dept. of Transportation, *California Airport Land Use Planning Handbook*, Figure 6A.

5) The project site is located within the Oxnard Airport Sphere of Influence and is therefore also covered by the Ventura County Comprehensive Land Use Plan. Although the site is not under a direct flight pattern and is not located within a noise contour for the Oxnard Airport, it is subject to overflight of aircraft arriving and departing the Oxnard Airport (see Figure 17 – Oxnard Airport Noise Contours). Aircraft noise due to overflights may be present from time to time, but the project falls outside of the 65 CNEL noise contour for the Oxnard Airport. Future residents in the project area will not experience excessive aircraft noise or vibration, or any increase in the average level of ambient noise, or other effects. No impact is anticipated, and no mitigation is required. Mitigation measure K-3 is included as a standard requirement for projects located within the Oxnard Airport Sphere of Influence. There will be no impact.

6) The project site is not located in the vicinity or influence area of any private airstrip. There will be no impact.

Cumulative Development:

1-6) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative noise impacts other than the impact on the Deckside Villas project discussed above.

Mitigation Measure(s):

K-1 The developer shall be required to incorporate a mat foundation into each building according to the recommendations of the *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (by Subsurface Designs, Inc. November 28, 2008) A pile foundation shall be prohibited.

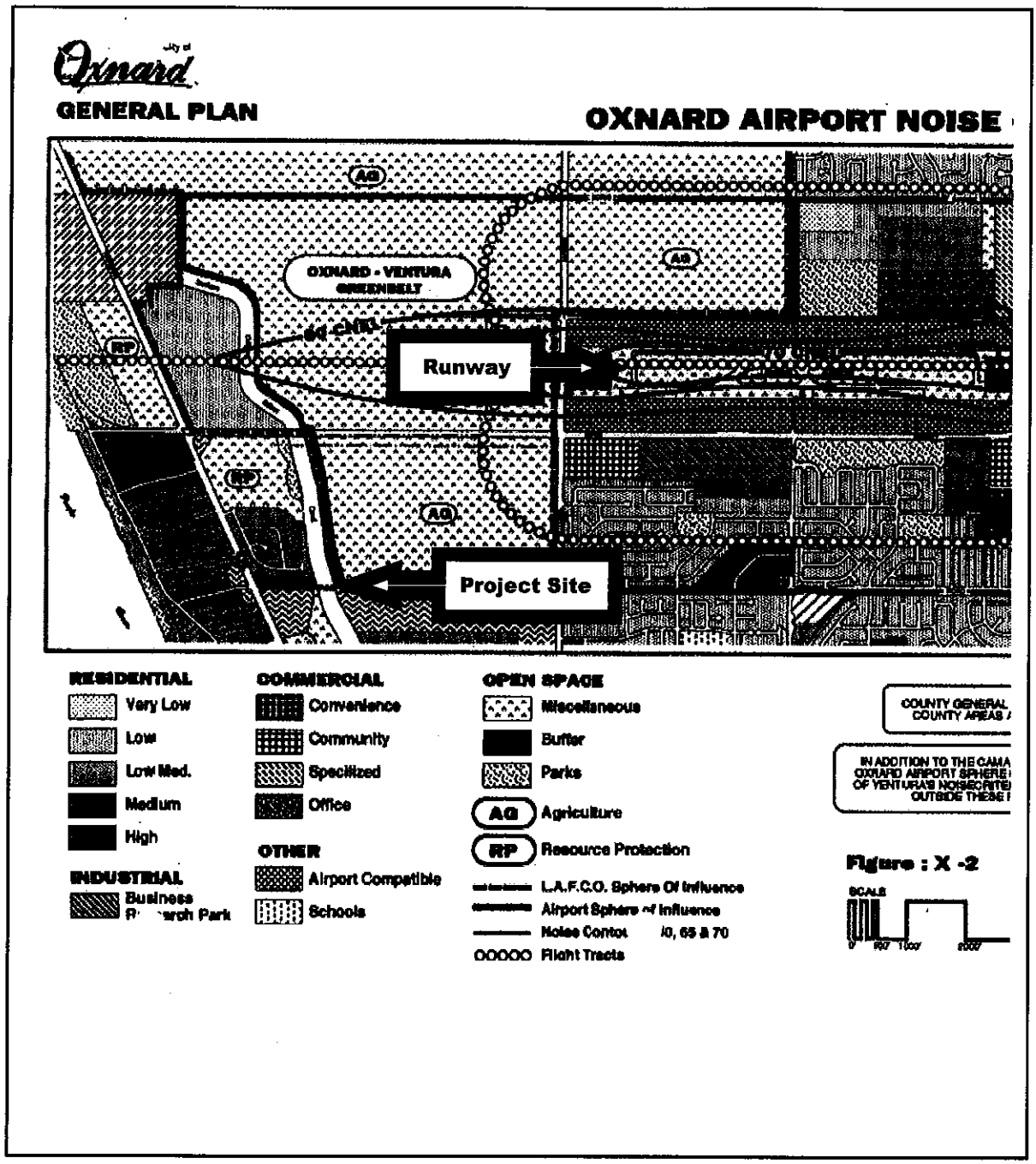
K-2 Prior to issuance of the first Certificate of Occupancy, the applicant shall contribute $4,875 to a designated City fund for the Deckside Villas that is to be used only for soundwall-related expenses.

K-3 Prior to issuance of the first Certificate of Occupancy, the developer shall record on all properties an Avigation Easement granting the County of Ventura an Avigation Easement for the operation of the Oxnard Airport. The Avigation Easement shall be consistent with the FAA model Avigation Easement.

Required Monitoring: Development Services and Public Works Division staff shall review grading and construction plans to ensure compliance, and inspectors shall field monitor all grading activities and foundation construction. Prior to issuance of the first Certificate of Occupancy, the Planning Manager shall confirm that the noise mitigation payment has been deposited with the Deckside HOA.

Result After Mitigation: All impacts associated with pile foundations will be avoided, and there will be no impact. Impacts related to traffic-generated noise will be mitigated to a level that is less than significant.

Figure 17 – Oxnard Airport Noise Contours



Source: City of Oxnard *2020 General Plan*, Figure X-2.

L. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through an extension of roads or other infra-structure)? (*2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts*)	☐	☐	☐	☒
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (*2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts*)	☐	☐	☐	☒
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (*2020 General Plan, IV - Growth Management Element, V - Land Use Element, Revised 2000-2005 Housing Element, FEIR 88-3, 4.2 - Population, Housing and Employment, 5.0 - Growth-Inducing Impacts*)	☐	☐	☐	☒

Discussion:

1) The Coastal Zoning Ordinance envisioned development of the project site with a medium-density residential land use, and designated the property as Garden Apartment Coastal (R-3-C). The project will provide 70 residential condominium units within five buildings. As an in-fill residential project surrounded by urban development, the project will not induce substantial population growth either directly or indirectly. The proposed 70 new dwelling units were previously considered and approved when the City Council adopted Ordinance No. 2159 on April 19, 1988, approving the Development Agreement between the City of Oxnard and Oxnard Shores Development Company for the Wooley Road Property (Instrument No. 88-059788 recorded on May 2, 1988, and Instrument No. 89-174751 recorded on October 31, 1989).

The anticipated resident population associated with 70 condominium units would be approximately 200 persons (or an average of 2.85 persons per unit which reflects the average persons per unit in the Oxnard coastal area), and is population growth anticipated in the 2020 and draft 2030 General Plans. The intent of the Development Agreement was to prevent development on several vacant parcels along the beachfront, in order to preserve the beach resource and avoid overcrowding and significant impacts, among other purposes (see Figure 14 – Transfer of Development Rights). The City Council approved the developer's payment of the In-Lieu Affordable Housing Fee, which contributes to the City's various programs to increase the affordability of housing for all economic segments of the population. Therefore, no impact is anticipated.

2 & 3) The property is currently vacant, and no housing or people will be displaced. There will be no impacts.

Cumulative Development:

1-3) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts to population and housing.

Mitigation Measure(s): None required.

Monitoring: None required.

Result After Mitigation: Not Applicable.

M. PUBLIC SERVICES*

Would the project result in substantial adverse physical impacts to the following:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Fire protection? (*2020 General Plan, VII - Public Facilities Element; FEIR.88-3, 4.13 - Public Services*)	☐	☐	☒	☐
2. Police protection? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services*)	☐	☐	☒	☐
3. Schools? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services*)	☐	☒	☐	☐
4. Parks? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services*)	☐	☒	☐	☐
5. Other public facilities? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.13 - Public Services*)	☐	☒	☐	☐

* *Include potential effects associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services.*

Discussion:

1) Fire. The project has been designed to include adequate fire hydrants, vehicle and pedestrian access (see discussion in Section O, paragraph 5), signs, smoke detectors, and all requirements of the Uniform Fire Code in order to minimize any potential impacts to fire services. In addition, Fire Department conditions regarding access, monitoring, and other design features (see Section O, paragraph 5) will be incorporated into the proposed project. By complying with the California Fire Code, standard requirements and conditions of the Fire Department, the potential impacts to fire services is considered to be less than significant.

2) Police. According to the City's 2020 General Plan, the current staffing ratio of City police officers to population should be maintained to provide adequate police services as the City's population increases. The City monitors the need for additional equipment, facilities, and/or personnel as part of the Five-Year Development Plan. Through this action, the City ensures that police services are available to serve new development, including the proposed project and cumulative development in the City. The increase in tax base generated by the project and cumulative projects would help fund the project's share of necessary police services within the City. In addition, the project must incorporate any mandatory Police Department design requirements (such as those pertaining to site access, site security, lighting, etc.) which will increase the safety of the public. Therefore, any potential impact on police services is considered to be less than significant.

3) Schools. School age residents in the project would attend either the Oxnard School District (K through 8) or the Oxnard Union High School District (OUHSD). The Oxnard School District uses a student generation factor for K-8 grade students of 0.110 for single-family attached units. For the project, the 70 condominium townhomes could potentially generate a total of eight K-8 grade students. The OUHSD uses a student generation factor of 0.1914 students per unit. The 70-unit development is calculated to generate 13 high school students. It is a mandatory requirement of all new residential development that prior to issuance of building permits, the applicant pays the applicable school impact fees to the school district in order to mitigate impacts to schools. By requiring the developer to pay the applicable fees to the school district, any potential impacts are considered to be less than significant.

4) Parks. The project provides on-site amenities for its residents, but future residents will place additional demands on community and regional parks and recreational facilities. It is a mandatory requirement of all residential development that prior to issuance of building permits, the applicant is required to pay the applicable Quimby impact fees in order to mitigate the effects of these additional demands. The proposed project will not be required to dedicate land or construct a public park on the site. It should be noted that the passive recreational opportunities nearby, notably the City's public beaches that are State resources, are not included in the inventory of parkland within the City. For a complete discussion, refer to section 4.12.1 of the Oxnard Village Specific Plan (Wagon Wheel) EIR, which is hereby incorporated by reference. However, a new public park was constructed with the Seabridge project (at the southwest corner of Wooley Road and Chesapeake Drive) and is located less than 1,000 feet east of the proposed project. Therefore, by payment of the applicable Quimby fee to mitigate the near-term as well as cumulative impacts, the impacts to parks are considered to be less than significant.

A major component of the Agreement for Settlement of Litigation (included as Appendix C of the *Final Environmental Impact Report for Oxnard Shores Agreement for Settlement of Litigation* by ENVICOM Corp., March 18, 1988) resulted in the transfer of ownership of numerous properties to the State Lands Commission of the State of California for the purpose of creating additional public beaches (see Figure 14 – Transfer of Development Rights). A total of 14 large beach areas were created for use by general public, and 9 public access areas measuring approximately 1,438 lineal feet were created for public access. Also, under the terms of the Development Agreement between the City of Oxnard and Oxnard Shores Development Company, the City can impose reasonable conditions, mitigation measures, and other requirements as would ordinarily be imposed on projects of this nature or which may be required through normal CEQA review. The applicant will be required to pay the usual and ordinary Quimby impact fee (rather than a dedication of land or the construction of a public park) in order to mitigate the effects of additional demands on existing park facilities. Therefore, any potential impacts to parks are considered to be less than significant.

5) Public Facilities. All required infrastructure currently exists around the site and can serve the proposed project. Water will be provided to the development by the City of Oxnard's Public Works Water Division (within the Calleguas Water District), and wastewater disposal will be provided by the City's Public Works Wastewater Division. To address the project's share of demands on public infrastructure, the City requires developers of new projects to pay the following development fees: *Planned Traffic Circulation System Facilities Fees* (Traffic Impact); *Planned Water Facilities Fee*; *Planned Wastewater Facilities Fee*; *Planned Drainage Facilities Fee*; and *Growth Requirement Capital Fee*. The developer must also pay the Calleguas Capital Construction fee (see Mitigation Measure P-1). Community center facilities and the existing Central Library will be sufficient to meet the future needs of the City as identified in the 2020 General Plan. Therefore, with payment of applicable fees, impacts will be less than significant.

The project area would be served by City municipal water; the City obtains water from three sources: the Calleguas Water District, local well water from United Water Conservation District, and City wells. The proposed project was included in the 2005 Urban Water Management Plan. In order to address water supply needs at a regional level, representatives of the City of Oxnard, the Port Hueneme Water Agency (PHWA), the United Water Conservation District (UWCD), and the Calleguas Municipal Water District (CMWD) meet regularly. A collective effort to ensure continued delivery of high-quality water to the area has been initiated through the Groundwater Recovery Enhancement and Treatment (GREAT) Program; a new, regional groundwater desalination facility is associated with this program and is intended to serve the Cities of Oxnard and Port Hueneme. A detailed water demand and supply study to the year 2030 prepared by the Water Division for the 2030 General Plan indicates the City will have adequate water supplies under normal year conditions for this project and the 2030 General Plan buildout. The City has banked groundwater pumping credits with the United Water Conservation District approximately equivalent to a one year's demand to make up for temporary supply shortages and/or dry year scenarios. The Draft 2030 General Plan EIR Water Supply impact analysis, pages 4-26 to 4-31, is hereby included by reference.

In terms of climate change effects on water supplies, numerous studies have been conducted including studies by the California Department of Water Resources, and the studies recognize that future impacts depend on the degree of global warming and that there is substantial uncertainty regarding its effect on local and regional climates. Current models being utilized are imperfect and imprecise, and there is no way to predict future temperature rise. However, global warming trends will likely have a detrimental impact on water supplies throughout California and the western United States, and California's existing infrastructure systems have not been designed for the likely future hydrologic conditions. Water suppliers in California (including the Metropolitan Water District) are addressing climate change impacts and developing policies to prevent water shortages, including new strategies that promote conservation, groundwater recharge, and water recycling.

Cumulative Development:

1-5) Except for water supply, cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts to public services.

Mitigation Measure(s):

M-1 Prior to issuance of any building permits, the developer shall pay the mandatory impact fees to the school district and present evidence of payment.

M-2 Prior to issuance of any building permits, the developer shall pay the mandatory Quimby Fee.

M-3 Prior to issuance of any building permits, the Developer shall pay the following mandatory development impact fees: *Planned Traffic Circulation System Facilities Fees* (Traffic Impact); *Planned Water Facilities Fee*; *Planned Wastewater Facilities Fee*; *Planned Drainage Facilities Fee*; and *Growth Requirement Capital Fee*.

Monitoring: Development Services Department staff shall collect impact fees prior to issuance of any building or engineering permits.

Result After Mitigation: Less than significant impacts.

N. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (*2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services*)	☐	☒	☐	☐
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (*2020 General Plan, XIII - Parks and Recreation Element; FEIR 88-3, 4.12 - Aesthetic Resources, 4.13 - Parks and Recreation Services*)	☐	☐	☒	☐

Discussion:
1 & 2) The project provides on-site amenities for its residents, but future residents will place additional demands on community and regional parks and recreational facilities. It is a mandatory requirement of all residential development that prior to issuance of building permits, the applicant is required to pay the applicable Quimby impact fees in order to mitigate the effects of these additional demands. The proposed project will not be required to dedicate land or construct a public park on the site. It should be noted that the passive recreational opportunities nearby, notably the City's public beaches that are State resources, are not included in the inventory of parkland within the City. For a complete discussion, refer to section 4.12.1 of the Oxnard Village Specific Plan (Wagon Wheel) EIR, hereby incorporated by reference. However, a new public park was constructed with the Seabridge project (at the southwest corner of Wooley Road and Chesapeake Drive) and is located less than 1,000 feet east of the proposed project. Therefore, by payment of the applicable Quimby fee to mitigate the near-term as well as cumulative impacts, the impacts to parks are considered to be less than significant.

A major component of the Agreement for Settlement of Litigation (see Appendix C of the *Final Environmental Impact Report for Oxnard Shores Agreement for Settlement of Litigation* by ENVICOM Corp., March 18, 1988) resulted in the transfer of ownership of numerous properties to the State Lands Commission of the State of California for the purpose of creating additional public beaches (see Figure 14 – Transfer of Development Rights). A total of 14 large beach areas were created for use by general public, and 9 public access areas measuring approximately 1,438 lineal feet were created for public access. Also, under the terms of the Development Agreement between the City of Oxnard and Oxnard Shores Development Company (Instrument Nos. 88-059788 and 89-174751), the City can impose reasonable conditions, mitigation measures, and other requirements as would ordinarily be imposed on projects of this nature or which may be required through normal CEQA review. The applicant will be required to pay the usual and ordinary Quimby impact fee (rather than a dedication of land or construction of a park) in order to mitigate the effects of additional demands on existing park facilities. Any impacts to parks are considered to be less than significant.

Mitigation Measure(s):
N-1. The developer shall be required to pay the mandatory Quimby Fee prior to issuance of any building permits.

Monitoring: Planning Staff shall assess and collect the Quimby Fee prior to issuance of any building permits.

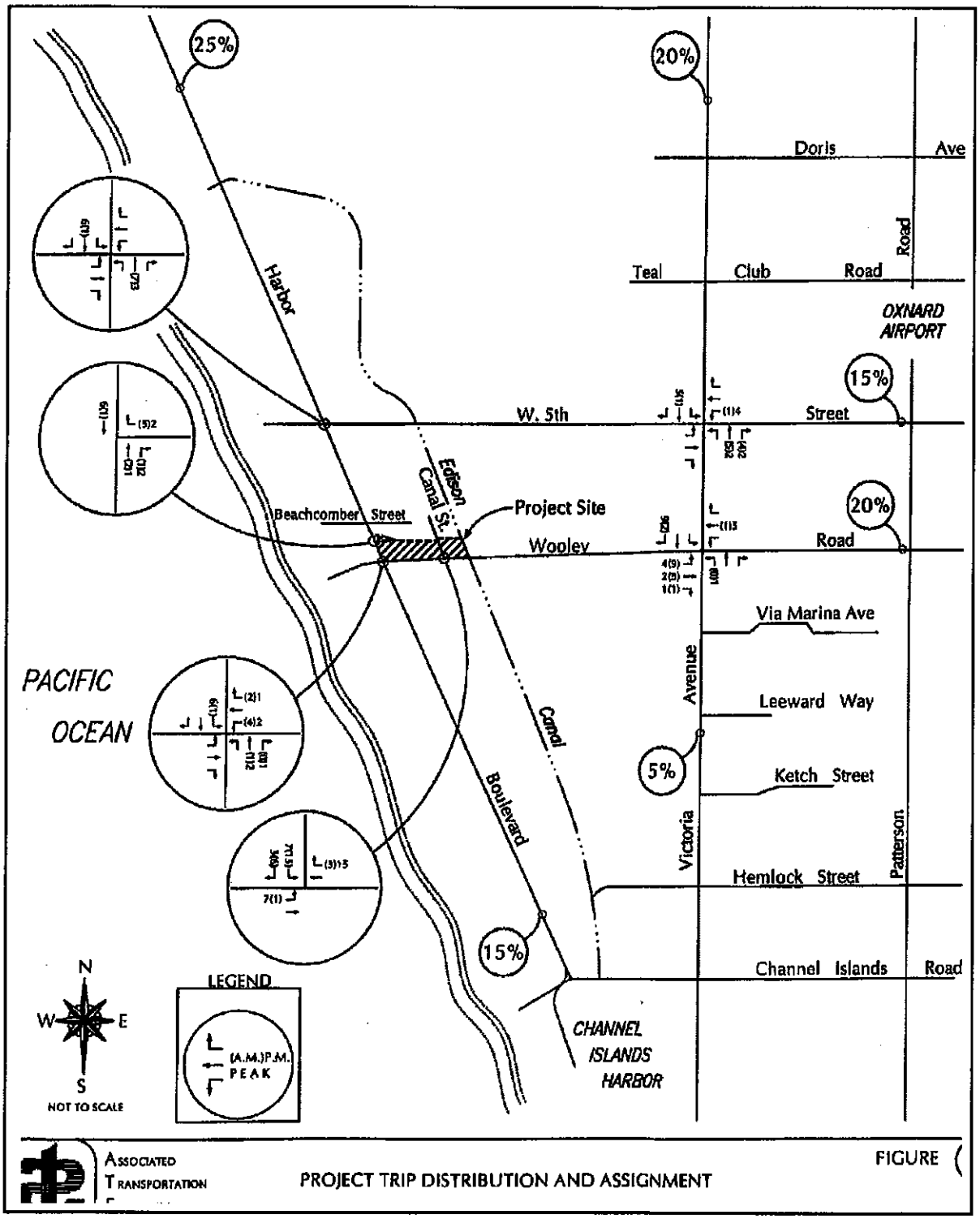
Result After Mitigation: Less than significant impact.

O. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
Would the project:				
1. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (*2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation*)	☐	☒	☐	☐
2. Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways? (*2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation*)	☐	☒	☐	☐
3. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks? (*2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 – Transportation/Circulation*)	☐	☒	☐	☐
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (*2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/ Circulation*)	☐	☒	☐	☐
5. Result in inadequate emergency access? (*2020 General Plan, VI - Circulation Element; FEIR 88-3, 4.3 - Transportation/Circulation*)	☐	☐	☒	☐
6. Result in inadequate parking capacity? (*Zone Ordinance - Parking Regulations and Parking Lot Design Standards*)	☐	☐	☐	☒
7. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (*Bicycle Facilities Master Plan*)	☐	☐	☐	☒

Discussion:

The following sections are based on the conclusions and recommendations in the *Traffic and Circulation Study, ATE Project #08116* (December 4, 2008), prepared by Associated Transportation Engineers. The study was prepared under the supervision of the City's Traffic Engineering staff, and reviewed and accepted by the Traffic Engineer. Five intersections were included in the study (see Figure 18 – Project Trip Distribution): Harbor Blvd. & Wooley Rd.; Harbor Blvd. & 5th Street; Wooley Rd. & Canal Street; Wooley Rd. & Victoria Ave.; Victoria Ave. & 5th Street. The methodology, analysis, and results are explained in detail on pages 1 – 14 in the *Traffic and Circulation Study.*

Figure 18 – Project Trip Distribution



Source: *Traffic and Circulation Study,* Figure 5, prepared by Associated Transportation Engineers (December 4, 2008).

1 & 2) An analysis of potential traffic and circulation impacts associated with the proposed residential development was conducted for this specific project. The analysis included the identification of existing and projected traffic volumes, distribution of project-related traffic, and capacity analysis at several key intersections in the project vicinity during a.m. and p.m. peak hours. The analysis was conducted to identify the proposed project's potential traffic-related impacts on specified intersections and roadways under opening year (2010) and future year (2020) conditions. A full explanation of the methodology and threshold criteria are included in the traffic study on pages 8 and 9.

Table 7 summarizes the project's trip generation. Based on the generation rate published in *Trip Generation* (8th Ed., by the Institute of Transportation Engineers), a total of 407 Average Daily Trips can be expected due to the project. According to Figure 18, the traffic model estimates that 60% (20 + 15 + 20 + 5 = 60) of the trips would utilize Wooley Road traveling east, and 40% (25 + 15 = 40) would utilize Harbor Boulevard. Of the total of 407 daily trips, approximately 31 trips will occur in the morning peak-hour 7:00-9:00 a.m. and 36 trips will occur in the evening peak-hour 4:00-6:00 p.m. (see Table 7). These peak-hour trips will generally be split between the two primary access points (one being the alley to Harbor Blvd. and the second to Canal St.) distributed over a time period of two hours each in the morning and evening. Assuming a total of 31 and 36 trips in the morning and evening peak-hours, respectively, an average of 8 or 9 trips per hour would enter/exit the project at Harbor Blvd. and Canal St. The remainder of the 340 daily trips (407 – 67 = 340) will be distributed throughout the day like in other residential neighborhoods.

Table 7 – Project Trip Generation

Land Use	ADT	Weekday Peak Hour Trips					
		AM Peak Hour (7:00 – 9:00 a.m.)			PM Peak Hour (4:00 p.m. – 6:00 p.m.)		
		Entering	Exiting	Total	Entering	Exiting	Total
70 Condominium / Townhouse Units	407	5	26	31	24	12	36

Source: *Traffic and Circulation Study,* Table 4.

Based on the City of Oxnard criteria for evaluating project impacts at intersections, the City's Traffic Engineer determined that the project will not exceed the threshold criteria, and would not have any potentially significant impacts. Therefore, no mitigation measures are required to compensate for the project's traffic. However, the developer will be required to construct, at his expense, the following standard Public Works improvements:

- Dedication of land and a new right-turn only lane on westbound Wooley Rd.;
- Modify the traffic signal at the Harbor Blvd./Wooley Rd. intersection to accommodate Wooley Rd. widening;
- Construct curb/gutter/sidewalk along frontages facing Harbor Blvd., Wooley Rd., and Canal St.;
- Grind and repave the asphalt surfaces on Wooley Rd., Canal St., and Hobbs Way (alley);
- Remove poles and install underground wires along the north side of Wooley Rd. adjacent to the project site;
- Install storm drain catch basins and street lights adjacent to the project site; and,
- Install other usual and ordinary improvements (e.g. ADA compliant pathways and driveways, sidewalk ramps, street signs, etc.) to serve the development.

In addition to the Public Works standard requirements, mitigations O-1 through O-6 identify design features that the developer will construct, at his expense, as part of the project. With construction of the standard requirements and mitigation measures, the potential impacts will be less than significant.

Table 8 shows the traffic model's estimates for future Levels of Service (LOS). Level of Service (LOS) is an index utilizing letters A through F to describe the amount of traffic congestion, with 'A' indicating little or no delay, and 'F' indicating lengthy delays or gridlock. As Table 8 indicates, the proposed project will not result in any LOS reaching 'C' or lower (in fact, there will be no deterioration in LOS at local intersections), and there will be no potentially significant impacts. There are no special mitigation measures that are required for traffic. However, standard off-site improvements will be required, such as a right-turn lane on westbound Wooley Road, sidewalks, ramps, etc.

Table 8 – Existing (2008) and Opening Year (2010) Level of Service Summary

Intersection	Existing		Year 2010 without Project[1]		Year 2010 with Project[2]		Significant Impact?
	AM	PM	AM	PM	AM	PM	
Harbor Blvd & 5th Street	A	A	B	A	B	A	No
Harbor Blvd & Dunes Alley	B	A	B	B	B	B	No
Harbor Blvd & Wooley Rd	A	A	A	B	A	B	No
Victoria Ave & 5th Street	A	B	A	C	A	C	No
Victoria Ave & Wooley Rd	A	A	A	A	A	A	No
Wooley Rd & Canal Street	A	B	B	B	B	B	No

1. Existing conditions plus approved/pending projects not yet built.
2. Includes proposed project and approved/pending projects.
Source: *Traffic and Circulation Study,* Tables 1, 3, 5 & 6.

Construction of the proposed project will result in increased vehicle trips, resulting in the increased use of City and County roads in the vicinity of the project site. Additional traffic on local roads will result in maintenance costs to the City and County, and therefore, it is appropriate to impose a standard traffic impact fee in proportion to the project's expected trip generation. The City of Oxnard and Ventura County have executed a "Reciprocal Traffic Mitigation Agreement" wherein the City and County have agreed that a pro-rata share of the cost of mitigations will be collected by each agency for traffic impacts in the other jurisdiction. The project would be consistent with the Ventura County General Plan by complying with the terms of the "Reciprocal Traffic Mitigation Agreement" adopted on February 2, 1993. By paying the mandatory County/City Traffic Impact Fee, the developer will mitigate the project's impacts on local roads and intersections. With payment of the fee, any impacts will be less than significant.

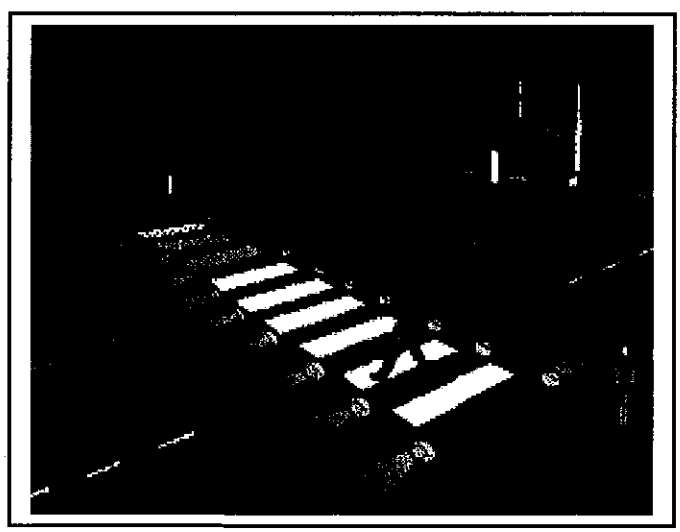
With regard to cumulative impacts (e.g. impacts in the year 2020), the County of Ventura has adopted a Traffic Fee Mitigation Ordinance. The County of Ventura allows for participation in the Traffic Fee Program as a way to comply with its Traffic Fee Mitigation Ordinance and General Plan traffic policies. By paying the mandatory County/City Traffic Impact Fee (see mitigation O-7), the developer will mitigate the project's potential cumulative impacts. There, with payment of the County/City Traffic Impact Fee, potential impacts will be less than significant.

3) Harbor Boulevard is the principal north-south access route to the project site, and is designated a secondary arterial in the Circulation Element of the 2020 General Plan (Figure VI-5). Wooley Road is a major east-west thoroughfare that is also adjacent to the project site, and is designated a local arterial for that segment (2020 General Plan, Figure VI-5). The project proposes primary access from alley connected to Harbor Boulevard and Canal Street adjacent to the project site, and will not take direct access (i.e. no driveways) from either Harbor Blvd. or Wooley Road. Traffic patterns will remain the same, as existing intersections currently can serve the site and permit turns directly into the site (i.e. to and from Harbor Blvd. and Canal Street). The signal timing at Harbor Blvd./Wooley Rd. allows protected U-turns on Harbor Blvd. (a minimum of 35 feet is required to make a U-turn, and currently there is 38 feet of existing roadway) and most if not all of the traffic arriving via Harbor Blvd. will utilize the alley access. The City will require frontage improvements along Wooley Road to provide an additional right-turn lane at Harbor Blvd., widening and an

intersection on Canal Street, a ladder-type pedestrian crosswalk with embedded flashing LED lights (crossing Wooley Road at Canal Street), traffic advisory signs, and bike lanes on Wooley Road. All improvements will be constructed according to current design criteria and traffic safety standards. Wooley Road will be widened at Harbor Blvd. and have 12-foot wide vehicle lanes which will help reduce speeds (currently the lanes are 15 feet wide) and further improve safety in a variety of weather conditions. After the improvements are completed on Wooley Road and the project has been constructed, the Public Works Division will conduct a speed zone study to analyze the justification for reducing the speed limit to 35 m.p.h. on Wooley Road east of Harbor Blvd. Mitigation measures O-1 through O-6 list the standard design features that will be constructed as part of the project, and will result in improved safety for traffic and pedestrians. After installation of the mitigation measures, the potential impacts will be less than significant.

4) The project will not substantially increase hazards due to any design features or incompatible uses (e.g., farm equipment). Although an active agricultural land use is in the vicinity of the project site, the small amount of truck traffic is intermittent and seasonal, and access to agriculture is not located adjacent to the project site. Historical data was obtained from the City's Traffic Engineering staff for motor vehicle collisions that occurred in the time period from 10/01/03 – 09/01/09, at the intersections of Harbor Blvd./Wooley Rd. as well as at Harbor Blvd./Beachcomber Way. A total of 27 collisions occurred at Harbor Blvd./Wooley Rd. (7 of which were due to DUI), and a total of 15 collisions occurred (3 of which were due to DUI) at the Harbor Blvd./Beachcomber intersection. Traffic Engineering staff has analyzed the historical data and determined that design features have not contributed to past traffic accidents, and the proposed project will not construct any design features that might contribute to future collisions.

The City will require improvements to ensure safety, including a ladder-type pedestrian crosswalk with in-pavement flashing LED lights (on Wooley Rd. at Canal St.), and traffic control signs. The in-pavement LED lights are used at crosswalks to alert motorists to the presence of a pedestrian crossing the street. The amber lights are embedded in the pavement on both sides of the crosswalk and oriented to face oncoming traffic. When the pedestrian activates the system by using a push-button, the lights begin to flash at a constant rate, warning the motorist that a pedestrian is in the crosswalk ahead. The amber LED lights flash in unison at a rate designed for maximum motorist recognition and are visible in daylight as well as at night. The flashing lights are only activated when a pedestrian wants to cross and are automatically shut off after a set period of time (i.e., the time required to safely cross the street). Since the lights only flash when activated, the motorist receives real-time information indicating that a pedestrian is in the crosswalk or preparing to cross. In addition, warning signs will be required to advise motorists of the nearby crosswalk. In Oxnard, existing crosswalks with effective LED lights are located at Saviers Rd./Dollie Street. Other than a new right-turn pocket on westbound Wooley Rd. at Harbor Blvd., no additional turn pockets (e.g. at Canal Street) are required, based on the volume of future traffic and the requirements of the CalTrans *Highway Design Manual*. The City's Traffic Engineer has reviewed the proposed plans, and attached the necessary standard requirements in order to comply with the *Highway Design Manual*. All improvements will be constructed to comply with current design criteria and traffic safety standards. After compliance with Standard Requirements and mitigations O-5 and O-6, the impacts will be less than significant.



5) The project proposes vehicular access from Canal Street and the proposed alley at the rear of the project site. Two arterial roads (Harbor Boulevard and Wooley Road) are adjacent to the site and provide adequate access for emergency vehicles and services, and the site design has been approved by the Fire Marshal. The standard requirements prepared by the Fire Department will include the following items:

- The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department;
- 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;
- The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department;
- 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;
- Developer shall provide automatic fire sprinklers as required by the City Code;
- Developer shall install in each structure in the project an alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure;
- Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department; and,
- Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief.

Prior to issuance of any building permits, Development Services Department and Fire Department staff will review construction plans to ensure compliance with all Standard Requirements. Therefore, there will be no impacts.

6) The proposed project will be required to comply with the parking requirements of the Zoning Code (a minimum of 181 spaces are required, and 200 spaces will be provided). The parking areas will be required for vehicle parking only, and cannot be converted to storage spaces. The Zoning Code does not regulate the number of vehicles allowed per dwelling unit (e.g. such as multiple tenants residing within one house in the adjacent neighborhood). Parking due to vehicles from this project will not have any significant effect on adjacent properties or streets. The project C.C.&R.'s will control parking by the residents and their guests. The alley and curbs will be striped and marked as a Fire Lane, and parking will not be allowed within the alley. No impacts are anticipated on the project site, and no cumulative impacts are expected to occur as a result of this project.

7) The proposed project will not conflict with any adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks). Bicycle parking and storage will be provided on-site for residents and their guests. The local transit agency does not require a bus turnout adjacent to the site. There will be no impacts.

Cumulative Development:

1-7) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts to traffic/transportation.

In addition to the project's traffic study, City staff has completed analyses of projected 2030 traffic as part of the environmental review of the Draft 2030 General Plan. The Citywide Oxnard Traffic Model (OTM) includes the 70 units on the project site, proposed development in the harbor under County of Ventura jurisdiction, the completion of the North Shore project, the completion of the Seabridge project (with an elementary school or with housing as permitted), and the eventual development of the tract just adjacent and north of the Dunes neighborhood. OTM results show no intersections on the west of Ventura Road operating a below LOS C under the 2030 General Plan Alternative B scenario after OTM mitigations are assumed completed.

Mitigation Measure(s):

O-1 Developer shall dedicate to the City the Right-of-Way along Wooley Road and Harbor Blvd. associated with the road widening under this project.

O-2 Developer shall modify the traffic signal at Wooley Rd/Harbor Blvd. associated with the proposed road widening. The signal modification shall include provision of a traffic signal battery back-up system, new service equipment enclosure and emergency vehicle detection system.

O-3 Developer shall design and reconstruct the curb ramp at the southeast corner of Wooley Rd and Harbor Blvd. The redesign shall comply with disabled access requirements and address the sand accumulation problem at the ramp.

O-4 Developer shall place existing overhead utility lines (except electrical lines in excess of 33KV) on and adjacent (as defined in City ordinance) to the project (including Wooley Road, Harbor Boulevard and the canal easterly of the project) underground in accordance with City ordinance. Before issuance of a site improvement permit or recordation of a final map, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation.

O-5 Developer shall install a wireless, solar powered, in-pavement crosswalk warning light system on the easterly leg of the Wooley Road/Canal Street intersection along with associated striping and signage, including advanced warning signage and markings, to enhance the safety for pedestrian crossing of Wooley Road. Final design of the crosswalk warning light system to be approved by the City Traffic Engineer.

O-6 Developer shall design the walls at the entry and exit gate of the Ground Parking Level of Buildings 1 and 4 to provide additional corner visibility similar to that provided on Buildings 2 and 3. Final design shall be approved by the City Traffic Engineer.

O-7 Developer shall pay the applicable County/City Traffic Impact Fee(s) prior to issuance of a building permit.

Monitoring: The Development Services Division will ensure that all impact fees are paid. The Development Services Division shall review improvement and construction plans to ensure compliance with these mitigation measures and standard requirements.

Result After Mitigation: Less than significant impacts.

P. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐
3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐
5. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐
7. Comply with federal, state, and local statutes and regulations related to solid waste? (*2020 General Plan, VII - Public Facilities Element; FEIR 88-3, 4.6 - Public Utilities, 4.9 - Water Resources*)	☐	☐	☒	☐

Discussion:

1, 2, 3) As an in-fill residential project surrounded by urban development, the project will create additional incremental demand on existing utilities and service systems. The project will not require or result in the construction of new water or wastewater treatment facilities, expansion of existing facilities, construction of new storm water drainage facilities, or expansion of existing storm water facilities. Existing infrastructure exists adjacent to the property, in Harbor Boulevard and Wooley Road, and can serve the project. As noted in Section H (Hydrology & Water Quality) above, the developer will be responsible for installing standard storm drain facilities to serve the project site and connect to existing infrastructure around the property, including on-site storm water treatment and reduction devices, that will meet the requirements of the City and the National Pollutant Discharge Elimination System (NPDES). Therefore, any impacts to drainage and treatment facilities are expected to be less than significant.

4) Water service to this area is currently provided by the City's Water Division and is located within the Calleguas Water District area. The Calleguas Water District purchases most its water from the Metropolitan Water District of Southern California. Other sources of water include local well water from United Water Conservation District and City wells. A collective effort to ensure continued delivery of high-quality water to the area has been initiated through the Groundwater Recovery Enhancement and Treatment (GREAT) Program; a new, regional groundwater desalination facility is associated with this program and is intended to serve the Cities of Oxnard and Port Hueneme. The project will not create any unusual demands on water supplies. Based on an average per capita water demand rate of 155 gallons per day (GPD) per person, the anticipated increase in water demand would be approximately 31,000 GPD or approximately 35 Acre-Feet per Year (AFY). Water conservation and shut-off devices will be installed in the project, such as landscape irrigation systems, interior/exterior fixtures, appliances, etc. The water demand required by the proposed development is included in the *2005 Urban Water Management Plan* which documents adequate long-term supply. The City's projected water supplies will meet the City's projected demand during normal, single dry, and multiple dry years through the Year 2030. This includes the proposed project as well as the anticipated cumulative development expected to occur during that time frame. For a complete discussion, refer to section 4.14.1 and 4.14.2 of the Oxnard Village Specific Plan (Wagon Wheel) EIR, hereby incorporated by reference. The project site is currently located within Calleguas service boundary, annexation is not required, and the developer shall be required to pay the applicable Calleguas Capital Construction fee in effect at the time of building permit issuance. By paying the applicable fees, the impact will be less than significant.

In terms of climate change effects on water supplies, numerous studies have been conducted including studies by the California Department of Water Resources, and the studies recognize that future impacts depend on the degree of global warming and that there is substantial uncertainty regarding its effect on local and regional climates. Current models being utilized are imperfect and imprecise, and there is no way to predict future temperature rise. However, global warming trends will likely have a detrimental impact on water supplies throughout California and the western United States, and California's existing infrastructure systems have not been designed for the likely future hydrologic conditions. Water suppliers in California (including the Metropolitan Water District) are addressing climate change impacts and developing policies to prevent water shortages and reassess distribution of water supplies, including new strategies that promote conservation, groundwater recharge, and water recycling.

5) All required infrastructure currently exists around the site and can serve the proposed project. Wastewater disposal will be provided by the City's Public Works Wastewater Division. Currently, the sewer flow from this project site is assessed upon the Water System Master Plan, and staff from the Public Works Division has determined that the wastewater treatment facilities have adequate capacity to serve this project and existing urban development in the City. To address the project's share of demands on public infrastructure, the City requires developers of new projects to pay the development impact fees, including the *Planned Wastewater Facilities Fee* and *Growth Requirement Capital Fee.* By paying the applicable fees, impacts to wastewater services are considered to be less than significant.

6 & 7) The two primary landfills receiving solid waste from the City are the Toland Road and Simi Valley landfills, and both landfills have a predicted lifespan that exceeds 20 years. Construction of the proposed project will result in a temporary increase in the volume of waste deposited in local landfills during the construction phase, but given the temporary nature of construction activity and the availability of space at both landfills, plus the recycling of waste at the Materials Recovery Facility, there will be no adverse impacts to solid waste disposal facilities during construction of the project. Compliance with the City's Source Reduction and Recycling Element will ensure that any impacts will be less than significant. Standard requirements and conditions of approval will require compliance with the City's recycling and waste program, which is designed to manage and reduce the amount of waste being directed to landfills. The project will also be required to comply with federal, state, and local statutes and regulations related to solid waste. Any impacts will be less than significant.

Cumulative Development:

1-7) Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts to utilities and service systems.

Mitigation Measure(s):

P-1 The developer shall pay the applicable Calleguas Capital Construction charges prior to issuance of a building permit.

Monitoring: Development Services Staff shall ensure that fees are paid prior to issuance of a building permit.

Result After Mitigation: Less than significant.

Q. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation	Less than Significant Impact	No Impact
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
2. Does the project have impacts that are individually limited, but cumulatively considerable? *("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*	☐	☒	☐	☐
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion:

1, 2, 3) The proposed infill project would result in the construction of 70 condominium units on approximately 3.54 acres of land largely surrounded by urban development. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project will not have environmental effects that cause substantial adverse effects on human beings, either directly or indirectly. Mitigation measures are included in the Mitigated Negative Declaration (described in previous sections of this Initial Study), or the project has been modified to include or omit features that will effectively avoid any potentially significant environmental impacts.

Cumulative development impacts for the west side of Oxnard are generally addressed in the Oxnard Village Specific Plan (Wagon Wheel) Final Environmental Impact Report (No. 06-03) that was certified by the Oxnard Planning Commission on November 18, 2008. These Draft and Final EIR documents are available at the City of Oxnard Planning Division office, 214 South C Street, during office hours and at the Main and South branches of the Oxnard Library (251 South A Street and 200 East Bard Street, respectively). Anticipated future cumulative projects will be constructed within the City Urban Restriction Boundary (CURB) on land already designated for development under existing General Plan and zoning designations. Development within CURB and conforming to General Plan and zoning designations would have impacts anticipated by the 2020 General Plan, reviewed by the 2020 General Plan EIR, and would not create adverse cumulative impacts.

Mitigation Measure(s): None required.
Monitoring: None required.
Result After Mitigation: Not Applicable.

SUMMARY OF MITIGATION MEASURES INCORPORATED INTO THE PROJECT

SECTION C – AIR QUALITY

C-1 The developer shall prepare and submit an Air Emissions Mitigation Plan for Dust Control. This Plan shall be included as part of the construction contract and submitted to the City of Oxnard for review and approval prior to the issuance of grading permits. This plan shall include the following elements:

- Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means, generally at least three times a day (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.
- Revegetate or apply APCD-approved chemical soil stabilizers to all inactive portions of the construction site that are inactive for four or more days.
- Suspend or curtail all excavation, earth moving, and grading operations during episodes of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent fugitive dust from being a nuisance or hazard.
- Material transported in trucks off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended. Material transported on site shall be sufficiently watered or secured to prevent fugitive dust.
- Inform all employees involved in grading operations on the project to wear face masks during dry periods to reduce inhalation of dust.
- Signs shall be posted on-site requiring traffic speeds to not exceed 15 miles per hour.
- Sweep streets at the end of the day if visible soil material is carried over to adjacent streets and roads.
- At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.

C-2 Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications. Minimize idling time. Prohibit the use of on-site electric generators, and connect to utility lines adjacent to the project site.

C-3 If feasible, use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric.

C-4 During construction, contractors 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.

C-5 A temporary fence around the project site shall include an opaque visual barrier up to 6 feet high. The fence shall include signs identifying the name, telephone number, and emergency contact information for the contractor(s) responsible for the site, construction activities, and rectifying any nuisance conditions.

C-6 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.

C-7 As stated in the APCD Guidelines, applicants are required to mitigate environmental impacts associated with their projects to the greatest extent feasible. The following are those measures that could be feasibly implemented to mitigate operational phase air quality impacts of the proposed project:

- Lighting for public streets, parking areas, and recreational areas shall utilize energy-efficient mechanical, computerized, or photo cell switching devices to reduce energy usage.
- Energy-efficient, automated controls for air conditioners shall be installed into proposed buildings to reduce energy consumption and emissions.
- Automatic lighting on/off controls and energy-efficient lighting shall be installed into proposed buildings to reduce electricity consumption and associated emissions.
- Light-colored roofing materials as opposed to dark roofing materials shall be used on proposed buildings. Light colored materials reflect sunlight and minimize heat gains in buildings. This measure would lessen the overall demand for mechanical air conditioning systems.
- Wall and attic insulation shall be provided in proposed buildings beyond the requirements of Title 24, *California Code of Regulations*.
- Built-in energy-efficient appliances shall be installed into proposed buildings.
- Special sunlight filtering window coatings or double-paned windows shall be installed into proposed buildings to reduce thermal gain in hot weather and loss in the cold weather, thus reducing emissions associated with heaters and air conditioners.

C-8 The design of the swimming pool building shall incorporate solar panels to the maximum extent feasible for pool water heating.

C-9 All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive dust), and Rule 10 (Permits Required).

SECTION D – BIOLOGICAL RESOURCES

D-1 The developer shall avoid grubbing or grading the site during the breeding season (i.e. February 15 through August 31) as the preferred mitigation. If avoidance is not feasible and grubbing/grading will occur during the breeding season, then the project site shall be surveyed by a qualified biologist for the presence of nesting birds prior to removal of vegetation. The developer shall be required to submit a report documenting the findings of the site survey to the Planning Division for review and approval. The site survey shall be conducted within 30 days of the beginning of any grubbing/grading activity. If any active nests are detected, then a 300-foot buffer (or as otherwise deemed appropriate by the biological monitor) shall be placed around the nest site until the nestlings have successfully fledged.

D-2 Focused pre-construction surveys for the Least Bell's Vireo (LBV) will be conducted in suitable habitat within 500 linear feet of construction activities. The surveys will follow agency protocol as to survey methodology (i.e. time of day and climatic conditions). However, a modified survey schedule is appropriate given the site-specific circumstances. Therefore, surveys of the area within 500 feet of construction activities and the area where LBV has been reported will be initiated if commencement of construction is to occur during the breeding season for the species (April 10 to July 31). If no LBV are detected within 500 feet of the construction activities during any of the three survey bouts, no further action is required. If, however, LBV are detected within 500 feet of construction activities, CDFG and the U.S. Fish & Wildlife Service (USFWS) will be contacted to determine what, if any, actions need to be taken to avoid adverse effects on the species. Such actions, if necessary, may

include one or more of the following: phasing the construction activities to avoid certain construction activities within 500 feet of occupied LBV habitat until after the breeding season has ended; noise monitoring; and nest monitoring. If LBV is detected in suitable habitat farther away than 500 feet, these areas will be monitored during each of the three survey bouts so as to gain assurances that occupied habitat remains more than 500 feet from construction activities. The findings of the surveys will be documented and submitted to the City within 10 days of completion, as well as CDFG and USFWS as applicable.

D-3 Prior to the initiation of construction activities, a temporary silt fence will be installed along the project site's easterly boundary to prevent ingress of Silvery Legless Lizards (SLL) onto the site for the duration of construction activities. The fencing will be keyed into the ground to a depth of at least three inches. Preconstruction surveys for SLL will then be conducted within areas of the site that could be used by the species. The surveys will be conducted according to the following protocol provided by CDFG.

Surveys will be conducted on a warm day (70 to 80 degrees Fahrenheit) in the mid-morning and no longer than two weeks prior to the commencement of soil disturbance activities. Relative soil moisture should be approximately 65% to 80% with soil temperature being 60 to 70 degrees Fahrenheit. Two person teams will work together with one person using a hand rake to gently rake the loose litter and soil down to substrate. The other person will search the areas being raked for SLL.

Surveys will employ a "three-pass" methodology to locate as many SLL as possible. If SLL are found during the first pass, an overnight period of no disturbance will occur before the second pass. Similarly, if SLL are found during the second pass, another overnight period of no disturbance will occur before the third pass. If during any pass no SLL are found, the survey will be concluded.

Any SLL found will be placed in a lidded, vented box containing clean sand. Areas of moist and dry sand will be present in the box. Boxes will be kept out of direct sunlight and protected from temperatures over 72 degrees Fahrenheit. The temperatures of the sand in the box will be kept under 66 degrees Fahrenheit. Information on each lizard captured will be recorded, including date of capture, location, length, color, age, and tail condition. All lizards will be relocated to suitable off-site habitat the same day as capture. GPS location of released lizards will be recorded. CDFG will be notified about any injured SLL.

All work will be performed by personnel who hold active permits from CDFG in order to conduct the work. At the conclusion of the surveys, documentation of survey results and associated records will be submitted to the City within 10 days of completion, as well as to CDFG.

SECTION E – CULTURAL RESOURCES

E-1 Based on the recognized sensitivity for the occurrence of buried sites and artifacts and as mandated by the City of Oxnard archaeological guidelines, Developer shall pay for monitoring by a qualified Archaeologist and Native American Monitor (specifically a qualified Ventureno Chumash descendant). A contract with the Archaeologist shall be presented to the City prior to issuance of grading permits. Monitoring shall be required during all activity involving soil disturbance including grading (cut and fill) or other excavation (e.g., trenching). Should movement of soils during grading for re-compaction activities show no evidence of an archaeological site or artifacts, and with the concurrence of the City of Oxnard Planning and Environmental Services Division and the on-site Native American Monitor, further monitoring at this location by the Archaeologist may no longer be required. In the event that a prehistoric site or historic remains older than 50 years is identified during monitoring, the Archaeologist and/or Native American Monitor shall be empowered to

stop all construction activities in the vicinity of the find. The Archaeologist shall document, identify, and evaluate the potential significance of any find. Such evaluation may require a Phase II site subsurface excavation and evaluation program. Should any remains prove to be significant, avoidance of the resource is the preferred mitigation. If avoidance through project redesign is not feasible, further investigations in the form of a Phase III data recovery program will be implemented to mitigate impacts to the identified resource. The Native American Monitor shall remain on-site throughout any necessary site documentation, evaluation, and mitigation processes.

Contracts shall include weekly reports from the archaeological monitor to the Planning Division summarizing the Archaeologist's activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building occupancy for each building.

SECTION F – GEOLOGY & SOILS

F-1 The developer shall be required to incorporate a mat foundation into each building according to the recommendations of the *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (by Subsurface Designs, Inc. November 28, 2008). A pile foundation shall be prohibited.

SECTION H – HYDROLOGY & WATER QUALITY

H-1 Developer shall submit a Storm Water Pollution Prevention Plan (SWPPP) to demonstrate compliance with National Pollutant Discharge Elimination System (NPDES) requirements prior to issuance of building permits.

H-2 Prior to issuance of any permits, the Developer shall submit documentation agreeing to indemnify and hold the City of Oxnard harmless from any liability or damages resulting from the construction of the project.

SECTION K – NOISE

K-1 The developer shall be required to incorporate a mat foundation into each building according to the recommendations of the *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (by Subsurface Designs, Inc. November 28, 2008) A pile foundation shall be prohibited.

K-2 Prior to issuance of the first Certificate of Occupancy, the applicant shall contribute $4,875 to a designated City fund for the Deckside Villas that is to be used only for soundwall-related expenses.

K-3 Prior to issuance of the first Certificate of Occupancy, the developer shall record on all properties an Avigation Easement granting the County of Ventura an Avigation Easement for the operation of the Oxnard Airport. The Avigation Easement shall be consistent with the FAA model Avigation Easement.

SECTION M – PUBLIC SERVICES

M-1 Prior to issuance of any building permits, the developer shall pay the mandatory impact fees to the school district and present evidence of payment.

M-2 Prior to issuance of any building permits, the developer shall pay the mandatory Quimby Fee.

M-3 Prior to issuance of any building permits, the Developer shall pay the following mandatory development impact fees: *Planned Traffic Circulation System Facilities Fees*; *Planned Water Facilities Fee*; *Planned Wastewater Facilities Fee*; *Planned Drainage Facilities Fee*; and *Growth Requirement Capital Fee.*

SECTION N – RECREATION

N-1 The developer shall be required to pay the mandatory Quimby Fee prior to issuance of any building permits.

SECTION O – TRANSPORATION

O-1 Developer shall dedicate to the City the right-of-way along Wooley Road and Harbor Blvd. associated with the road widening under this project.

O-2 Developer shall modify the traffic signal at Wooley Rd/Harbor Blvd. associated with the proposed road widening. The signal modification shall include provision of a traffic signal battery back-up system, new service equipment enclosure and emergency vehicle detection system.

O-3 Developer shall design and reconstruct the curb ramp at the southeast corner of Wooley Rd and Harbor Blvd. The redesign shall comply with disabled access requirements and address the sand accumulation problem at the ramp.

O-4 Developer shall place existing overhead utility lines (except electrical lines in excess of 33KV) on and adjacent (as defined in City ordinance) to the project (including Wooley Road, Harbor Boulevard and the canal easterly of the project) underground in accordance with City ordinance. Before issuance of a site improvement permit or recordation of a final map, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation.

O-5 Developer shall install a wireless, solar powered, in-pavement crosswalk warning light system on the easterly leg of the Wooley Road/Canal Street intersection along with associated striping and signage, including advanced warning signage and markings, to enhance the safety for pedestrian crossing of Wooley Road. Final design of the crosswalk warning light system to be approved by the City Traffic Engineer.

O-6 Developer shall design the walls at the entry and exit gate of the Ground Parking Level of Buildings 1 and 4 to provide additional corner visibility similar to that provided on Buildings 2 and 3. Final design shall be approved by the City Traffic Engineer.

O-7 Developer shall pay the applicable County/City Traffic Impact Fee(s) prior to issuance of a building permit.

SECTION P – UTILITIES

P-1 The developer shall pay the applicable Calleguas Capital Construction charges prior to issuance of a building permit.

REFERENCES

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Environmental Impact Reports

24. Envicom Corp. (January 22, 1988). *Draft Environmental Impact Report for Oxnard Shores Agreement for Settlement of Litigation.* Calabasas, CA: Author.
25. Envicom Corp. (March 18, 1988). *Final Environmental Impact Report for Oxnard Shores Agreement for Settlement of Litigation.* Calabasas, CA: Author.
26. CH2M Hill Corp. (May 2004). *Groundwater Recovery Enhancement and Treatment (GREAT) Program, Final Program Environmental Impact Report.* Los Angeles, CA: Author.
27. Rincon Consultants, Inc. (August 2008). *Oxnard Village Specific Plan Project (Wagon Wheel), Final and Draft Environmental Impact Report (SCH #2006101099).* Ventura, CA: Author.
28. City of Oxnard (1990). *2020 General Plan Final Environmental Impact Report (SCH #881-00528).*
29. City of Oxnard (February 2009).*Draft 2030 Oxnard General Plan Environmental Impact Report (SCH #2007041024)* and Appendices.

APPENDICES

I. Air Quality
II. Biological Resources
III. Hazards & Hazardous Materials

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Urbemis 2007 Version 9.2.4

Summary Report for Summer Emissions (Pounds/Day)

File Name: C:\Documents and Settings\cdbrif\My Documents\URBEMIS results\Ox Shores Townhomes 70 DU\URBEMIS results 1.urb924

Project Name: Ox Shores Townhomes 70 DU

Project Location: Ventura County APCD

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10 Dust	PM10 Exhaust	PM10	PM2.5 Dust	PM2.5 Exhaust	PM2.5	CO2
2010 TOTALS (lbs/day unmitigated)	78.24	25.04	13.34	0.01	19.60	1.25	20.86	4.10	1.15	5.25	2,349.77
2010 TOTALS (lbs/day mitigated)	70.42	25.04	13.34	0.01	5.24	1.25	6.49	1.09	1.15	2.24	2,349.77

AREA SOURCE EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	3.93	0.53	0.22	0.00	0.00	0.00	673.93

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	3.80	3.25	38.62	0.03	5.26	1.00	3,026.90

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SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	7.73	3.78	38.84	0.03	5.26	1.00	3,700.83

Table 1

Sensitive Floral Species Known to Occur in the Vicinity of the Project Site

VASCULAR PLANTS								
Scientific Name	**Common Name**	**Flowering Period**	**Federal**	**State**	**CNPS List**	**Other**	**Preferred Habitat**	**Occurrence On-site**
ANGIOSPERMS (DICOTYLEDONS)								
Asteraceae	**Sunflower Family**							
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	Feb.-Jun.	NONE	NONE	1B	NONE	Saline places: coastal salt marsh, playas, vernal pools in foothill/valley grassland.	NE
Comments: Coulter's goldfields were not observed on-site and are not expected to occur due to the lack of suitable habitat.								
Chaenactis glabriuscula var. orcuttiana	Orcutt's pincushion	Jan-Aug	NONE	NONE	1B	NONE	Coastal Dunes, Coastal Bluff Scrub	NE
Comments: Orcutt's pincushion was not observed on-site and is not expected to occur due to the lack of suitable habitat.								
Chenopodiaceae	**Goosefoot Family**							
Atriplex coulteri	Coulter's saltbush	Mar-Oct.	NONE	NONE	1B	NONE	Coastal dunes.	NE
Comments: Coulter's saltbush was not observed on-site and are not expected to occur due to the lack of suitable habitat.								
Aphanisma blitoides	Aphanisma	Mar-Jun.	NONE	NONE	1B	NONE	Coastal dunes.	NE
Comments: aphanisma was not observed on-site and is not expected to occur due to the lack of suitable habitat.								
Atriplex pacifica	South Coast saltscale	Mar-Oct.	NONE	NONE	1B	NONE	Coastal dunes, Coastal scrub, Coastal bluff scrub.	NE
Comments: South Coast saltscale was not observed on-site and is not expected to occur due to the lack of suitable habitat.								
Fabaceae	**Legume Family**							
Astragalus pycnostachyus var. *lanosissimus*	Ventura marsh milk-vetch	Jul.-Oct.	FE	SE	1B	NONE	Coastal salt marsh.	NE
Comments: A focused survey was performed for the Ventura marsh milk-vetch in January 2004, November 2008, October 2009, November 2009. Ventura marsh milk-vetch was not observed on-site.								
Nyctaginaceae	**Four O'Clock Family**							
Abronia villosa var. aurita	chaparral sand-verbena	Jan.-Sep.	NONE	NONE	1B	NONE	Coastal scrub, Desert Dunes.	NE
Comments: chaparral sand-verbena was not observed on-site and is not expected to occur due to the lack of suitable habitat.								
Scropulariaceae	**Figwort Family**							
Cordylanthus maritimus ssp. *maritimus*	Salt marsh bird's-beak	May-Oct.	FE	SE	1B	NONE	Coastal dunes, salt marsh.	NE

NE = species not expected to occur on-site due to the lack of suitable habitat

Table 1 (Continued)

Sensitive Floral Species Known to Occur in the Vicinity of the Project Site

VASCULAR PLANTS								
Scientific Name	**Common Name**	**Flowering Period**	**Federal**	**State**	**CNPS List**	**Other**	**Preferred Habitat**	**Occurrence On-site**
Comments: Salt marsh bird's-beak was not observed on-site and is not expected to occur due to the lack of suitable habitat.								

Key to Species Listing Status Codes

FE	*Federally Listed as Endangered*	SE	*State Listed as Endangered*	SFP	*State Fully Protected*
FT	*Federally Listed as Threatened*	ST	*State Listed as Threatened*	CSC	*California Special Concern Species*
FPE	*Federally Proposed as Endangered*	SCE	*State Candidate for Endangered*		
FPT	*Federally Proposed as Threatened*	SCT	*State Candidate for Threatened*		

California Native Plant Society (CNPS)

List 1A: Presumed extinct in California.
List 1B: Rare, threatened, or endangered throughout their range.
List 2: Rare, threatened, or endangered in California, but more common in other states.
List 3: Plant species for which additional information is needed before rarity can be determined.
List 4: Species of limited distribution in California (i.e., naturally rare in the wild), but whose existence does not appear to be susceptible to threat.

NE = species not expected to occur on-site due to the lack of suitable habitat

Table 2

Sensitive Wildlife Species Known to Occur in the Vicinity of the Project Site

INVERTEBRATES						
Scientific Name	**Common Name**	**Federal**	**State**	**Preferred Habitat**	**Distribution**	**Occurrence On-site**
INSECTA						
Lepidoptera	**Butterflies and Moths**					
Nymphalidae	**Brush-footed butterflies**					
Danaus plexippus	Monarch butterfly	NONE	NONE	Roosts in wind-protected tree groves with nectar sources and water nearby. Most often found roosting in *Eucalyptus*, Monterey Pine, and cypress.	Winter roost sites occur along the California coast from Mendocino south to Baja California.	OB
Comments: Individual Monarch butterflies were observed on-site during surveys in January 2004; however no potential roosting sites are present.						
Hesperiidae	**Skipper Family**					
Panoquina errans	wandering skipper	NONE	NONE	Salt marshes.	Coastal southern California, coastal Baja California, and mainland western Mexico	NE
Comments: The species was not observed on-site and is not expected due to the absence of suitable habitat.						

VERTEBRATES						
Scientific Name	**Common Name**	**Federal**	**State**	**Preferred Habitat**	**Distribution**	**Occurrence On-site**
REPTILES						
Anniellidae	**American Legless Lizard Family**					
Anniella pulchra pulchra	Silvery legless lizard	NONE	CSC	Found in sandy or loose organic soil or where there is plenty of leaf litter.	Coast Ranges from the vicinity of Antioch, Contra Costa County south to the Mexican border.	NE
Comments: The species was not observed on-site and is not expected due to the highly degraded condition of the habitat and extremely low cover of native vegetation						

OB = Observed; EX = Species expected to occur on-site; NE = Species not expected to occur on-site; P = Species has potential to occur on-site

Table 2 (Continued)

Sensitive Wildlife Species Known to Occur in the Vicinity of the Project Site

VERTEBRATES						
Scientific Name	**Common Name**	**Federal**	**State**	**Preferred Habitat**	**Distribution**	**Occurrence On-site**
Iguanidae	**Iguanid Lizards**					
Phrynosoma coronatum	Coast horned lizard	NONE	CSC	Valley-foothill hardwood, conifer, and riparian habitats, pine-cypress, juniper and annual grassland habitats below 6,000 feet, open country, especially sandy areas, washes, flood plains, and windblown deposits.	Coastal ranges from south Ventura, Los Angeles, San Bernardino counties, Orange, western Riverside and western San Diego counties.	NE
Comments: The species was not observed on-site and is not expected due to the highly degraded condition of the habitat and extremely low cover of native vegetation						
BIRDS						
Alaudidae	**Lark Family**					
Eremophila alpestris actia	California horned lark	NONE	NONE	Grasslands along the coast and deserts near sea level to alpine dwarf-shrub habitat above treeline.	Throughout California.	NE
Comments: The species was not observed on-site and is not expected due to the highly degraded condition of the habitat and extremely low cover of native vegetation						
Charadriidae	**Lapwings and Plovers**					
Charadrius alexandrinus nivosus	Western snowy plover	FT	CSC	Beaches and sandy flats.	Southern California.	NE
Comments: The species was not observed on-site and is not expected due to the highly degraded condition of the habitat and extremely low cover of native vegetation						
Emberizidae	**Emberizids**					
Passerculus sandwichensis beldingi	Belding's savannah sparrow	NONE	SE	Salt marshes, dunes, and shores.	From Santa Barbara south through San Diego County.	NE
Hirundinidae	**Swallow Family**					
Riparia riparia	Bank swallow	NONE	ST	Riparian and other lowland habitats west of the desert.	Uncommon spring and fall migrant on the coast.	NE
Comments: The species was not observed on-site and is not expected due to the absence of suitable habitat.						

OB = Observed; EX = Species expected to occur on-site; NE = Species not expected to occur on-site; P = Species has potential to occur on-site

Table 2 (Continued)

Sensitive Wildlife Species Known to Occur in the Vicinity of the Project Site

VERTEBRATES						
Scientific Name	**Common Name**	**Federal**	**State**	**Preferred Habitat**	**Distribution**	**Occurrence On-site**
Laridae	**Gulls, Terns, Skuas, and Skimmers**					
Sterna antillarum browni	California least tern	FE	SE	Sea beaches, bays, large rivers, bars.	San Francisco Bay to Baja CA.	NE
Comments: The species was not observed on-site and is not expected due to the absence of suitable habitat.						
Strigidae	**True Owl Family**					
Athene cunicularia	Burrowing owl	NONE	CSC	Dry grasslands, desert habitats, open pinyon-juniper and ponderosa pine woodlands below 5,300 feet. Prefers berms, ditches, and grasslands adjacent to rivers, agricultural, and scrub areas.	Year-round resident of lowlands of southern CA.	NE
Comments: Phase I and II surveys for Burrowing owl were conducted in November 2009; no signs of the species being present were observed.						
Vireonidae	**Vireos**					
Vireo bellii pusillus	least Bell's vireo	FE	SE	Willows and other low, dense valley foothill riparian habitat and lower portions of canyons.	From Santa Barbara south through San Diego County.	NE
Comments: The species was not observed on-site and is not expected due to the absence of suitable habitat.						
MAMMALS						
Muridae	**True mice and rats**					
Microtus californicus stephensi	South coast marsh vole	NONE	CSC	Coastal Sand Dunes.	Throughout California.	NE
Comments: The species was not observed on-site and is not expected due to the highly degraded condition of the habitat and extremely low cover of native vegetation						
Soricidae	**Shrew Family**					
Sorex ornatus salicornicus	Southern California saltmarsh shrew	NONE	CSC	Salt Marsh.	San Francisco Bay to Baja CA.	NE
Comments: The species was not observed on-site and is not expected due to the absence of suitable habitat.						

Key to Species Listing Status Codes

OB = Observed; EX = Species expected to occur on-site; NE = Species not expected to occur on-site; P = Species has potential to occur on-site

Table 2 (Continued)

Sensitive Wildlife Species Known to Occur in the Vicinity of the Project Site

VERTEBRATES							
Scientific Name	Common Name	Federal	State	Preferred Habitat	Distribution	Occurrence On-site
FE	*Federally Listed as Endangered*	SE	*State Listed as Endangered*	CSC	*California Special Concern Species*	
FT	*Federally Listed as Threatened*	ST	*State Listed as Threatened*			
FPE	*Federally Proposed as Endangered*	SCE	*State Candidate for Endangered*			
FPT	*Federally Proposed as Threatened*	SCT	*State Candidate for Threatened*			
FPD	*Federally Proposed for Delisting*	SFP	*State Fully Protected*			
FC	*Federal Candidate Species*	SR	*State Rare*			

OB = Observed; EX = Species expected to occur on-site; NE = Species not expected to occur on-site; P = Species has potential to occur on-site

TABLE 1

Soil Analytical Results

reported in milligrams per kilogram (mg/kg or parts per million, ppm), unless otherwise noted

Wooley Road and Harbor Boulevard, Oxnard, California

Location	Depth	Metals (mg/kg)									VOCs (ug/kg)	Total Petroleum Hydrocarbons (TPH) mg/kg		
		Arsenic	Barium*	Chromium	Cobalt	Copper	Lead	Nickel	Vanadium	Zinc	Toluene	GRO	DRO	ORO
SB-6	5	0.83	26.6	3.14	0.95	1.22	0.93	2.38	5.66	5.94	ND	ND	ND	ND
	10	1.38	11.8	4.01	0.80	1.32	0.69	2.03	4.20	5.08	ND	ND	ND	ND
SB-7	5	2.54	4,790 [ND <0.1 mg/l)]	11.40	3.83	8.89	12.9	12.3	21.9	39.5	2.74	ND	139	161
	10	1.12	29.1	5.64	1.42	1.79	1.84	4.30	8.29	8.93	ND	ND	ND	ND
SB-8	5	1.14	34.7	7.67	1.42	2.21	1.84	4.30	11.6	11.0	ND	ND	ND	ND
	10	1.27	12.0	5.07	1.32	1.32	1.84	3.65	5.12	7.27	ND	ND	ND	ND
PRG (residential)		0.39**	15,000	280	23	3,100	150	1,600	550	23,000	5,000,000***	NA	NA	NA
Regulatory Action Level		---	10,000 [100 mg/l]*	---								100 - 1,000	1,000 - 5,000	1,000 - 10,000

TPH-GRO: Total Petroleum Hydrocarbons - volatile range (C4 to C10, carbon chain length range)
TPH-DRO: Total Petroleum Hydrocarbons - diesel range (C10 to C28)
TPH-ORD: Total Petroleum Hydrocarbons - oil range (C28+)
VOCs: Volatile Organic Compounds
ND - Not Detected (below minimum laboratory detection limit)
[NO] - Not Detectable for Toxicity Characteristic Leaching Procedure (TCLP) analysis

NOTE: All other metals not listed but analyzed for were reported below minimum detection limits.

PRG: Preliminary Remediation Goal established by EPA Region 9 (California), health based risk soil screening levels.
(residential) most conservative level established under residential land use scenario (long term exposure scenario)

Regulatory Action Level: Ranges listed for TPH are standard threshold action levels established by various regulatory agencies in Southern California.
Remedial thresholds for soil for TPH are general determined by site specific conditions.

*Barium: Regulatory action levels listed for Barium are waste characterization thresholds for hazardous waste. Total Threshold Limit Concentration (TTLC, 10,000 mg/kg for soil for barium).
Soluble Threshold Limit Concentration (STLC, 100 mg/l soluble fraction concentrations for barium). Barium concentration below TTLC but 10 times above STLC; therefore,
TCLP analysis was conducted to determine if leachable barium concentrations exceeded STLC (result was non-detect).

**PRG for arsenic in soil (residential scenario) is below natural background concentrations for arsenic in soil. DTSC has established a background concentration for arsenic in California soils at 12 mg/kg.

***PRG for toluene in soil (residential scenario) 5,000 mg/kg, converted to ug/kg (parts per billion) to be consistent with units for lab result.

TABLE 2

Groundwater Analytical Results

(reported in micrograms per liter [ug/L or parts per billion, ppb])

West 5th Street and South Harbor Boulevard

Oxnard, California

	VOCs		Total Petroleum Hydrocarbons (TPH)		
Location	Acetone	MEK	GRO	DRO	ORO
SB-1	11.4	ND	ND	ND	ND
SB-2	22.6	7.0	ND	ND	ND
SB-3	44.2	7.6	ND	NA	NA
SB-4	ND	ND	ND	ND	ND
SB-5	18.2	ND	ND	ND	ND
SB-6	ND	ND	ND	ND	ND

GRO: Total Petroleum Hydrocarbons - volatile range (C6 to C10)
DRO: Total Petroleum Hydrocarbons - diesel range (C10 to C28)
ORO: Total Petroleum Hydrocarbons - oil range (C28+)
ND - Not Detected (below minimum detection limit)
NA-Not Analyzed
MEK - Methyl ethyl ketone
NOTE:

All other VOCs analyzed for were reported as ND. A complete list of analytes can be found in the laboratory report in Attachment C.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

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2009-FA-0150

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PLANNING DIVISION
CITY OF OXNARD

October 6, 2009

Brian Foote, Associate Planner
City of Oxnard Planning Division
214 South C Street
Oxnard, California 93030

Subject: Comments on the Mitigated Negative Declaration for the Anacapa Townhomes, Oxnard, Ventura County, California

Dear Mr. Foote:

We are writing in response to the City of Oxnard's (City) notice of intent to adopt a mitigated negative declaration (MND) for the construction of the Anacapa Townhomes project pursuant to the requirements of the California Environmental Quality Act (CEQA). The proposed project includes the development of 70 condominium units, parking garages, a pool, recreation building, and landscaping on a 4-acre vacant property at the northeast corner of Harbor Boulevard and Wooley Road in Oxnard, Ventura County, California. The City has made the determination that there is no substantial evidence that the proposed project may have a significant effect on the environment, and has prepared the subject MND. Despite the City's conclusions outlined in the MND, we are concerned about the potential effects of the project on the federally endangered *Astragalus pychnostachyus* var. *lanosissimus* (Ventura marsh milk-vetch).

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act and its implementing regulations prohibit the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways. If a project is to be funded, authorized, or carried out by a Federal agency and may affect a listed species, the Federal agency must consult with the Service, pursuant to section 7(a)(2) of the Act. If a proposed project does not involve a Federal agency but may result in the take of a listed animal species, the project proponent should apply to the Service for an incidental take permit, pursuant to section 10(a)(1)(B) of the Act.

As it is not our primary responsibility to comment on documents prepared pursuant to CEQA, our comments on the MND do not constitute a full review of potential project impacts. We are providing our comments based upon a review of the sections addressing biological resources and our concerns for listed species within our jurisdiction related to our mandates under the Act.

The MND references a 2005 Biological Resources Assessment prepared by PRC Services Corporation to support the conclusion that the project would have a less than significant impact on any special status species. The 2005 Biological Resources Assessment indicates that a field survey was conducted on January 22, 2004, during which the habitat at the site was characterized and the potential to support sensitive species was evaluated. Table 1 (reproduced in Appendix 2 of the MND) indicates that *Astragalus pychnostachyus* var. *lanosissimus* is not expected to occur on-site due to the lack of suitable habitat. The study indicates that no sensitive plant species were observed on-site during the site visit, but it does not appear that targeted surveys were conducted to verify the presence or absence of sensitive plant species, but rather the absence of *Astragalus pychnostachyus* var. *lanosissimus* was presumed based on the observation that coastal salt marsh does not occur at the project site.

Astragalus pychnostachyus var. *lanosissimus* was presumed to be extinct until its rediscovery in 1997 on a parcel approximately 0.6-mile north of the project site. The rediscovery site was used for the disposal of oil wastes between 1955 and 1981, and was capped with locally imported fill that likely contained *Astragalus pychnostachyus* var. *lanosissimus* seeds (Soza et al. 2003). Although this site does not support the coastal salt marsh habitat that the species was thought to be associated with, the oil waste likely produced an artificially perched shallow aquifer that allowed *Astragalus pychnostachyus* var. *lanosissimus* to germinate and persist at the site. Due to the proximity of the project site to the only known native population of this species, and because the habitat at the proposed project site is similar to habitat at the rediscovery site, the presence of *Astragalus pychnostachyus* var. *lanosissimus* cannot be ruled out due to lack of coastal salt marsh habitat. Targeted surveys are recommended to identify the presence or absence of this species.

We appreciate the opportunity to provide comments on the Anacapa Townhomes project and look forward to working with the City in the future to address and minimize the potential impacts to federally listed species within your jurisdiction. If you have any questions regarding these comments, please contact Jenny Marek of our staff at (805) 644-1766, extension 325.

Sincerely,

Chris Dellith
Senior Biologist

cc: Mary Meyer, California Department of Fish and Game

REFERENCES CITED

PRC Services Corporation. 2005. Biological Resources Assessment, Oxnard Shores, Oxnard California. Irvine, California.

Soza, V., M. Wall, D. Hannon. 2003. Experimental Introduction of the Ventura Marsh Milk-vetch (Astragalys pychnostachyus var. lanosissimus) at Carpinteria Salt Marsh Reserve and McGrath State Beach. Rancho Santa Ana Botanic Garden, Claremont, California.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201
http://www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor
JOHN MCCAMMAN, Director

SCH# 2010011069

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February 18, 2010

Brian Foote, Associate Planner
City of Oxnard, Planning Division
214 South C Street
Oxnard, CA 93030
Fax No.: (805) 385-7417

Subject: Draft Mitigated Negative Declaration for the Anacapa Townhomes Project SCH #~~2010011069~~

Dear Mr. Foote:

The Department of Fish and Game (Department), has reviewed the above Draft Mitigated Negative Declaration (DMND) for impacts to biological resources. The project applicant proposes to construct 70 condominium units and related site improvements on a four acre site located at the northeast corner of Harbor Boulevard and Wooley Road, in the City of Oxnard. Habitat types proposed for removal include four acres of disturbed coastal scrub/ruderal.

Wildlife with the potential to be impacted by the project include the Federal and State Endangered least Bell's vireo (*Vireo bellii pusillus*), and the State Special Concern Species silvery legless lizard (*Anniella pulchra*) and burrowing owl (*Athene cunicularia*). Measures proposed to mitigate impacts include avoidance of the bird nesting season during grubbing and grading and conducting bird nest surveys, if grubbing and grading during the bird nesting season cannot be avoided.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Guidelines §15386(a)). As trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species.

California Wildlife Action Plan

The California Wildlife Action Plan, a Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the City of Oxnard to minimize impacts to fish and wildlife resources with a focus on these stressors.

Impacts to Sensitive Biological Resources

Rare Plants - The DMND states that no rare or listed plants or animals have been identified on the site, and concludes that impacts to special status wildlife will be less than significant. This conclusion was based in part on plant surveys conducted in winter 2004 and fall 2008 and 2009. The Department does not believe surveys conducted for rare plants were adequate.

The Department recommends surveys be conducted by qualified biologists for rare plants according to the "Department Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities" (attached). The Guidelines give clear instructions on how surveys for rare plants should be conducted. One of the instructions is to conduct surveys at the proper time of year when rare species are both evident and identifiable. Usually, this is when the plants are flowering. Surveys conducted in winter and fall are problematic for several species of rare plants that can only be reliably identified when flowering in the spring.

The Department therefore recommends spring surveys be conducted for those spring-flowering rare plants with the potential for occurring on the project site. Discovery of a rare plant may lead to recirculation of the DMND (CEQA Guidelines §15073.5(b)(1)). If additional surveys are not conducted then the project applicant should assume presence of rare and listed plants and implement complete avoidance of all areas that are, or have the potential to be, suitable habitat for those species.

Least Bell's vireo (*Vireo bellii pusillus*) – The DMND proposes to conduct pre-construction nesting bird surveys if grubbing and grading must occur during the nesting season. As reported in the Biological Resources Assessment (BRA) prepared for the project in December, 2009, the least Bell's vireo (*Vireo bellii pusillus*) was recently detected in southern willow scrub habitat on a parcel of land at the southeast corner of Harbor Boulevard and Fifth Street (Merak 2009; Meyer 2009). This parcel is in close proximity to the proposed project site (two-tenths of a mile north). Furthermore, southern willow scrub habitat suitable for LBV nesting exists across Wooley Road from the proposed project site, within 100 feet.

The least Bell's vireo (LBV) is susceptible to noise and vibration disturbance leading to nest abandonment up to 500 feet from the source of the noise (Hein, 1997). The project as proposed would occur less than 500 feet from suitable LBV nesting habitat, and has potential to generate noise leading to nest abandonment (including noise associated with construction of the new buildings). The proposed project, therefore, has potential for take of a listed species if grubbing, grading, or construction occurs during the recognized LBV nesting season April 10 to July 31. Proposed pre-construction nesting bird surveys must include protocol level surveys for LBV, according to current U.S. Fish and Wildlife Service Guidelines for 2009.

A California Endangered Species Act (CESA) incidental take permit is required, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project, pursuant to Fish and Game Code Section 2050 et seq. CESA permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. The project as proposed, if conducted during the LBV nesting season, has potential for take of a State listed endangered animal, and therefore a CESA permit would be required. The procedure for obtaining a CESA permit may be found at the Department's website at http://www.dfg.ca.gov/hcpb/ceqacesa/cesa/cesa.shtml.

Silvery legless lizard (*Anniella pulchra*) – The BRA concluded that preferred habitat for silvery legless lizard (SLL) occurs on less than five percent of the proposed project site, and together with the disturbed and degraded condition of the remainder means that "...any population of legless lizard on site is neither significant nor sustainable." Formal surveys for SLL were not conducted, and the existence of SLL on-site was not ruled out.

The definition by the Department of a Species of Special Concern includes species with "...naturally small populations exhibiting high susceptibility to risk from any factor(s) that if

realized, could lead to declines that would qualify it for State threatened or endangered status." This definition agrees with the definition in CEQA for a rare species; "Although not presently threatened with extinction, the species is existing in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens" (CEQA Guidelines §15380(b)(2)(A)).

The project as proposed, has potential for take of a California Species of Special Concern (and a rare species under CEQA), therefore pre-construction surveys for SLL should be conducted according to the attached protocol.

Mitigation Measures

If nesting bird surveys are required and result in detection of nesting LBV within 500 feet of proposed construction activities, the Department and the U.S. Fish and Wildlife Service should be notified. Mitigation should include installation of a sound wall to prevent noise exceeding 60 DBa from reaching the active nest(s). The Department also recommends the project include cowbird trapping as an additional LBV mitigation measure to offset the temporary loss of habitat due to noise. The Department recommends a minimum of two cowbird traps, with the traps becoming operational beginning April 1 thru late fall, no later than November 30 of each year for five years.

Silt fencing should be installed along the project site eastern boundary to prevent egress of lizards onto the project site during construction. The fencing should be keyed into the ground three inches. If pre-construction surveys result in detection of SLL, the Department should be notified. SLL should be re-located to nearby off-site suitable habitat. Mitigation measures, such as off-site habitat enhancement at a 2:1 enhancement to impact ratio should be incorporated into the proposed project, if the species is found.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Martin Potter, Environmental Scientist, at (805) 640-3677.

Sincerely,

Helen R. Birss

for Edmund Pert
Regional Manager
South Coast Region

Attachments (2)
Hein, E. 1997. The Impact of Noise on Federally-Listed Species Subsequent Mandates for Mitigation. U.S. Fish and Wildlife Service.

cc: Ms. Helen Birss, Los Alamitos
Ms. Betty Courtney, Newhall
Mr. Dan Blankenship, Santa Clarita
Mr. Martin Potter, Ojai
Ms. Mary Meyer, Ojai
Mr. Roger Root, U.S. Fish and Wildlife Service, Ventura
Mr. Scott Morgan, State Clearinghouse, Sacramento

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CITY OF OXNARD

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division
Kimberly L. Rodriguez
Director

October 7, 2009

City of Oxnard
Planning Division
214 South C Street
Oxnard, CA 93030
Attn.: Brian Foote

E-mail: Brian.Foote@ci.oxnard.ca.us

Subject: Comments on MND No. 09-03; Anacapa Townhomes

Dear Mr. Foote:

Thank you for the opportunity to review and comment on the subject document. Attached are the comments that we have received resulting from intra-county review of the subject document. Additional comments may have been sent directly to you by other County agencies.

Your proposed responses to these comments should be sent directly to the commenter, with a copy to Laura Hocking, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Laura Hocking at (805) 654-2443.

Sincerely,

Tricia Maier, Manager
Program Administration Section

Attachment

County RMA Reference Number 09-046

RECEIVED

OCT 07 2009

PLANNING DIVISION
CITY OF OXNARD

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM

DATE: September 30, 2009

TO: RMA – Planning Division
Attention: Laura Hocking

FROM: Behnam Emami, Engineering Manager II

SUBJECT: REVIEW OF DOCUMENT 09-046
Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND), a MND, and an Initial Study (IS) for the Anacapa Townhomes Condominium Development.
4781 and 5001 W. Wooley Road, in the Oxnard Dunes neighborhood.
Lead Agency: **City of Oxnard**
APN 196-0-033-29

Pursuant to your request, the Public Works Agency -- Transportation Department has reviewed the NOI to adopt a MND, a MND, and an IS for the Anacapa Townhomes Condominium Development. The project consists of Planning & Zoning Permit Nos. 08-400-04 (Coastal Development Permit), 09-300-01 (Tentative Tract Map), and 09-590-01 (Coastal Zone Variance). A request to construct the "Anacapa Townhomes" on a four-acre vacant property. A tentative subdivision map would create five parcels and subdivide for 70 air-rights condominium units; a Coastal Development Permit to construct five multifamily three-story structures with a total of 70 condominium dwelling units, parking garages, pool and recreation building, and landscaping; and a Coastal Zone Variance to modify the development standards for front, side, and rear yard setbacks to permit architectural projections. The project is located 4781 and 5001 W. Wooley Road, at the northeast corner of Harbor Boulevard and Wooley Road, in the Oxnard Dunes neighborhood.

We offer the following comments:

1. We generally concur with the comments in the NOI to Adopt a MND, MND, and IS for those areas under the purview of the Transportation Department. The IS indicates that this project would generate additional traffic. Page 67, 2nd paragraph (also in Table 7, Project Trip Generation) provides that a total of 407 Average Daily Trips, 31 trips in the morning peak hours, and 36 trips will occur in the evening peak hour.

2. Page 68, 2nd paragraph of the IS provides that the project would be consistent with the Ventura County General Plan by complying with the terms of the Reciprocal Traffic Mitigation Agreement adopted in February 2, 1993. By paying the mandatory County/City Traffic Impact Mitigation Fee (TIMF), the developer will mitigate the project's impacts on local roads and intersections. With the payment of the fee, any potential impacts will be less than significant. Furthermore, Page 71 of the IS, Mitigation Measure O-7 provides that the Developer shall pay the applicable County/City TIMF prior to issuance of a building permit.

The cumulative impacts of the development of this project, when considered with the cumulative impact of all other approved (or anticipated) development projects in the County, will be potentially significant. To address the cumulative adverse impacts of traffic on the County Regional Road Network, the appropriate TIMF should be paid to the County when development occurs. Based on the information provided in the IS, and the reciprocal agreement between the City of Oxnard and the County of Ventura, the fee due to the County is:

70 Condominium Units x $256.96/Other Housing = **$17,987.20**

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the TIMF Ordinance allowing the fee to be adjusted for inflation based on the Engineering News Record Construction Cost Index. The above is an estimate only based on information provided in the MND.

Our review is limited to the impacts this project may have on the County's Regional Road Network.

Please contact me at 654-2087 if you have questions.

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PLANNING DIVISION
CITY OF OXNARD

VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009

DATE: January 12, 2010

TO: Laura Hocking, Case Planner and
Paul Wendt, city of Oxnard

FROM: Robin Jester, Acting Permit Manager
Planning and Regulatory

SUBJECT: Revision to comments dated October 1, 2009
RMA 09-046 – MND 09-03 – Coastal Development Permit
08-0400-04 Tentative Tract 09-300-1
Coastal Variance 09- 590-01
APN 196-0-033-295

Project Description:

A request to construct the "Anacapa Townhomes" on a 4-acre vacant property located at the northeast corner of Harbor Boulevard and Wooley Road, in the Oxnard Dunes neighborhood. A tentative subdivision map would create five parcels and subdivide for 70 air rights condominium units; a Coastal Development Permit to construct five multifamily three story structures with a total of 70 condominium dwelling units, parking garages, pool and recreation building, and landscaping, and a Coastal Zone Variance to modify the development standards for front, side, and rear yard setbacks to permit architectural projects.

Comments:

The comments provided by the Watershed Protection District in the October 1, 2009 memorandum have been reconsidered. The following statement provides our amended entire comments for the above project.

The Watershed Protection District has reviewed the project above. There are no red line channels in close proximity to the proposed project; therefore the District has no comments or concerns.

End of Text

RECEIVED

OCT 07 2009

PLANNING DIVISION
CITY OF OXNARD

Ventura County
Watershed Protection District
Water & Environmental Resources Division
Water Quality Section

MEMORANDUM

DATE: September 22, 2009

TO: Laura Hocking, RMA- Planning Division

FROM: Paul Tantet

SUBJECT: RMA 09-046 – Mitigated Negative Declaration No 09-03, City of Oxnard

I have reviewed the Mitigated Negative Declaration No. 09-03 and accompanying hydrology report and concur with document's finding of no significant effect on the environment. The hydrology report's Detention Concept and Stormwater Treatment section includes sufficient surface water quality protection data to warrant this finding. Furthermore, the Watershed Protection District will not require further review of the proposed surface water quality treatment systems.

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OCT 07 2009

PLANNING DIVISION
CITY OF OXNARD

VENTURA COUNTY
WATERSHED PROTECTION DISTRICT
PLANNING AND REGULATORY DIVISION
800 South Victoria Avenue, Ventura, California 93009

DATE: October 1, 2009

TO: Laura Hocking, Case Planner

FROM: Robin Jester, Acting Permit Manager
Planning and Regulatory

SUBJECT: RMA 09-046 – MND 09-03 – Coastal Development Permit 08-0400-04 Tentative Tract 09-300-1
Coastal Variance 09- 590-01
APN 196-0-033-295

Project Description:

A request to construct the "Anacapa Townhomes" on a 4-acre vacant property located at the northeast corner of Harbor Boulevard and Wooley Road, in the Oxnard Dunes neighborhood. A tentative subdivision map would create five parcels and subdivide for 70 air rights condominium units; a Coastal Development Permit to construct five multifamily three story structures with a total of 70 condominium dwelling units, parking garages, pool and recreation building, and landscaping, and a Coastal Zone Variance to modify the development standards for front, side, and rear yard setbacks to permit architectural projects.

Comments:

The Watershed Protection District has reviewed the project above. There are no red line channels in close proximity to the proposed project. However, the channels located within the City of Oxnard are considered impacted facilities and are deficient for capacities based on the current level of development. Therefore there can be no increase in peak runoff reaching District facilities over all frequencies.

End of Text

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OCT 07 2009

PLANNING DIVISION
CITY OF OXNARD

VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT
Memorandum

TO: Laura Hocking/Dawnyelle Addison, Planning DATE: October 5, 2009

FROM: Alicia Stratton

SUBJECT: Request for Review of MND No. 09-03, Mike Marlow, Oxnard Shores Co. LLC, City of Oxnard (Reference No. 09-046)

Air Pollution Control District staff has reviewed the subject project, which is a request to construct the "Anacapa Townhomes" on a four-acre property, located at the northeast corner of Harbor Blvd. and Wooley Road in the Oxnard Dunes neighborhood in the City of Oxnard. A tentative subdivision map would create five parcels and subdivide for 70 air-rights condominium units, a coastal development permit to construct five multifamily three-story structures with a total of 70 condominium units, parking garages, pool and recreation building, and landscaping; and a coastal zone variance to modify the development standards for front, side, and rear and setbacks to permit architectural projections.

Section C of the MND addresses air quality, greenhouse gas, and project AQMP consistency issues. We concur with the findings of this discussion that significant air quality impacts will not result from the project. Table 5, *Area Source & Operational Emissions*, indicates that total mitigated emissions from the project would be 7.6 lbs/day ROC and 3.7 lbs/day NOx. These are below the 25 lbs/day thresholds of significance for Ventura County.

Short-term air quality impacts will be minimized through implementation of Mitigation Measures C1 through C-6. In addition to these, we recommend the following project condition be applied to site preparation and project construction activities:

> All project construction and site preparation operations shall be conducted in compliance with all applicable VCAPCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10, (Permits Required).

If you have any questions, please call me at (805) 645-1426.

RECEIVED
FEB 02 2010
PLANNING DIVISION
CITY OF OXNARD

From: "Todd McNamee" <Todd.McNamee@ventura.org>
To: Brian.Foote@ci.oxnard.ca.us
Date: 2/2/2010 3:20:34 PM
Subject: Comment on MND No. 09-03

Dear Mr. Foote,

Thank you for the opportunity to review the Notice of Intent to Adopt a Mitigated Negative Declaration (MND No. 09-03) for the Anacapa Townhomes project.

Please accept the following as comments made on behalf of the County of Ventura Department of Airports.

Page 42, Section G - Hazards and Hazardous Materials. It is currently stated "No Impact" under item 5 as it relates to the project being within an airport land use plan or within two miles of a public use airport.

The site DOES fall within the Oxnard Airport Sphere of Influence and is therefore also covered by the Ventura County Comprehensive Land Use Plan (ACLUP). Although the site is not under a direct flight pattern for the airport, it is subject to overflight of aircraft arriving and departing the Oxnard airport. As such I feel it is appropriate to show the impact as "less than significant" rather than "no impact"

Page 45, section 5&6. As mentioned above, the project site does lie within the ACLUP and is subject to overflight by aircraft arriving and departing the Oxnard airport. Impact level should be changed to less than significant impact with no mitigation required. You can confirm this with an Air Hazard Safety Study if you choose.

Page 54, Section K - Noise. Same comments as above as the project site is located within the ACLUP and the site is subject to overflight. Aircraft noise may be present but it is correctly stated that the project falls outside of the 65 CNEL noise contour for the Oxnard Airport. Additional sound insulation should be considered when constructing the homes to minimize the impact on future residents from aircraft noise.

While not required, it is recommended that the developer grant the County of Ventura an Avigation Easement over the parcel that is consistent with the FAA model Avigation Easement.

Thank you again for the opportunity to comment.

Todd McNamee
Director of Airports
County of Ventura
805-388-4200

CC: erin.powers@ventura.org; sdegeorge@goventura.org

RECEIVED
PLANNING DIVISION
CITY OF OXNARD

From: "Lynne Vander Kamp" <lynnevk@gmail.com>
To: Brian.Foote@ci.oxnard.ca.us
Date: 1/28/2010 7:11:37 PM
Subject: Anacapa townhomes

January 29,2010

Brian Foote, Associate Planner

City of Oxnard Planning Division

214 South C Street

Oxnard, CA 93030

Dear Brian Foote, Associate Planner:

Subject: MND No.09-03

As an owner and resident of property at 1040 Canal Street, I am very concerned about the addition of "Anacapa Townhomes" literally on my doorstep. I have read the "Environmental Documents" online and find it unbelievable that 70 units in 5 multifamily, 3 story buildings will have NO NEGATIVE IMPACT on this neighborhood, to say nothing of the parking garages, exterior pool and recreation building. To say that the parking of approximately 2.5 cars per unit in the 180 to 200 spaces being made available in this project will not have an impact on traffic flow, parking and noise is ludicrous. There will not be any parking available on Wooley or on Harbor, forcing the overflow to park on Canal where there is NO street parking currently available. There are no laws or codes restricting the number of vehicles per address leaving most of us without the convenience of guest parking as it is. It defies reason to unequivocally state that the introduction of approximately 280 people and 175 cars in a 4 acre area will not adversely change the face and the makeup of this community for the worse.

The construction of exterior stairs to the upper units will also create a significant amount of noise along with all the parking and other utilities planned for the rear of this project which will now constitute the VIEW FOR THOSE OF US WHO NOW SEE THE DUNES AND HAVE A PARTIAL OCEAN VIEW. Rooftops, staircases, parking lots and dumpsters are not why we live here and pay these taxes. There are no longer full mature trees in this area to act as a noise or dirt buffer.

Additionally, the only concession being made for the influx of at least 175 more cars is a turn lane on Canal St. What exactly will control the rerouted traffic on Dunes and the one lane crossing the Edison Canal Bridge? I find it hard to believe that a row of blinking lights mitigates these problems. The widening of the existing alley will only encourage additional traffic use to access Harbor Blvd. If past performance is any indication, Mr. Marlow, who has never cared for the appearance or cleanliness of this dumping ground, has very little concern for community public opinion.

Reliant Energy has recently installed a barbed wire fence in our back yards already giving it a prison like appearance and severely limiting what should be an environmentally attractive green space. I did not see any provisions

being made to beautify any surrounding areas for the current residents as was provided at Westport or Seabridge. There was discussion involving the removal of power poles on Wooley but none concerning the 3 attending poles along the canal. So, to recap, this project will deliver only a NEGATIVE effect on our personal living space after what will most probably be an extensive and intrusive, noisy and dirty inconvenient construction period beginning at 7AM with heavy machinery for the better part of a year.

We respectively disagree with your findings and request that these plans be reviewed with an eye toward the overall effect on the whole community and not just the generated revenue for the city. We are all concerned with our future property values. Accommodating this project is not in the best interest of the existing homeowners.

Sincerely,

Lynne Vander Kamp (805-382-1515)

cc: Mandalay Shores Homeowners Association

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JAN 2 9
PLANNING DIVISION
CITY OF OXNARD

RECEIVED

PLANNING DIVISION
CITY OF OXNARD

From: Suzanne Schechter <suzannes5@roadrunner.com>
To: Brian.Foote@ci.oxnard.ca.us
Date: 9/23/2009 3:31:39 PM
Subject: planning &zoning permit #08-400-04,09-300-1,09590-01

Dear Mr. Foote

I am a resident of Oxnard Shores(for more than 30 years) I want to voice my very strong objections to development, as proposed, of the 4 acres at the northeast corner of Harbor Bl and Wooley Road of 70 condominiums.

70 UNITS! that is an unacceptable density for the 4 acres.

Consider the impact on traffic on Wooley Rd,,HarborBl, and Victoria. How will the parking spaces be fitted in? What exactly does "air rights" mean in this instance? three stories? the tallest structure in the Shores area, therefore?and are these proposed architectural projections going to stick out, how?

Additionally, there are currently unsold units, in the recent Seabridge projects adjacent to this proposed development, and on the corner of Harbor and 5th St, construction on that project has stopped,after extensive ground preparation,due to the economic downturn, and real estate crash.

Jamming this poorly conceived project onto this small space, will destroy the ambience of the seaside neighborhood, and negatively impact the lives of hundreds of residents, bringing increased traffic, noise and pollution.

I was not able to access the Environmental Documents, at City planning website.

Thank you for reading this,
Sincerely,
Suzanne Schechter
4824 Amalfi Way
Oxnard 93035 805 9858146 email: suzannes5@roadrunner.com

RECEIVED

PLANNING DIVISION
CITY OF OXNARD

PCR

June 2, 2010

Mr. Brian Foote, Associate Planner
CITY OF OXNARD
Planning Division
214 South C Street
Oxnard, California 93030

Re: ANACAPA TOWNHOMES - RESPONSE TO COMMENTS RECEIVED FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME

Dear Mr. Foote:

The purpose of this letter is to respond to comments received from the California Department of Fish and Game regarding the Biological Resources Assessment **PCR Services Corporation (PCR)** prepared for the Anacapa Townhomes project located in the Oxnard Shores area in the City of Oxnard (City). PCR prepared a final Biological Resources Assessment for the subject project, after incorporating comments from the City, U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG), dated December 2009. In a subsequent letter of comment from CDFG on the Draft Mitigated Negative Declaration for the project, dated February 18, 2010, CDFG provided additional comments to which the City requested the applicant and PCR respond. Following are PCR's responses.

CALIFORNIA WILDLIFE ACTION PLAN

The comments provided in CDFG's letter are for context and no response is needed.

IMPACTS TO SENSITIVE BIOLOGICAL RESOURCES

Rare Plants

In response to CDFG's comments regarding the adequacy of the plant surveys conducted in January 2004, November 2008, and October and November 2009, PCR conducted a spring survey on April 14, 2010. The latest survey in 2010 is considered to have addressed CDFG's concern that plant surveys should be completed at the proper time(s) of year when all rare species potentially occurring on a project site are both evident and identifiable. All plant surveys were conducted by PCR biologists (Kristen Szabo, Jason Berkley, Zeke Cooley and Steve Nelson) who have experience in conducting floristic field surveys, have knowledge of plant taxonomy and plant community ecology, and have familiarity with plants of the area. It should also be noted that a reference site for the Ventura marsh milk-vetch (*Astragalus pychnostachyus* var. *lanosissimus*) was visited (with a biologist from the U.S. Fish and Wildlife Service) to confirm the species was evident and identifiable at the time of the October 20, 2009 survey. Other species targeted for the survey are listed in Table 1, Sensitive Floral Species Known to Occur in the Vicinity of the Anacapa

One Venture, Suite 150, Irvine, California 92618 INTERNET www.pcrnet.com TEL 949.753.7001 FAX 949.753.7002

Townhomes, beginning at page 27 of PCR's Biological Resources Assessment, dated December 2009. Finally, due to the relatively small size of the project site (4.1 acres), survey coverage of the entire site was assured.

For purposes of updating Appendix B: Floral and Faunal Compendia, of PCR's December 2009 report, the following plant species that were not observed prior to the Spring 2010 survey, are noted: barley (*Hordeum vulgare*), wild oats (*Avena sp.*), both non-native species, and dodder (*Cuscuta sp.*). None of these species are considered to be sensitive. For purposes of clarification, red sand verbena (*Ambronia maritime*), was also observed on site, as it has in previous site surveys. This species is included on the California Native Plant Society List 4, indicating it is of limited distribution in California, but whose existence does not appear to be susceptible to threat. For this reason, it is not considered to be a potential issue under CEQA.

Least Bell's Vireo (*Vireo bellii pusillus*)

PCR acknowledges that, under certain circumstances, construction-related noise and vibration can disturb nesting birds resulting in nest abandonment. PCR also acknowledges that if construction noise and vibration were to affect a threatened or endangered species, the appropriate "take" permits would be required. In the case of the Anacapa Townhomes project, however, circumstances are such that no take will occur.

CDFG's concern in this regard is for the least Bell's vireo, a State and federally-listed species. As indicated in the CDFG letter and reported in the December 2009 PCR report, the least Bell's vireo had been previously reported in southern willow scrub habitat near the southeast corner of Harbor Boulevard and Fifth Street. In connection with PCR's April 14, 2010 spring survey for plants, the area where the vireo had been reported was surveyed for the species. A vireo was heard and observed on that date within southern willow scrub habitat, as previously reported. The vegetation along the nearby canal was also characterized and evaluated for its suitability to support least Bell's vireo as part of a breeding territory.

No take of least Bell's vireo, either directly or indirectly, is anticipated to result from the project for several reasons. First, the location where the species was observed was at least 2,000 linear feet from the closest part of the project site (on the order of 0.5 mile) which is well beyond the 500-foot distance cited in the CDFG letter as being potentially affected by noise and vibration. Second, the nearest willow scrub habitat that would be considered important as a component of a vireo breeding territory is found approximately 600 linear from the nearest part of the project site. Vegetation that generally follows the canal nearer to the project site consists of non-natives such as *Myoporum sp.* which is not the type or preferred habitat for least Bell's vireo. Third and importantly, there is a street with houses on both sides between the project site and all southern willow scrub to the north where the vireo has been observed (see Figure 4 on page 17 of the December 2009 PCR report). These houses are two-story and will effectively serve as sound and visual buffer between project construction and the area where the vireo has been found. In fact, a

two story house, rising some 25 feet from the ground, will be taller and more effective than a sound wall or berm built for the same purpose. Therefore, the potential for indirect take is less than expected from implementation of the mitigation measures recommended in CDFG's letter.

Silvery Legless Lizard (*Anniella pulchra pulchra*)

The comments included in the CDFG letter regarding this species are acknowledged. Mitigation in the form of pre-construction surveys will be incorporated into the Mitigated Negative Declaration (MND) findings.

MITIGATION MEASURES

The CDFG letter recommended mitigation measures for potential impacts to the least Bell's vireo and silvery legless lizard. PCR will concede that most of the CDFG recommendations are reasonable and will incorporate them into its findings. However, some of the recommendations are unreasonable and/or are not warranted. Therefore, we recommend the following mitigation language be incorporated into the MND.

Least Bell's Vireo

In concert with the mitigation for impacts to nesting birds during the breeding season, focused pre-construction surveys for the least Bell's vireo will be conducted in suitable habitat within 500 linear feet of construction activities. The surveys will follow agency protocol as to survey methodology (i.e., time of day and climatic conditions). However, a modified survey schedule is appropriate given the site specific circumstances. Therefore, surveys of the area within 500 feet of construction activities and the area where the vireo has been reported will be initiated if commencement of construction is to occur during the breeding season for the species (April 10 to July 31). If no least Bell's vireos are detected, two additional surveys will be performed no less than 10 days apart. If no least Bell's vireos are detected within 500 feet of the construction activities during any of the three survey bouts, no further action is required. If, however, least Bell's vireo are detected within 500 feet of construction activities, CDFG and the U.S. Fish and Wildlife Service (USFWS) will be contacted to determine what, if any, actions need to be taken to avoid adverse effects on the species. Such actions, if necessary, may include one or more of the following: phasing the construction activities to avoid certain construction activities within 500 feet of occupied vireo habitat until after the breeding season has ended; noise monitoring; and nest monitoring. If least Bell's vireo is detected in suitable habitat farther away than 500 feet, these areas will be monitored during each of the three survey bouts so as to gain assurances that occupied habitat remains more than 500 feet from construction activities. The findings of the surveys will be documented and submitted to CDFG and USFWS.

PCR believes that given the relatively high site fidelity of least Bell's vireo from year to year, the approach outlined above is reasonable and appropriate. A modified approach to survey protocol is also provided for in the survey guidelines issued by USFWS. As stated in the guidelines

"However, we (USFWS) may concur, on a case by case basis, with a reduced effort if unusual circumstances dictate that this is a prudent course of action. For instance, intensive surveys of small, marginal or extralimital habitats by experienced personnel may well result in defensible conclusions that eight (or more) individual surveys are unnecessary)." In the case of the Anacapa Townhomes project and as described above, the circumstances at and surrounding the site would support such a modified approach. In addition, CDFG's recommendation for cowbird trapping is not warranted. The Anacapa Townhomes project is by its nature a fairly dense development with relatively little area that will be conducive to establishing turf grass area, which are believed to attract cowbirds. In comparison, there are several hundred acres of active agriculture immediately beyond the canal that parallels the project site's eastern edge. Agricultural activities also, perhaps to a much greater extent, attract cowbirds. In PCR's opinion, The Anacapa Townhomes project should not be burdened with a cowbird trapping program that it, in and of itself, is not expected to result in a cowbird problem.

Silvery Legless Lizard

Prior to the initiation of construction activities, a temporary silt fence will be installed along the project site's eastern boundary to prevent ingress of slivery legless lizards onto the site for the duration of construction activities. The fencing will be keyed into the ground to a depth of at least three inches. Preconstruction surveys for silvery legless lizards will then be conducted within areas of the site that could be used by the species. The surveys will be conducted according to the following protocol provided by CDFG.

Surveys will be conducted on a warm day (70 to 80 degrees Fahrenheit) in the mid-morning and no longer than two weeks prior to the commencement of soil disturbance activities. Relative soil moisture should be approximately 65 to 80 percent with soil temperature being 60 to 70 degrees Fahrenheit. Two person teams will work together with one person using a hand rake to gently rake the loose litter and soil down to firmer substrate. The other person will search the areas being raked for legless lizards.

Surveys will employ a "three-pass" methodology to locate as many legless lizards as possible. If legless lizards are found during the first pass, an overnight period of no disturbance will occur before the second pass. Similarly, if legless lizards are found during the second pass, another overnight period of no disturbance will occur before the third pass. If during any pass no legless lizards are found, the survey will be concluded.

Any legless lizards found will be placed in a lidded, vented box containing clean sand. Areas of moist and dry sand will be present in the box. Boxes will be kept out of direct sunlight and protected from temperatures over 72 degrees Fahrenheit. The temperature of the sand in the box will be kept under 66 degrees Fahrenheit. Information on each lizard captured will be recorded, including date of capture, location, length, color, age, and tail condition. All lizards captured will

be relocated to suitable off-site habitat the same day as capture. GPS location, of released lizards will be recorded. CDFG will be notified about any injured legless lizards.

All work will be performed by personnel who hold active permits to conduct the work from CDFG. Documentation of survey results and associated records will be submitted to CDFG at the conclusion of the surveys.

In its comment letter, CDFG recommended that if silvery legless lizard is found on site, off-site habitat enhancement should be required at a 2:1 ratio. In PCR's opinion, this is not warranted. As described in PCR's December 2009 Biological Resources Assessment (see pages 29 and 34), less than five percent of the 4.1-acre project site appears to have surface vegetation and soils even marginally suitable for the species. Therefore, as concluded in the December 2009 assessment any losses of habitat will be incrementally small and do not warrant this level of mitigation because they cannot reasonably be considered significant to either local or regional population numbers.

If you have any questions or comments about the above responses to CDFG's comments, please contact me at (949) 753-7001 or by e-mail at s.nelson@pcrnet.com.

Sincerely,
PCR SERVICES CORPORATION

Steven G. Nelson
Director of Biological Services

RECEIVED
PLANNING DIVISION
CITY OF OXNARD

Rincon Consultants, Inc.
790 East Santa Clara Street
Ventura, California 93001

805 641 1000
FAX 641 1072

info@rinconconsultants.com
www.rinconconsultants.com

May 25, 2010
Job No. 10-95830

Brian Foote, Associate Planner
Development Services Department
City of Oxnard
214 South C. Street
Oxnard, CA 93030

Subject: Peer Review of Anacapa Townhomes Biological Resources Assessment

Dear Mr. Foote:

Rincon Consultants has conducted a peer review of the Biological Resources Assessment (BRA, December 2009) prepared by PCR Services for the property located at the northeast corner of Harbor Boulevard and Wooley Road, as requested. Authorization to conduct this peer review was received on May 7, 2010. In addition to the PCR document, we have also reviewed the City's IS/MND for the project (MND No. 09-03, January 15, 2010) that was prepared subsequently after the BRA and comments on the IS/MND provided by the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS).

METHODOLOGY

The BRA was reviewed with respect to the following parameters:

- Adequate description of the site biological setting, including recent field reconnaissance and identification of possible sensitive species issues;
- Adequacy of methodologies used from the perspective of prevailing biological studies practices;
- Description (map) of the site's biological characteristics and the location of sensitive species, if any;
- Discussion of the biological regulatory setting pertinent to the site;
- Description of the proposed land uses and appropriate determination of impacts associated with such uses; and
- Adequacy of mitigation measures that are proposed or that may be necessary.

In addition to review of the provided material, Rincon conducted a review of sensitive resource occurrences from the CDFG California Natural Diversity Data Base (CNDDB), Biogeographic Information and Observation System (BIOS – www.bios.dfg.ca.gov), and USFWS Critical Habitat Portal (http://criticalhabitat.fws.gov). Also, a brief field reconnaissance was undertaken by Dr. Duane Vander Pluym and Mr. Stephen Hongola on

May 12, 2010, to verify the description of resources within the BRA and specifically to check for possible sensitive species issues.

PROJECT PERSONNEL AND MANAGEMENT

This peer review has been performed by and under the direction of Duane Vander Pluym, D.Env., Rincon's Principal Biologist who has over 30 years of experience in preparing biological and environmental reports and has also provided expert witness testimony with respect to biological resources. Mr. Hongola also aided in the field reconnaissance. He is a specialist in avian field studies who holds a federal 10(a)(1)(A) permit to conduct protocol surveys for coastal California gnatcatcher and has managed or assisted in focused surveys for burrowing owl, least Bell's vireo, southwestern willow flycatcher, California least tern, western snowy plover, desert tortoise, arroyo toad, California red-legged frog, and a variety of sensitive plants.

REVIEW OF BIOLOGICAL RESOURCES ASSESSMENT

Description of Biological Setting

The description of the onsite resources is considered generally adequate in that it describes biological resources present and expected to be present, provides appropriate maps and other graphics illustrative of the onsite resources, and lists most of the flora and faunal elements that typify the site conditions. The description of the vegetation as ornamental/ruderal is generally correct, though from Rincon's brief observations, somewhat more than 5% of the aerial coverage of the site was comprised of native plants, including coyote brush, beach evening primrose, and sand verbena. Nonetheless, hottentot-fig (aka iceplant) was the predominant plant present, along with recently weed-whacked non-native grasses and ruderal weeds. The floral compendium appeared to be generally inclusive of plants observed, as was the faunal lists.

Section 3.7.2 simply states that no sensitive communities are present at the site. It should also reference the City's Coastal Land Use Plan (February 1982) which indicates that no sensitive coastal habitats are present (Map No. 7) as this provides a long term perspective on the lack of important coastal biological resources at this site. Similarly, Section D Items 5 & 6 of the IS/MND (page 33) should also reference this map.

It is noted that other invertebrates are present at the site besides the Monarch butterfly listed in the BRA, most obviously various ants and darkling beetles (*Eleodes* sp.). Given that no sensitive invertebrates are known to exist in the area and the habitat and its long term disturbance is not appropriate for dune-related sensitive species (globose dune beetle, sandy beach tiger beetle), no further information is required. However, these dune-related sensitive species could have been listed in Table 2 of the BRA since they are recorded within the California Natural Diversity Data Base within 4 miles of the site.

No explanation with respect to Belding's savannah sparrow was provided within Table 2. This is a resident subspecies of southern pickleweed saltmarshes where it breeds, but it also forages along tidal channels and near shore habitats adjacent to saltmarshes. Pickleweed is present in small linear patches adjacent to the site in the Edison Canal, but insufficient

amounts are present to sustain a Belding's savannah sparrow population and it would not be expected to occur as a foraging species at the site. This information should be included in Table 2.

A Cooper's hawk nest was observed in a willow on the south side of Wooley Road approximately 75 feet from the site during the Rincon site visit. This species is considered a CDFG "Special Animal" as it is on the "Watch List" (CDFG, July 2009). As a raptor, this species and its nest are protected under Fish and Game Code Section 3503.5. Given the proximity of the nest, the hawk probably forages occasionally at the site, though most foraging would be expected along the Edison Canal and the dune habitats south of the site. This species should be added to Table 2 of the report and discussed in the IS/MND under Section D Items 1 & 2.

Methodologies

The CDFG Biogeograhic Information and Observation System (BIOS - http://bios.dfg.ca.gov/) with Ventura County information checked should have been included in the literature review. Nonetheless, a review of this literature source conducted by Rincon did not yield any additional information pertinent to the project site.

The literature search should also have included information from Kuhnz, et al (2005) for more up-to-date information on the use of sand dunes by legless lizards and difficulties with finding them using standard techniques, especially in low density situations. The methodology used (site walkover examining soils and turning over objects) is not conclusive of absence. In addition, except for the January 2004 survey during which time it is unclear if legless lizard was surveyed for, the latest surveys by PCR were not conducted within the time frame for near surface activities by this animal (December - May; see California Coastal Commission, 2006). This issue is further discussed below.

While it is typical to conduct rare plant surveys for undisturbed lands within the timeframe at which rare plants are identifiable (typically the bloom period) per the CDFG comments (CDFG, February 2010), this is also relative to the sensitive species of concern and the degree and length of time that a site has been continually disturbed. When those plants are perennials that are identifiable in all seasons, then surveys outside the typical bloom period are reasonable and effective. For this site, the plant of concern, Ventura marsh milk-vetch, is a perennial that is recognizable at least to genera in all seasons. PCR conducted visits to the reference site in 2009 to confirm that this plant was recognizable at the time of the field visits and therefore, the rare plant survey is considered adequate. The adequacy of this methodology was confirmed by USFWS in the email message of December 10, 2009.

The methodology employed for the burrowing owl was reasonable and effective at determining presence during the time frame of the field surveys. No additional surveys are warranted.

Impact Assessment

CDFG states that Least Bell's vireos (LBVI) could potentially be present in the willow stands south of the project site based on a recent discovery in willow scrub habitat at the southeast

corner of Harbor Boulevard and Fifth Street in 2009. Rincon specifically examined the willow riparian habitat located on the adjacent parcel during the timeframe when LBVI are known to currently be present in the Ventura/Oxnard region. No LBVI were observed. Also, the total suitable habitat for this species available to the south of the site is less than 1 acre in several smaller stands. Typical territory size for LBVI is about 2 acres (Kus, 2002), making these patches inadequate in size. In contrast, the area referenced by CDFG southeast of Harbor Boulevard and Fifth Street contains about 10 acres of potentially suitable habitat, with an additional 17 acres of possible habitat located northwest of Harbor Boulevard and Fifth Street.

Further, it is noted that a Cooper's hawk nest was observed in the willows southeast of Canal Street in May 2010. This bird is predatory on smaller birds, including vireos, and it is unlikely that a Least Bell's vireo would choose to nest near this hawk. Therefore, it is highly unlikely that LBVI would be located in the vicinity of the project site.

CDFG also raised concerns regarding the silvery legless lizard and burrowing owl. While marginal habitat is present at the site for burrowing owl (disturbed ruderal areas with annual grasses and ground squirrel burrows), no nesting owls have been known to occur in this vicinity for decades (Center for Biological Diversity, et al, April 2003). During Rincon's brief field visit in May 2010, ground squirrel burrows were checked for owl sign and none was seen, though it should be noted that the brief field visit did not constitute a protocol level search. Nonetheless, this species is typically highly visible and conspicuous when present and none were observed. This further confirms PCR's negative observations and no further surveys or mitigation for this species is warranted.

Silvery legless lizards have been reported to occur in the dune areas in the vicinity of the project site, and were anticipated to potentially be present less than 0.25 miles from the site (California Coastal Commission staff report, 2006). As indicated by Kuhnz, et al (2005), standard survey methods for this species are not adequate when populations are at low densities and the methodology employed by PCR would not have been adequate to find this animal. However, further, more detailed surveys are likely to yield a similar result since given past disturbances to the site (particularly disking, which is highly detrimental to this lizard), since if silvery legless lizard is present, it would be at very low densities. Therefore, the question becomes, if it is assumed that this lizard is present at very low densities, would the impact of site development be considered "a substantial adverse effect" per Section D Item 1 of the IS/MND? We agree with the rationale presented on page 35 of the PCR (December 2009) report that the few lizards that may be lost as a consequence of development of the site would not have a substantial effect on this lizard's local population. In particular, the presence of much more suitable dune habitat (and likely much greater numbers) to the south that is protected under the City's Coastal Land Use Plan ameliorates any loss of individuals as a consequence of site development. Further, legless lizards have been found within residential areas in the Santa Barbara area (personal communication, Lawrence Hunt, 2009) and so have at least some potential for persisting within the proposed land use. Therefore, no further surveys or additional mitigation measures appear to be warranted.

The PCR report states that the sensitive coast horned lizard is absent from the site based on the dominance of hottentot-fig, absence of native ants, and past site disking. During the

Rincon field visit, native ants were observed within the site. In addition, coast horned lizard was reported from a disturbed (but not disked) dune habitat parcel on 1.6 acres north of Whitecap Street in 2006 less than 0.25 miles west of the site (California Coastal Commission staff report, 2006). Nonetheless, a substantial population of coast horned lizard would not be expected at this site given past disking and the adjacent residential land use. Rincon also conducted a brief search around the native ant nest searching for horned lizard or their sign (scat) and nothing was observed. Similar to the finding for the silvery legless lizard, if any coast horned lizards were present within these disturbed conditions, the loss of those animals during site development would be considered adverse, but less than significant.

Section D Item 4 of the IS/MND is not fully consistent with the discussion contained on page 35 of the PCR December 2009 report, and migratory and other native birds were observed at the site. As stated within the PCR report, a low potential exists for migratory birds to nest at the site, and this potential impact would be mitigated by Mitigation Measure D-1 of the IS/MND.

Adequacy of Mitigation Measures

The project site and adjacent open habitat to the east and south are exposed to substantial traffic noise levels from both Wooley Road and Harbor Boulevard, with noise levels from Wooley Road alone exceeding an Leq of 65 dBA at a distance of 50 feet from the centerline. As a consequence, birds that may be nesting near the site are already exposed to relatively high sound levels, and construction noise would be expected to have less of an effect on such habituated animals than a similar level of noise in a quieter, more natural setting. Therefore, suggested sound wall measures by CDFG regarding least Bell's vireo would not be considered necessary for this site. In any event, it is highly unlikely for least Bell's vireos to nest in the willows south of the site and no mitigation regarding this species is considered necessary.

Measure D-1 of the IS/MND is generally sufficiently protective of the Cooper's hawk nest observed south of the site. However, the following revision (underlined text) is recommended for clarity purposes:

> The developer shall avoid grubbing or grading the site during the breeding season (i.e. February 15 through August 31) as the preferred mitigation. If avoidance is not feasible and grubbing/grading will occur during the breeding season, then the project site and adjacent open space areas shall be surveyed by a qualified biologist for the presence of nesting birds prior to removal of vegetation. The developer shall be required to submit a report documenting the findings of the site survey to the Planning Division for review and approval. The site survey shall be conducted within 30 days of the beginning of any grubbing/grading activity. If any active nests are detected, then a 300-foot buffer (or as otherwise deemed appropriate by the biological monitor in consultation with the City and CDFG) shall be placed around the nest site until the nestlings have successfully fledged.

CONCLUSION

The PCR Biological Resources Assessment (December 2009) contains reasonable information for use in environmental documentation for the planned land use at the site. While several additions to the study could be made for clarification purposes, the basic findings from a California Environmental Quality Act perspective are adequate. Rincon recommends that Mitigation Measure D-1 be revised as indicated above to clarify the mitigation requirements.

Thank you for choosing Rincon Consultants for your environmental services needs. If you have any questions with respect to this peer review, please contact the undersigned.

Sincerely,
RINCON CONSULTANTS, INC.

Duane Vander Pluym, D.Env.
Principal

Attach: Bird Survey Form, 12 May 2010

REFERENCES

California Coastal Commission, July 27, 2006. *Staff Report - City of Oxnard Local Coastal Program Amendment 1-05 (Oxnard Shores) for Public Hearing and Commission Action at the August 9, 2006, Commission Meeting.*

California Department of Fish and Game, 18 February 2010. Letter re Draft Mitigated Negative Declaration for the Anacapa Townhouses Project.

California Department of Fish and Game (July 2009). *Special Animals.* Habitat Conservation Division, Wildlife and Habitat Data Analysis Branch.

Center for Biological Diversity, Santa Clara Valley Audubon Society, Defenders of Wildlife, San Bernardino Valley Audubon Society, California State Park Rangers Association, and Tri-County Conservation League (Petitioners), April 2003. *Petition To The State Of California Fish And Game Commission And Supporting Information For Listing The California Population Of The Western Burrowing Owl (Athene cunicularia hypugaea) As An Endangered Or Threatened Species Under The California Endangered Species Act.*

Germano, D.J. and D. J. Morafka, 1996. Diurnal aboveground activity by the fossorial silvery legless lizard, Anniella pulchra. *Great Basin Naturalist* 56(4): 379-380.

Kuhnz, Linda A., Burton, Robert K., Slattery, Peter N., Oakden, James M, 2005: Microhabitats and Population Densities of California Legless Lizards, with Comments on Effectiveness of Various Techniques for Estimating Numbers of Fossorial Reptiles. *Journal of Herpetology:* Vol. 39, No. 3, pp. 395–402

Kus, B., 2002. Least Bell's Vireo (*Vireo bellii pusillus*). *In* The Riparian Bird Conservation Plan: a strategy for reversing the decline of riparian-associated birds in California. California Partners in Flight. http://www.prbo.org/calpif/htmldocs/riparian_v-2.html

PCR Services Corporation, December 2009. *Biological Resources Assessment – Anacapa Townhouses, Oxnard, Ca.*

Bird Survey Form

Project: City of Oxnard, Anacapa Townhomes

Date: 5/12/2010

Location: NE corner Wooley/Harbor Blvd, and offsite dune habitat to south

Time - Start: 945

% Cloud Cover: 0

End: 1045

Wind: 2 to 4 mph

Observers: S. Hongola

Temperature: Start: 62 F End: 64 F

D. Vander Pluym

Species	Sensitive?	Breeding?	Habitat/Location	Behavior	Comments
HOFI		X	Scrub, disturbed	Flying, calling	
BEWR		X	Willow, scrub	Singing	offsite
CATO		X	Willow, scrub	Calling	offsite
YEWA	Yes	X	Willow, channel	Singing	offsite
WAVI		X	Willow	Foraging	3 observed offsite in willows
CLSW			Aerial	Flying/foraging	
HOOR		X	Eucalyptus	Flying/calling	offsite
AMCR		X	Disturbed, scrub, residential	Flying/foraging	Seen throughout area
EUST		X	Disturbed	Flying/calling	
NOMO		X	Disturbed, scrub	Singing	
SPTO		X	Willow, scrub	Calling	offsite
SOSP		X	Willow, scrub	Singing	offsite
ATFL		X	Willow, scrub	Perched, calling	offsite
ANHU		X	Willow, scrub	Perched, singing	offsite
WEGU			Flyover		
RWBB		X	Edison channel	Flying, calling	offsite
LEGO		X	Willow, scrub	Flying, calling	
BUSH		X	Willow, scrub	Calling, foraging	offsite
WIWA		X	Willow, scrub	Foraging	offsite
COHA	Yes	ON	Willow stand	Sitting on nest	Adult observed on nest ~10 feet off ground within relatively open willow ~35 feet from south edge Wooley Rd.
BASW		O	Aerial	Flying/foraging	
RTHA		X	Eucalyptus	Flying	offsite
BHCO		X	Disturbed, willow	Calling	offsite
SAPH		X	Scrub	Singing	onsite
Swallow species		N	Residential	Nesting	Mud nest observed within eave of house north of site
KILL		O	Along canal	Fly over	
LBCU		O	Fly over		
HOSP		O	Disturbed, iceplant	Foraging	

Wildlife observed: CA ground squirrel, side-blotched lizard, many pocket gopher burrows, native and Arg ants, dog

Sign: O=Observed, T=Tracks, S=Scat, V=Vocalization, B=Burrow, C=Carcass, Fe=Feathers, Fu=Fur

Breeding Bird:				
	O	*Present, does not breed within habitat at site.*	*NB*	*Nest building*
	X	*Seen or heard in appropriate breeding hebitat.*	*DD*	*Distraction display*
	S	*Singing male seen in appropriate habitat*	*UN*	*Used nest*
	P	*Peir observed in suitable habitat*	*FL*	*Fledglings*
	T	*Territorial behavior*	*FS*	*Adult with fecal sac*
	A	*Agitated behavior*	*FY*	*Adult with food*
	C	*Courtship or copulation*	*ON*	*Occupied nest*
	N	*Visiting probable nest site or cavity*	*NE*	*Nest with eggs*
			NY	*Nest with young*

RESOLUTION NO. 2010 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 08-400-4 (COASTAL DEVELOPMENT PERMIT) TO ALLOW DEVELOPMENT OF 70 ATTACHED CONDOMINIUM UNITS WITHIN FIVE BUILDINGS AND ASSOCIATED INFRASTRUCTURE INCLUDING STREETS, SIDEWALKS, UTILITIES AND LANDSCAPING ON FIVE PROPOSED LOTS ON A VACANT 3.9 ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BLVD., OXNARD, CA 93035.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning & Zoning Permit No. 08-400-4 (Coastal Development Permit) filed by Oxnard Shores Company LLC, in accordance with Section 17-57 *et seq.* of the Oxnard City Code; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with Mitigation Monitoring/Reporting Program and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the Planning Commission has held a public hearing at which it received and considered oral and written testimony on Mitigated Negative Declaration No. 09-03 (State Clearinghouse No. 2010011069) for the proposed project; and

WHEREAS, the comments of the Planning Commissioners, members of the public, and interested groups and agencies have been adequately responded to; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

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

1. The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.

2. The proposed use would not impair the integrity and character of the sub-zone in which would be located.

3. The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.

4. The proposed use would be compatible with the land uses presently on the subject property.

5. The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.

6. There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

7. The proposed use will provide a type and level of public access consistent with the access policies and standards of the Oxnard Coastal Land Use Plan.

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this Coastal Development Permit, subject to the conditions of approval below. The Planning Commission adopts as additional findings the staff report, the Local Coastal Program consistency analysis, and the mitigated negative declaration. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 17-58 of the Oxnard City Code.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL 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 July 8, 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. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, *G-10*)

11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

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

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

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

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

16. The subject Coastal Development Permit shall not become effective until 20 working days have elapsed without appeal to the Coastal Commission following the proper receipt by the Coastal Commission's Executive Director of the notice of permit issuance pursuant to Section 13316 of the Coastal Commission Code of Regulations. Such notice to the Coastal Commission shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, *G-17*)

LANDSCAPE STANDARD CONDITIONS

17. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)

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

19. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)

20. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)

21. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, *PK-6*)

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

LANDSCAPE SPECIAL CONDITIONS

23. Developer shall pay Quimby Fees (fees for park Acquisition and Improvement) before issuance of building permits. The amount of the fee shall be determined by the Planning Division at the time of payment. (PK,B, PL-45)

24. 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.

25. Change the groundcover in the parkway on Harbor Blvd to a low shrub or to Myoporum parvifolium or to another groundcover approved by staff.

26. Any walls facing a public right of way shall be covered to the full height of the wall (except where signage occurs) with some combination of shrubs or vines to act as a graffiti deterrent.

27. Trees planted on the North side of Hobbs Way shall be maintained by the project Master Property Home Owner's Association or Condo Association.

FIRE DEPARTMENT STANDARD CONDITIONS

28. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, *F-1*)

29. 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*)

30. Before the City issues building permits, Developer shall obtain the Fire Chief's approval of a plan to ensure fire equipment access and the availability of water for fire combat operations to all areas of the project property. The Fire Chief shall determine whether or not the plan provides adequate fire protection. (FD/DS, *F-3*)

31. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. The tests must be certified by a mechanical, civil, or fire protection engineer. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)

32. 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)

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

34. At all times during construction, Developer shall maintain all-weather surfaces that provide access for fire fighting apparatus to all parts of the project property. (FD/DS, F-7)

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

36. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. (FD/PD, *F-9*)

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

38. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet. (FD, F-11)

39. 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*)

40. Developer shall install in each structure in the project an alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, *F-13*)

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

FIRE DEPARTMENT SPECIAL CONDITIONS

42. 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.

43. 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.

44. Before the City issues a certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department.

45. Project Plans shall be modified to reflect Fire Department needs for ground ladder access to upper floors. These modifications to stairways were agreed upon in a meeting which took place between the developer and the Fire Department.

PLANNING STANDARD CONDITIONS

46. 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*)

47. 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*)

48. 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*)

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

50. 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*)

51. 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*)

52. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the

development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)

53. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet. (PL)

54. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, *PL-8*)

55. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, *PL-9*)

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 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, *PL-10*)

57. 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*)

58. 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*)

59. Developer shall provide elevators in structures of three stories or more, except where the third story consists entirely of upper levels of residence that have entrances at the first or second story. (PL/B, *PL-17*)

60. 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)*

61. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19)*

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

63. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)

64. 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*)

65. 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*)

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

67. All drive lanes (alleys) shall be provided with independently metered lighting with automatic daylight sensors for dusk to dawn lighting within drive lanes. The maintenance and replacement of independently metered lighting (wall fixtures, light bollards) shall be the responsibility of the Home Owners' Association. Lighting responsibilities shall be provided within the CC&Rs for the development. (PL)

68. Developer shall provide masonry walls on street side yards and along project perimeter property lines, subject to the approval of the Planning Division Manager. (PL/B, *PL-31*)

69. Street side yard walls shall be of decorative masonry construction and shall be set back 10 feet from any public sidewalk. (PL/B, *PL-32*)

70. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)

71. 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*)

72. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project. (CE/PL, *PL-35*)

73. Developer shall pay Quimby Fees (fees for park acquisition and improvement) before issuance of building permits. The amount of the fee shall be calculated by the Planning Division, and verified by the Parks Division at the time of payment. (PK/B, *PL-36*)

74. In accordance with City Council Ordinance No. 2615, or the ordinance in effect at the time building permits are issued, Developer shall pay the current in-lieu affordable housing fees, to be calculated at the time of building permit issuance. (PL, *PL-37*)

75. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2020 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning Division Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning Division Manager. (PL, *PL-38*)

76. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

77. Before or during escrow for the sale of property within the project, Developer shall give to each buyer a document disclosing, in large type, that:

    (a) The property was formerly used for agricultural purposes, and is near or adjacent to, land that is currently used for agricultural operations; and

    (b) The buyers may be subject to inconvenience or discomfort arising from agricultural operations on such nearby or adjacent land, including, but not limited to, frost protection measures, noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) at any hour of the day or night, storage of equipment and materials necessary to the agricultural operations, slow moving farm equipment, and spraying or other application of chemical fertilizers, soil amendments (such as manure, compost materials and mulches) and pesticides (such as herbicides, insecticides and fumigants); and

(c) If the buyers complete the purchase of the property, the buyers should be prepared to accept such inconvenience and discomfort as a normal and necessary aspect of living near or adjacent to agricultural operations.

To show that the buyers have read the document, Developer shall require the buyers to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon request. (PL)

78. Developer shall record a notice to appear in all deeds of property within the project that the project is within or proximate to the Oxnard Airport Sphere of Influence and inhabitants may be affected by the airport and aircraft operations. Before the City issues building permits, Developer shall provide evidence of recordation of such notice with the Ventura County Recorder's Office. (PL)

PLANNING SPECIAL CONDITIONS

79. This permit is granted subject to the approval of the Tentative Subdivision Map (PZ No. 09-300-01) and Coastal Zone Variance (PZ No. 09-510-01) for the project property. (PL)

80. This permit is granted subject to the approval of a Coastal Permit, if applicable, from the California Coastal Commission for the project property. (PL)

81. Developer shall install decorative concrete paving at each of the project entries, with the design and finish subject to approval of the Planning Manager and Development Services Director. (PL, DS)

82. Developer shall remove the name "Hobbs Way" from the site plan and elevation renderings. (PL)

83. Each unit shall be provided with a minimum of one designated private storage area, with a minimum area of 225 cubic feet, and with a minimum width of four feet. (PL)

84. Screen walls proposed to be placed around transformers within front yard areas shall not exceed 18 inches high pursuant to Zoning Code §16-308. (PL)

85. Signs on the project site shall comply with Zoning Code Article IX (Advertising Signs) including §16-605, and shall be subject to a sign permit issued by the Director. (PL)

86. Before or during escrow for the sale of property within the project, Developer shall give to each buyer a document disclosing, in large type, that:

(a) Prior to 1949, the site was used for oil and gas production wastes and some farming and ranching operations. From 1950-1954, unspecified wastes were disposed on the site. From 1950-1981, the site was used for the disposal of oil field waste materials. The site was closed in 1982, and affected soil areas were covered with a cap consisting of 3-foot to 4-foot soil fill cap in the mid 1980's; and

(b) Soils on the site have been remediated according to the requirements of a Remedial Action Plan (RAP) approved by the State of California, Department of Toxic Substances Control. The Department of Toxic Substances Control issued a letter on June 19, 1991, stating that the remediation of soils on the site has been completed in compliance with the requirements of the RAP, and the property was de-listed on July 29, 1991.

To show that the buyers have read the document, Developer shall require the buyers to sign the document. Developer shall retain all such documents for at least three years and shall provide the City with a copy all such documents upon request. (PL, *PL-49*)

MITIGATION MEASURES

Air Quality

87. The developer shall prepare and submit an Air Emissions Mitigation Plan for Dust Control. This Plan shall be included as part of the construction contract and submitted to the City of Oxnard for review and approval prior to the issuance of grading permits. This plan shall include the following elements. (*MND – C1*)

- Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means, generally at least three times a day (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally-safe dust control agents may be used in lieu of watering.
- Revegetate or apply APCD-approved chemical soil stabilizers to all inactive portions of the construction site that are inactive for four or more days.
- Suspend or curtail all excavation, earth moving, and grading operations during episodes of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties) to prevent fugitive dust from being a nuisance or hazard.
- Material transported in trucks off site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2), and (e)(4) as amended. Material transported on site shall be sufficiently watered or secured to prevent fugitive dust.
- Inform all employees involved in grading operations on the project to wear face masks during dry periods to reduce inhalation of dust.
- Signs shall be posted on-site requiring traffic speeds to not exceed 15 miles per hour.
- Sweep streets at the end of the day if visible soil material is carried over to adjacent streets and roads.
- At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.

88. Maintain equipment engines in good condition and in proper tune as per manufacturer's specifications. Minimize idling time. Prohibit the use of on-site electric generators, and connect to utility lines adjacent to the project site. (*MND – C2*)

89. If feasible, use alternatively fueled construction equipment, such as compressed natural gas (CNG), liquefied natural gas (LNG), or electric. (*MND – C3*)

90. During construction, contractors 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. (*MND – C4*)

91. A temporary fence around the project site shall include an opaque visual barrier up to 6 feet high. The fence shall include signs identifying the name, telephone number, and emergency contact information for the contractor(s) responsible for the site, construction activities, and rectifying any nuisance conditions. (*MND – C5*)

92. 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. (*MND – C6*)

93. As stated in the APCD Guidelines, applicants are required to mitigate environmental impacts associated with their projects to the greatest extent feasible. The following are those measures that could be feasibly implemented to mitigate operational phase air quality impacts of the proposed project. (*MND – C7*)

    - Lighting for public streets, parking areas, and recreational areas shall utilize energy-efficient mechanical, computerized, or photo cell switching devices to reduce energy usage.
    - Energy-efficient, automated controls for air conditioners shall be installed into proposed buildings to reduce energy consumption and emissions.
    - Automatic lighting on/off controls and energy-efficient lighting shall be installed into proposed buildings to reduce electricity consumption and associated emissions.
    - Light-colored roofing materials as opposed to dark roofing materials shall be used on proposed buildings. Light colored materials reflect sunlight and minimize heat gains in buildings. This measure would lessen the overall demand for mechanical air conditioning systems.
    - Wall and attic insulation shall be provided in proposed buildings beyond the requirements of Title 24, *California Code of Regulations*.
    - Built-in energy-efficient appliances shall be installed into proposed buildings.
    - Special sunlight filtering window coatings or double-paned windows shall be installed into proposed buildings to reduce thermal gain in hot weather and loss in the cold weather, thus reducing emissions associated with heaters and air conditioners.

94. The design of the swimming pool building shall incorporate solar panels to the maximum extent feasible for pool water heating. (*MND – C8*)

95. All project construction and site preparation operations shall be conducted in compliance with all applicable Ventura County APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive dust), and Rule 10 (Permits Required). (*MND – C9*)

Biological Resources

96. The developer shall avoid grubbing or grading the site during the breeding season (i.e. February 15 through August 31) as the preferred mitigation. If avoidance is not feasible and grubbing/grading will occur during the breeding season, then the project site shall be surveyed by a qualified biologist for the presence of nesting birds prior to removal of vegetation. The developer shall be required to submit a report documenting the findings of the site survey to the Planning Division for review and approval. The site survey shall be conducted within 30 days of the beginning of any grubbing/grading activity. If any active nests are detected, then a 300-foot buffer (or as otherwise deemed appropriate by the biological monitor) shall be placed around the nest site until the nestlings have successfully fledged. (*MND – D1*)

97. Focused pre-construction surveys for the Least Bell's Vireo (LBV) will be conducted in suitable habitat within 500 linear feet of construction activities. The surveys will follow agency protocol as to survey methodology (i.e. time of day and climatic conditions). However, a modified survey schedule is appropriate given the site-specific circumstances. Therefore, surveys of the area within 500 feet of construction activities and the area where LBV has been reported will be initiated if commencement of construction is to occur during the breeding season for the species (April 10 to July 31). If no LBV are detected within 500 feet of the construction activities during any of the three survey bouts, no further action is required. If, however, LBV are detected within 500 feet of construction activities, CDFG and the U.S. Fish & Wildlife Service (USFWS) will be contacted to determine what, if any, actions need to be taken to avoid adverse effects on the species. Such actions, if necessary, may include one or more of the following: phasing the construction activities to avoid certain construction activities within 500 feet of occupied LBV habitat until after the breeding season has ended; noise monitoring; and nest monitoring. If LBV is detected in suitable habitat farther away than 500 feet, these areas will be monitored during each of the three survey bouts so as to gain assurances that occupied habitat remains more than 500 feet from construction activities. The findings of the surveys will be documented and submitted to the City within 10 days of completion, as well as CDFG and USFWS as applicable. (*MND – D2*)

98. Prior to the initiation of construction activities, a temporary silt fence will be installed along the project site's easterly boundary to prevent ingress of Silvery Legless Lizards (SLL) onto the site for the duration of construction activities. The fencing will be keyed into the ground to a depth of at least three inches. Preconstruction surveys for SLL will then be conducted within areas of the site that could be used by the species. The surveys will be conducted according to the following protocol provided by CDFG. Surveys will be conducted on a warm day (70 to 80 degrees Fahrenheit) in the mid-morning and no longer than two weeks prior to the commencement of soil disturbance activities. Relative soil

moisture should be approximately 65% to 80% with soil temperature being 60 to 70 degrees Fahrenheit. Two person teams will work together with one person using a hand rake to gently rake the loose litter and soil down to substrate. The other person will search the areas being raked for SLL. Surveys will employ a "three-pass" methodology to locate as many SLL as possible. If SLL are found during the first pass, an overnight period of no disturbance will occur before the second pass. Similarly, if SLL are found during the second pass, another overnight period of no disturbance will occur before the third pass. If during any pass no SLL are found, the survey will be concluded. Any SLL found will be placed in a lidded, vented box containing clean sand. Areas of moist and dry sand will be present in the box. Boxes will be kept out of direct sunlight and protected from temperatures over 72 degrees Fahrenheit. The temperatures of the sand in the box will be kept under 66 degrees Fahrenheit. Information on each lizard captured will be recorded, including date of capture, location, length, color, age, and tail condition. All lizards will be relocated to suitable off-site habitat the same day as capture. GPS location of released lizards will be recorded. CDFG will be notified about any injured SLL. All work will be performed by personnel who hold active permits from CDFG in order to conduct the work. At the conclusion of the surveys, documentation of survey results and associated records will be submitted to the City within 10 days of completion, as well as to CDFG. (*MND – D3*)

Cultural Resources

99. Based on the recognized sensitivity for the occurrence of buried sites and artifacts and as mandated by the City of Oxnard archaeological guidelines, Developer shall pay for monitoring by a qualified Archaeologist and Native American Monitor (specifically a qualified Ventureno Chumash descendant). A contract with the Archaeologist shall be presented to the City prior to issuance of grading permits. Monitoring shall be required during all activity involving soil disturbance including grading (cut and fill) or other excavation (e.g., trenching). Should movement of soils during grading for re-compaction activities show no evidence of an archaeological site or artifacts, and with the concurrence of the City of Oxnard Planning and Environmental Services Division and the on-site Native American Monitor, further monitoring at this location by the Archaeologist may no longer be required. In the event that a prehistoric site or historic remains older than 50 years is identified during monitoring, the Archaeologist and/or Native American Monitor shall be empowered to stop all construction activities in the vicinity of the find. The Archaeologist shall document, identify, and evaluate the potential significance of any find. Such evaluation may require a Phase II site subsurface excavation and evaluation program. Should any remains prove to be significant, avoidance of the resource is the preferred mitigation. If avoidance through project redesign is not feasible, further investigations in the form of a Phase III data recovery program will be implemented to mitigate impacts to the identified resource. The Native American Monitor shall remain on-site throughout any necessary site documentation, evaluation, and mitigation processes.

Contracts shall include weekly reports from the archaeological monitor to the Planning Division summarizing the Archaeologist's activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental

Services Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building occupancy for each building. (*MND – E1*)

Geology & Soils

100. The developer shall be required to incorporate a mat foundation into each building according to the recommendations of the *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (by Subsurface Designs, Inc. November 28, 2008). A pile foundation shall be prohibited. (*MND – F1*)

Hydrology & Water Quality

101. Developer shall submit a Storm Water Pollution Prevention Plan (SWPPP) to demonstrate compliance with National Pollutant Discharge Elimination System (NPDES) requirements prior to issuance of building permits. (*MND – H1*)

102. Prior to issuance of any permits, the Developer shall submit documentation agreeing to indemnify and hold the City of Oxnard harmless from any liability or damages resulting from the construction of the project. (*MND – H2*)

Noise

103. The developer shall be required to incorporate a mat foundation into each building according to the recommendations of the *Preliminary Soils Engineering Investigation, Portions of Lots 90, 91 and 92 of the Patterson Ranch* (by Subsurface Designs, Inc. November 28, 2008) A pile foundation shall be prohibited. (*MND – K1*)

104. Prior to issuance of the first Certificate of Occupancy, the applicant shall contribute $4,875 to a designated City fund for the Deckside Villas that is to be used only for soundwall-related expenses. (*MND – K2*)

105. Prior to issuance of the first Certificate of Occupancy, the developer shall record on all properties an Avigation Easement granting the County of Ventura an Avigation Easement for the operation of the Oxnard Airport. The Avigation Easement shall be consistent with the FAA model Avigation Easement. (*MND – K3*)

Public Services

106. Prior to issuance of any building permits, the developer shall pay the mandatory impact fees to the school district and present evidence of payment. (*MND – M1*)

107. Prior to issuance of any building permits, the developer shall pay the mandatory Quimby Fee. (*MND – M2*)

108. Prior to issuance of any building permits, the Developer shall pay the following mandatory development impact fees: *Planned Traffic Circulation System Facilities Fees*; *Planned*

Water Facilities Fee; *Planned Wastewater Facilities Fee*; *Planned Drainage Facilities Fee*; and *Growth Requirement Capital Fee.* (*MND – M3*)

Recreation

109. The developer shall be required to pay the mandatory Quimby Fee prior to issuance of any building permits. (*MND – N1*)

Transportation/Traffic

110. Developer shall dedicate to the City the right-of-way along Wooley Road and Harbor Boulevard associated with the road widening under this project. (*MND – O1*)

111. Developer shall modify the traffic signal at Wooley Road/Harbor Boulevard associated with the proposed road widening. The signal modification shall include provision of a traffic signal battery back-up system, new service equipment enclosure and emergency vehicle detection system. (*MND – O2*)

112. Developer shall design and reconstruct the curb ramp at the southeast corner of Wooley Road and Harbor Boulevard. The redesign shall comply with disabled access requirements and address the sand accumulation problem at the ramp. (*MND – O3*)

113. Developer shall place existing overhead utility lines (except electrical lines in excess of 33KV) on and adjacent (as defined in City ordinance) to the project (including Wooley Road, Harbor Boulevard and the canal easterly of the project) underground in accordance with City ordinance. Before issuance of a site improvement permit or recordation of a final map, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation. (*MND – O4*)

114. Developer shall install a wireless, solar powered, in-pavement crosswalk warning light system on the easterly leg of the Wooley Road/Canal Street intersection along with associated striping and signage, including advanced warning signage and markings, to enhance the safety for pedestrian crossing of Wooley Road. Final design of the crosswalk warning light system to be approved by the City Traffic Engineer. (*MND – O5*)

115. Developer shall design the walls at the entry and exit gate of the Ground Parking Level of Buildings 1 and 4 to provide additional corner visibility similar to that provided on Buildings 2 and 3. Final design shall be approved by the City Traffic Engineer. (*MND – O6*)

116. Developer shall pay the applicable County/City Traffic Impact Fee(s) prior to issuance of a building permit. (*MND – O7*)

Utilities & Service Systems

117. The developer shall pay the applicable Calleguas Capital Construction charges prior to issuance of a building permit. (*MND – P1*)

ENVIRONMENTAL RESOURCES DIVISION

118. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

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

120. 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.

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

122. 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.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of August, 2010, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

_____

Randall Elliott, Chair

ATTEST: _____

Susan L. Martin, Secretary

RESOLUTION NO. 2010 – _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL APPROVAL OF PLANNING AND ZONING PERMIT NO. 09-300-01 (TENTATIVE SUBDIVISION MAP) TO ALLOW SUBDIVISION OF APPROXIMATELY 3.9 ACRES OF VACANT LAND INTO FIVE RESIDENTIAL LOTS AND 70 CONDOMINIUM UNITS, LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BLVD., OXNARD, CA 93035.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 09-300-01, filed by Oxnard Shores Company LLC, in accordance with Chapter 15 of the Oxnard City Code; and

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

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the Mitigation Monitoring/Reporting Program and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the Planning Commission has held a public hearing at which it received and considered oral and written testimony on Mitigated Negative Declaration No. 09-03 (State Clearinghouse No. 2010011069) for the proposed project; and

WHEREAS, the comments of the Planning Commissioners, members of the public, and interested groups and agencies have been adequately responded to; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the Planning Commission finds that the Tentative Map complies with all requirements of the Subdivision Map Act and the Oxnard City Code; and

WHEREAS, the Planning Commission finds that the Tentative Map, the proposed site, and the design and improvement of the development requested are consistent with the General Plan; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council the approval of the tentative subdivision map, subject to the following conditions:

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

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

2. This permit is granted for the plans dated July 8, 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. 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*)

9. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)

PLANNING STANDARD CONDITIONS

10. 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*)

PLANNING SPECIAL CONDITIONS

11. 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)

12. This permit is granted subject to the approval of the Coastal Development Permit (PZ No. 08-400-04) and Coastal Zone Variance (PZ No. 09-510-01) for the project property.

13. This permit is granted subject to the approval of a Coastal Permit, if applicable, from the California Coastal Commission for the project property.

14. Developer shall remove the name "Hobbs Way" from the subdivision map.

DEVELOPMENT SERVICES STANDARD CONDITIONS

15. 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*)

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

17. 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*)

18. 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*)

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

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

21. 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*)

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

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

24. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (*DS-14*)

25. A civil engineer licensed in the State of California shall prepare the public improvement plans and documents for this project in accordance with City standards and shall submit all such plans to the City Engineer. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (*DS-15*)

26. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (*DS-16*)

27. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (*DS-17*)

28. 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*)

29. 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*)

30. 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*)

31. 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*)

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

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

34. 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*)

35. 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*)

36. "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*)

37. 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*)

38. 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*)

39. 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*)

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

41. Each lot shall drain into a street, alley, or approved drain so that there will be no undrained depressions. (*DS-35*)

42. 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*)

43. 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*)

44. 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*)

45. 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*)

46. 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*)

47. 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*)

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

49. 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*)

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

51. Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, alleys, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (*DS-49*)

52. 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*)

53. 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*)

54. 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*)

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

56. 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*)

57. 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*)

58. 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*)

59. 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*)

60. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (*DS-61*)

61. 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*)

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

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

64. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (*TR-74*)

65. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (*TR-76*)

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

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

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

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

70. Developer shall maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the

storm drain system. Developer may not discharge any cleaning agent into the storm drain system. (*DS-84*)

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

72. 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*)

73. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (*DS-105*)

DEVELOPMENT SERVICES SPECIAL CONDITIONS

74. Developer shall place existing overhead utility lines (except electrical lines in excess of 33KV) on and adjacent (as defined in City ordinance) to the project (including Wooley Road, Harbor Boulevard and the canal easterly of the project) underground in accordance with City ordinance. Before issuance of a site improvement permit or recordation of a final map, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation. (DS)

75. Developer shall construct a minimum 7-foot wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. All other sidewalks shall be a minimum of 5 feet wide except that walks may be 4 feet wide if they serve a single unit. (DS)

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

77. Developer shall construct a concrete apron along the length of each trash enclosure opening. Apron shall extend a minimum of 15 feet from the face of the enclosure. (DS)

78. Developer shall provide a minimum 5 foot setback (both sides) between a trash enclosure and the nearest vehicle parking space. All trash enclosures shall be constructed with a pedestrian access door that is located in accordance with City standard plates. Developer may construct trash enclosures in accordance with City standard plate 606 if a pedestrian access door centered in the rear wall of the enclosure is added. Use of modified plate 606 will facilitate compliance with 5 foot setback requirement. (DS)

79. Developer shall dedicate to the City all rights of ingress and egress to Wooley Road and Harbor Boulevard along the project frontages. (DS)

STORMWATER QUALITY CONDITIONS

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

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

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

83. Developer shall provide evidence that ongoing maintenance for stormwater treatment devices and infiltration devices are included as a separate line item in the property owners association financial paperwork filed with the department of real estate. Developer shall also include such maintenance responsibilities in the property owner CC&Rs. Preliminary versions of these documents are to be provided to the Development Services Manager for review prior to issuance of site improvement permits. (DS)

STORM DRAIN CONDITIONS

84. Developer shall construct a 1 foot wide level area behind the Wooley Road and Harbor Boulevard sidewalks with a slope flatter than 10%. This level area shall be clearly indicated on the site grading plan. All proposed infiltration trenches shall be located behind this level area. (DS)

WATER SPECIAL CONDITIONS

85. In accordance with City Code, Developer shall provide a separate water meter for each condominium unit. Location of water meters shall be approved by the City of Oxnard Water Division and the Development Services Manager. Locating water meters within building structures is at the option of the City and is subject to a covenant of agreement as directed by the City. (DS)

STREETS SPECIAL CONDITIONS

86. Developer shall construct a 7 foot wide sidewalk along the Wooley Road frontage of the project. Prior to issuance of a site improvement permit, Developer shall dedicate a sidewalk easement to City that encompasses all portions of the proposed sidewalk along the Wooley Road frontage not within proposed City right-of-way. (DS)

87. Developer shall include installation of street lighting along the project's Wooley Road and Harbor Boulevard frontages in conformance with City standards. Installation of these street lights is reimbursable under the Traffic Impact Fees to the extent that they are permanent. (DS)

88. Developer shall grind (0.13 foot minimum) and overlay the full width and length of Hobbs Way after installation of proposed water and sewer lines. (DS)

89. Developer shall reconstruct Hobbs Way (alley) entrances to provide ADA complaint path along the Canal Street and Harbor Boulevard public sidewalks. Reconstruction shall include a short sidewalk transition on Harbor Boulevard north of Hobbs Way. (DS)

90. Developer shall reconstruct Canal Street between Hobbs Way (alley) and Wooley Road as required to meet City street design requirements, including but not limited to, street cross-fall and street longitudinal grade. If this section of Canal Street is not completely reconstructed due to design requirements, Developer shall grind (0.13 foot minimum) and overlay the full width and length of this section of Canal Street after installation of proposed water, sewer, and stormdrain lines. (DS)

TRAFFIC SPECIAL CONDITIONS

91. Developer shall design the walls at the entry and exit gate of the Ground Parking Level of Buildings 1 and 4 to provide additional corner visibility similar to that provided on Buildings 2 and 3. Final design shall be approved by the City Traffic Engineer. (TR)

92. Developer shall install a wireless, solar powered, in-pavement crosswalk warning light system on the easterly leg of the Wooley Road/Canal Street intersection along with associated striping and signage, including advanced warning signage and markings, to enhance the safety for pedestrian crossing of Wooley Road. Final design of the crosswalk warning light system to be approved by the City Traffic Engineer. (TR)

93. Developer shall modify the traffic signal at the Wooley Road and Harbor Boulevard intersection as required to implement the proposed road widening. The signal modification shall include provision of a traffic signal battery back-up system, new service equipment enclosure and emergency vehicle detection system. These improvements are reimbursable under the Traffic Impact Fees to the extent that they are permanent and master planned. Final design shall be approved by the City Traffic Engineer. (TR)

94. Developer shall install 2 inch conduit, pull rope and pull boxes to accommodate a future interconnect cable required under the Intelligent Transportation System ('ITS') program. The conduit shall run from the northeast corner of the Wooley Road and Harbor Boulevard intersection along the Wooley Road project frontage then across the bridge. The conduit shall then cross Wooley Road easterly of Chesapeake Drive and join the existing pull box for interconnect easterly of Tradewinds Drive. Maximum pull box spacing shall be 200 feet. The applicant is not responsible for these improvements if another applicant constructs the improvements. (TR)

95. Developer shall dedicate to the City the Right-of-Way along the Wooley Road and Harbor Boulevard project frontages associated with the road widening under this project. (TR)

96. Developer shall design and reconstruct the curb ramp at the southeast corner of Wooley Road and Harbor Boulevard. The redesign shall comply with disabled access requirements and address the sand accumulation problem at the existing ramp. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of August, 2010, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

_____
Randall Elliott, Chair

ATTEST: _____
Susan L. Martin, Secretary

RESOLUTION NO. 2010 –

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 09-590-01 (COASTAL ZONE VARIANCE), TO ALLOW CONSTRUCTION OF 70 ATTACHED CONDOMINIUM UNITS WITHIN FIVE BUILDINGS WITH A REDUCTION IN THE SPECIFIED AREAS OF THE REQUIRED FRONT, SIDE AND REAR YARD SETBACKS LOCATED AT THE NORTHEAST CORNER OF HARBOR BOULEVARD AND WOOLEY ROAD (APN 196-0-033-295), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY OXNARD SHORES COMPANY LLC, 1015 SOUTH HARBOR BLVD., OXNARD, CA 93035.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 09-590-01 (Coastal Zone Variance), by Oxnard Shores Company LLC, in accordance with Section 17-57 through 17-58 and Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the Planning Commission considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the Mitigation Monitoring/Reporting Program and imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based are located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Manager; and

WHEREAS, the narrow lot configuration and the requirements for the front, side and rear yard setbacks makes the subject parcel eligible for a variance to the specified areas subject to the setback standards; and

WHEREAS, the narrow lot configuration and the requirements for parking garage design makes the subject parcel eligible for a variance to the specified distance(s) between vehicle parking spaces and the units they serve; and

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

1. Strict interpretation and enforcement of the specified regulation deprives such property of privileges enjoyed by other property in the vicinity and under the identical coastal sub-zone.

2. Exceptional or extraordinary circumstances or conditions apply to the property involved that do not apply to other properties in the vicinity and under the identical coastal sub-zone.

3. Strict interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by owners of other properties in the vicinity and under the identical coastal sub-zone.

4. The granting of the variance would not be detrimental to the protection and maintenance of adjacent resources or to public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

5. The variance would not adversely affect access to or along the shoreline, including the physical and visual qualities or access.

6. The variance would not allow a use or activity not expressly authorized in the sub-zone applicable to the property.

7. The proposed variance would be consistent with all applicable policies of the Oxnard Coastal Land Use Plan.

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves this permit subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of Section 17-58 of the Oxnard City Code.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL 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 July 8, 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 Coastal Development Permit (PZ No. 08-400-04) is approved by the Planning Manager or a major modification to the plans is approved by the Planning Commission. (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. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

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

6. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document to the Planning and Environmental Services Manager. (PL, *G-8*)

7. 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

8. This permit is granted subject to the approval of the Coastal Development Permit (PZ No. 08-400-04) and Tentative Subdivision Map (PZ No. 09-300-01) for the project property.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 5th day of August, 2010, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Randall Elliott, Chair

ATTEST: _____
Susan L. Martin, Secretary