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June 28, 2022

Shawn Danino  
Housing Policy Development, Land Use & Planning  
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2020 W. El Camino, Suite 500  
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(Via Email – Hard Copy to Follow)

Subject: Proposed Revisions to Conceptual Draft Amended Final Housing Element, City of Oxnard - 6th Housing Element

Dear Mr. Danino:

Thank you for meeting with the City of Oxnard on June 22, 2022, and on June 28, 2022 via conversation with Placeworks, to discuss your review of the Conceptual Draft Amended City of Oxnard, 6<sup>th</sup> Cycle 2021-2029 Housing Element that was submitted to HCD on May 13, 2022 ("Housing Element").

During our meeting, you identified four additional revisions that are necessary for the Housing Element to fully comply with State Housing Element Law. The City committed to providing the following revisions to assist HCD in evaluating the Housing Element. The items contained in this correspondence provide information we discussed and pertain to:

1. Age & Condition of Housing Stock;
2. Guest Parking;
3. Findings and Design Standards for Site Plan Review; and
4. Timing on Local Coastal Plan

Each of the four revisions are outlined in Attachment A to this letter. Attachment A also identifies additional proposed minor revisions due to community input. This letter confirms that in accordance with Assembly Bill (AB) 215, the City will post the Proposed Revisions to the Conceptual Draft Amended Final Housing Element (Attachment A to this correspondence) on the City's Housing Element website beginning on July 1, 2022 and distribute notice of the posting to all interested parties. This posting complies with AB 215 posting requirements.

Should you have any further questions, Kathleen Mallory, Planning & Sustainability Manager, can be reached at either (805) 385-8370 or [Kathleen.Mallory@oxnard.org](mailto:Kathleen.Mallory@oxnard.org).

We greatly appreciate your assistance and continued close collaboration with our staff.

Sincerely,

*Kathleen Malloy*

*for*

Vytautas "Vyto" Adomaitis  
Community Development Director

Attachment:

A - Proposed Revisions to Conceptual Draft Amended Final Housing Element (May 2022)

**Attachment A**  
**Proposed Revisions to Conceptual Draft Amended**  
**Final Housing Element**  
**(May 2022)**

In response to a June 22, 2022 phone call and follow-up discussions with HCD staff on the City's Conceptual Draft Amended Final Housing Element (May 2022) ("Housing Element"), this correspondence identifies conceptual modifications to this document to address HCD's comments. Changes are identified in legislative format below (new text is underlined and strike through is to be deleted):

1. **Rehabilitation/Renovation Units** - Housing Element Section B.6 Housing Stock Characteristics has been conceptually revised to provide updated estimates of the number of units in need of rehabilitation or replacement (Page B-19). Chapter G has also been revised with updates to Table G-1 to increase quantified objectives and Program 1 to include a targeted housing conditions survey as requested by HCD reviewer Melinda Coy in discussions with the City's Housing Element consultant, Placeworks, in a phone call on June 27, 2022.

The text in Section B.6 will be conceptually updated as follows.

Most legally-permitted units in Oxnard have full plumbing and kitchen facilities, based on observations by the City's building inspectors and Code Compliance staff. There are a handful of older, small residences that were built before 1940 without what is now considered complete kitchen and bathroom facilities. There are also an unknown number of unpermitted garage and internal subdivided homes that do not have complete kitchen and/or bathroom facilities, and some lack safe heating. Residents of these units probably have access to kitchens and bathrooms in the "parent" housing unit or share with other boarders. Code Compliance responds to complaints of illegal units and initiates cases to bring the units into permit compliance if possible or requires the units to be removed. The City relies on anecdotal information from inspector, Police and Fire department field personnel, and Code Compliance cases to provide statistics on the condition of the housing stock. From 2015 through 2022, Code Compliance has opened a total of 518 substandard housing cases, investigated a total of 2,168 substandard Housing cases and resolved/closed 529 substandard housing cases. With the recent allowance of Accessory Dwelling Units (ADUs) and Junior ADUs, many of the unpermitted conditions that previously were not allowed will now be allowed with proper permits. This has resulted in an extended time to resolve cases as the corrections are not considered resolved until the entire permitting process for the units is completed. In addition, the COVID-19 pandemic has affected the number of substandard cases reported. They are significantly lower since the pandemic began. As summarized in Table B-25, approximately 45 percent of the housing units in the City were constructed prior to 1970 and may be in need of some type of rehabilitation or replacement. Although age does not always correlate with substandard housing conditions, neighborhoods with a concentration of homes 50 years old (or more) are more likely than newer neighborhoods to experience housing problems stemming from



deferred maintenance, inadequate landscaping, and outdated utilities, and therefore approximately 11,440 units could be in need of rehabilitation. However, this does not consider ongoing property owner reinvestment and most likely the rehabilitation need is much lower. To ensure the City has an accurate understanding of the neighborhoods in need of rehabilitation, the City has included in Program 1 a commitment to complete a windshield housing condition survey in targeted older and lower income neighborhoods which will help to inform the City on where rehabilitation efforts should be focused.

Table G-1 in Chapter G has been conceptually updated as follows: The increased objectives for rehabilitation and conservation for the moderate and above moderate categories align with the projected need discussed in Chapter B. Rehabilitation of moderate and above moderate units would be owner funded while some funds are available from the City for rehabilitation of lower income units.

**Table G-1 Housing Unit Objectives by Income Category (Quantified Objectives): 2021–2029**

Income Group	2021–2029 RHNA  Table D-1	Rehabilitation Conservation Estimate  [Program No.]	Preservation Estimate  [Program No.]	Total Housing Units Constructed, Rehabilitated, or Preserved
Extremely Low/ Very Low	1,840	125 [1,2]	215 [16]	2,180
Low	1,071	125 [1,2]	216 [16]	1,412
Moderate	1,538	<del>28</del> 150 [1, 2]	0	<del>4,566</del> <u>1,688</u>
Above Moderate	4,100	<del>28</del> 300 [1, 2]	0	<del>4,128</del> <u>4,400</u>
<b>TOTAL</b>	<b>8,549</b>	<b><del>306</del>700</b>	<b>431</b>	<b><del>9,286</del>6,980</b>

Program 1 in Table G-2 in Chapter G has been updated as follows:

**Table G-2. Housing Element Implementation Programs**

**Implementation by**

Program	Objective (quantified/ qualified)	Imple- ments Policy	In prog- ress	2021- 2022	2023- 2024	2025- 2026	2027- 2029	Annually or Ongoing

<b>Program 1:</b>  <b>Code Compliance Program</b>  <b>Responsibility:</b> Community Development Department, with technical support by other City Departments as needed  <b>Funding:</b> General Fund, CDBG, Measure 'O'  <b>Time Frame:</b> Ongoing	Ensure compliance with City codes, with a focus on substandard housing, which includes garage conversions and unpermitted additions.	1.1			■	■		■
		1.2						
		1.3						
		1.4						
		1.5						
		1.7						
	300 cases per month.							

The Code Compliance Division enforces building and property maintenance regulations with a goal of compliance and safety. Code Compliance officers work with neighborhood advisory groups and respond to complaints to identify violations, and then direct owners to appropriate City departments to achieve compliance. The City may have loan and grant programs and works with other agencies to avoid unnecessary displacement. The Housing Department serves as a liaison for Code Compliance in mobile home parks under HCD jurisdiction. The Code Compliance Division will continue to ensure that landlords of rental units are completing repairs for tenants in a timely manner to reduce displacement risk and without threat of retaliation.

Additionally, the City will complete a targeted windshield housing conditions survey during Fiscal Year (FY) 2024- 2025 in several City selected older neighborhoods and neighborhoods with lower median incomes, to evaluate rehabilitation needs. The survey will be conducted by visually assessing exterior of homes such as roofing, windows, and siding conditions and categorizing units as sound, in need of minor repair, moderate repair, substantial rehabilitation or dilapidated. Based upon the survey findings, in FY 2025-2026 the City will identify specific needs and tailor housing rehabilitation measures to fit those needs, such as encourage housing preservation, conservation, acquisition rehabilitation, mitigation of potential costs, and minimizing displacement and relocation impacts on residents. These measures may include, but are not limited to the following:

- Reaching out directly to homeowners of housing units in need of repair to promote the Homeowner Repair Program (Program 2).
- Streamlining permit review for repairs on housing units identified during the conditions survey.
- Seeking non-city funding to offer relocation assistance to low-income tenants or owners displaced during rehabilitation efforts.



- Seeking non-city funding to develop a housing rehabilitation program.

2. **Guest/Visitor Parking** - HCD requested that language be added to Housing Element Program 27 (Review of Parking Standards) to monitor how the City's guest parking requirement could be a governmental constraint to production of affordable housing. Oxnard City Code (OCC) Section 16-622 presently requires for multifamily development one uncovered visitor parking space per unit for the first 30 units; after the 31st unit, 0.5 uncovered visitor space per unit. As discussed with HCD, due to the City's existing Inclusionary Housing Ordinance that requires that all developers provide 10% lower income units in development with 10 or more units, most multifamily development in the City is eligible for waived guest parking under the State's Density Bonus parking requirements, including projects that do not apply for Density Bonus. However, the guest parking requirement is still in place for projects that are not eligible for State Density Bonus. Accordingly, the following bullet item will conceptually be added to Program 27:

- Monitor existing visitor parking requirements for impacts to affordable housing development applications. As part of the City's Annual Housing Element reporting, the City will evaluate the multifamily visitor parking requirements to determine if it is a constraint to production of lower income units and conduct necessary Oxnard City Code modifications as needed. (Multifamily parking visitor parking is presently one uncovered visitor space per unit for the first 30 units; after the 31st unit, 0.5 uncovered visitor space per unit).

3. **Site Plan Review and Affordable Housing Overlay Design Standards**- HCD requested that the Housing Element include the Site Plan Review findings for the City's newly adopted Site Plan Review process for by-right development, and the objective design standards from the City's newly adopted code for development in the Affordable Housing Additive zones.

As discussed in prior correspondence with HCD, in October 2021 the Council approved a new ministerial Site Plan Review process (OCC Section 16-523) for reviewing by-right development, and a new Affordable Housing Additive Zone (OCC Section 16-420) for development of sites identified in Supplement 1 of Housing Element that have been zoned Affordable Housing Permitted (AHP) or Affordable Housing Discretionary (AHD) and provide 20% of units affordable to lower income households. The Additive Zone code includes objective development and design standards for reviewing affordable development projects.

The following findings from OCC Section 16-523.4 for Site Plan Review are provided in Section E starting on page E-43:

(A) The project is consistent with the applicable general plan policies and is in conformance with applicable zoning regulations contained in this chapter and other adopted standards.

(B) There are adequate infrastructure and public services available to serve the proposed development, including sewerage, water, fire and police protection, storm drainage facilities, and legal access to the lot.

(C) The proposed development is on a legally created lot.

Objective development standards for development in the AHP and AHD zones are provided in Table E-2 starting on Page E-10, and Table E-3 on Page E-14 of the Housing Element. The City recently adopted OCC Section 16-420, which also requires objective design standards for development in the AHP and AHD zones. The following text is provided in Section E on Page E-44 of the Housing Element regarding the objective design standards:

Housing development permitted under the Additive Zone code for development in the AHP and AHD zones are required to follow Objective Design Standards outlined under OCC 16-420I for neighborhood compatibility, building design, massing/articulation, site design and accessory elements such as refuse enclosures.

The OCC is available online at the following link: [CHAPTER 16: ZONING CODE \(amlegal.com\)](http://amlegal.com). Rather than including the full list of objective design standards in its entirety within the Housing Element, for reference, the list of the objective design standards that are required for development in the AHP and AHD additive zones are provided below (OCC, Chapter 16, Article 5, Division 7C):

#### SEC. 16-420I. DESIGN STANDARDS.

Housing developments permitted under this Division 7C shall incorporate the following objective design standards and include on-site amenities appropriate for the resident population to be served:

(A) Neighborhood compatibility.

(1) Residential developments located abutting or across the street from a single-family neighborhood shall orient the buildings to the street with individual entries, patio areas and landscaping facing the single-family homes. Parking lot areas, garages and carports shall be located behind residential structures unless it is technically infeasible based on other city or state required standards.

(2) Duplexes, triplexes, and fourplexes abutting or across the street from a single-family neighborhood shall include individual front doors and interior stairs (when stairs are needed).

(3) When determined necessary by a noise assessment, sound walls shall include an earth berm and landscaping. Walls between buildings shall be extended to create pockets of protected common space avoiding long continuous walls for the entire length of a development site.

(B) Building design.

(1) Buildings shall orient towards the street or internal courtyard.

(2) Buildings shall carry the same theme on all elevations. For the purposes of this standard, a theme includes primary (non-accent) materials and colors.



(3) Architectural articulation shall be provided on all four sides of a building-Architectural articulation rhythms shall be followed based upon dimensions found in existing developments immediately adjacent to the site being developed.

(4) Exterior siding shall be made of nonreflective and nonmetallic materials. Acceptable siding material includes wood, stucco, ceramic tile, brick, stone, or other masonry materials, or any combination of these materials.

(5) Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.

(6) Blank walls (facades without doors, windows, landscaping treatments) shall be less than 30 feet in length along sidewalks, pedestrian walks, or publicly accessible outdoor space areas.

(7) Buildings over three stories must provide a ground floor elevation that is distinctive from the upper stories by providing a material change or color change between the first floor and upper floors when in alignment with a change in architectural fenestration or facade articulation. The change in material or color shall occur along at least 75% of the building facade with frontage upon a street, adjacent public park or public open space.

(8) The primary street and the side street frontages, up to 75 feet from the primary street front property line, of on-grade parking podiums and parking structures shall be lined with occupiable, usable space with a minimum depth of 18 feet. Non-lined portions of above-grade garages (rear of lots along side streets) must be set back at least five feet. The setback area should contain landscaping of the same quality as elsewhere on the property.

(9) Trim surrounds shall be provided at all exterior window and door openings. In lieu of exterior window trim, windows can be recessed from the wall plane by a minimum of three inches.

(10) At least two materials shall be used on any building frontage, in addition to glazing and railings. Any one material must comprise at least 20% of the building frontage.

(11) Building facades shall be multi-colored. Each facade must contain not less than two but not more than five distinct colors. Extremely bright colors are only allowed on doors, window trim, or other building components that represent a small portion of the overall building facade. Materials, finishes, fixtures, and colors visible from the street shall be designed in a manner that is consistent with the architectural style of the building

(C) Massing/articulation.

(1) A minimum of two features such as balconies, cantilevers, dormers, bay windows, patios, individualized entries, and accent materials shall be incorporated into each proposed building.

(2) A minimum one-foot offset is required for any wall plane that exceeds 30 feet in length.

(3) Buildings over three stories tall shall have major massing breaks at least every 100 feet along any street frontage, adjacent public park, publicly accessible outdoor space, or designated open space, through the use of varying setbacks and/or building



entries. Major breaks shall be a minimum of 30 inches deep and four feet wide and extend the full height of the building.

(4) Buildings shall have minor massing breaks at least every 50 feet along the street frontage, through the use of varying setbacks, building entries and recesses, or structural bays. Minor breaks shall be a minimum of 12 inches deep and four feet wide and extend the full height of the building.

(5) Rooflines shall be vertically articulated at least every 50 feet along the street frontage, through the use of architectural elements such as parapets, varying cornices, reveals, clerestory windows, and varying roof height and/or form.

(6) Within 20 feet of an R-1 District boundary, the maximum building height is 35 feet. From this point, the building height may be increased to a ground level of up to 16 feet to allow for podium parking and four additional stories of ten feet each with a combined maximum height of 56 feet.

(D) Site design.

(1) When dwelling units are abutting common open space areas and parks, a minimum of one window from each dwelling shall be located to overlook common area and parks.

(2) Garages and carports shall be designed to include a minimum of two of the following from the main building(s): materials, detailing, roof materials, and colors.

(3) Controlled entrances to parking facilities (gates, doors, etc.) shall be located a minimum of 18 feet from the back of sidewalk, in order to accommodate one vehicle entering the facility.

(4) Where bicycle parking is not visible from the street, directional signage to bicycle parking shall be included at the main building entrance. The signage shall be in the form of either a directory not exceeding six square feet and or up to ten individual directional signs not exceeding one square foot each.

(5) Within commercial zones parking shall not be allowed within the front setback areas and direct pedestrian access to the building(s) must be provided from the public right-of-way. Direct pedestrian access between the public right-of-way and the building shall not require crossing parking, drive aisles, or other spaces used for vehicular circulation.

(6) Within commercial zones all housing developments must have direct interaction with the public right-of-way. When ground floor residential units are proposed, the residential units which front the public right-of-way shall locate kitchens and other living spaces (but not bedrooms) to front on the public right-of-way. These residential units may have covered patios and decks which can be constructed within the front yard setback within five feet of the property line provided the patios or decks have steps and or gates which lead directly to the public right-of-way. Second and third floor residential units are encouraged to place kitchens and other living spaces (but not bedrooms) to overlook the public right-of-way. These residential units may have decks and or balconies which encroach up to ten feet into the front yard back.

(7) Surface parking spaces may be open or covered. All surface parking shall be screened from street views by buildings, walls (36 to 48 inches tall), landscaping, a planted earth berm, planted fencing, topography, or some combination of the above.

Landscaping used for screening purposes must be no less than five feet wide (from the back of sidewalk or street curb to the parking lot paving, whichever is greater).

(8) Frontage improvements consistent with public works plates. The frontage improvements shall be designed to connect with and transition into adjacent existing frontage improvements.

(9) Common use site areas shall include refuse collection, mail distribution, laundry, recreation, and congregation. All such areas shall be connected with an accessible route.

(10) All secured mail and parcel distribution areas shall be well lit, secure, and shall remain open to the tenants at all times.

(E) Accessory elements.

(1) Perimeter fencing utilized along a public street shall be constructed of decorative iron, pre-painted welded steel, CMU block, or wood picket material.

(2) The height of solid fencing between private yards and common open spaces shall be limited to four and one-half feet in height. If a six-foot fence is desired, the top 18 inches shall allow for vision in and out of the yard.

(3) All roof top, wall mounted or ground mounted equipment must be screened. Rooftop screening must use the materials and colors from the building and be architecturally integrated.

(4) All exterior storage facilities shall be screened from the public right-of-way, within an enclosure with walls at least six feet in height.

(5) All wood service poles, electric and gas meters, fire sprinkler valves and backflow preventers and transformers shall be located in the least prominent locations onsite as allowed by the utilities, and all equipment shall be camouflaged using building materials and colors and or landscaping included within the project design.

(6) Refuse enclosures.

(a) All refuse enclosures shall be designed to comply with the city material management And enclosure design guidelines.

(b) Shield all dumpsters within an enclosure a minimum of six feet tall with a solid roof. Allow adequate size to accommodate the needed dumpsters and recycling containers. All enclosures and gates shall be detailed to withstand heavy use. Provide wheel stops or curbs to prevent dumpsters from banging into walls of enclosure.

(c) Provide an opening so that pedestrians can access the dumpsters without opening the large gates.

(d) Provide lighting at trash enclosures for night time security and use.

(e) Locate dumpster enclosures so that no dwelling is closer than 20 feet (including those on abutting properties), or more than 150 feet from a residential unit. No minimum distance from dwellings is required if dumpsters are located within a fully enclosed room.

4. **Local Coastal Plan Timing (LCP)** HCD requested that the City provide additional discussion on the timeline for completing the City's Local Coastal Plan (LCP) in Fiscal Year 2027/2028. Additional discussion on the LCP timeline has been provided in Section E under the Local Coastal Program, starting on Page E-54. The following conceptual text will be added:



The City will be updating the City's General Plan and Local Coastal Plan (LCP) simultaneously beginning in early 2023. This multi-year work effort is envisioned to take 3 - 4 years. Following City Council approval of the two documents, in accordance with State law the LCP will be submitted to the State of California Coastal Commission for review and approval. The review and approval process is estimated to take 1 1/2 years to complete. Therefore, Fiscal Year 2027-2028 has been specified in the Housing Element for revisions to the City's Local Coastal Implementing Plan (LIP), Chapter 17 which implements the LCP.

As discussed in prior correspondence with HCD, none of the Regional Housing Needs Assessment (RHNA) sites that the City has identified in the Housing Element are located in the coastal zone, as the City would not have been able to rezone coastal sites to allow 30 du/ac, nor would we be able to secure Coastal Commission rezoning approval prior to the 6th cycle Housing Element approval deadline.

5. **Additional Revisions from Public Participation** - As a result of ongoing community outreach, and due to public review of the May 2022 Housing Element, staff has received additional public input that will result in minor revisions to the Housing Element. These conceptual revisions will be implemented in the below discussed locations to provide consistency and clarity within the Housing Element.
- Racially or Ethnically Concentrated Areas of Poverty (R/ECAPS) map in Chapter B - The Housing Element currently includes maps in Chapter B that identify disadvantaged areas in the City such as TCAC Opportunity Areas, Linguistic Isolation, and CalEnviroScreen 4.0. Public input identified the need for identification of R/ECAPS, which would be helpful for affordable housing developers to identify areas with greater need and associated availability of public funding. Accordingly, a R/ECAPS map will be added as Figure B-12.
  - Rent Caps Ordinance and Just Cause Eviction Ordinance - The City adopted a 4% annual rent cap ordinance and a Just Cause Eviction Ordinance on May 3, 2022. These two ordinances became effective June 4, 2022. Discussions on these two ordinances will be added to Section B.8 Fair Housing and in Program 19 of the Housing Element.
  - Single Room Occupancy (SRO) - Although Program 6 was revised in the last draft of the Housing Element to allow SRO in at least one zone (rather than study), the revision was missed in Program 22 that also discussed SRO. Program 22 will be revised to be consistent with Program 6.