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**AIRPORT COMPREHENSIVE LAND USE PLAN  
CONSISTENCY REVIEW APPLICATION**

FILING DATE: \_\_\_\_\_

**APPLICANT INFORMATION**

**NAME OF APPLICANT:** Portofino Place LLC \_\_\_\_\_

**ADDRESS:** 701 Shadow Lane, Suite 150  
Las Vegas, NV 89106 \_\_\_\_\_

**CONTACT PERSON:** Kate Neiswender **PHONE:** 805-320-2520 \_\_\_\_\_

**PROJECT INFORMATION**

**PROJECT NAME:** Portofino Place \_\_\_\_\_

**PROJECT LOCATION:** South side of 5th St at Portofino Place \_\_\_\_\_

**PROJECT DESCRIPTION:** Residential rental units, 7.61 acres/331,491.6 SF  
45 Duplexes, with office, gym, and pool  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**EXISTING DESIGNATION:** Vacant, BRP with airport overlay \_\_\_\_\_

**PROPOSED DESIGNATION:** R-1 \_\_\_\_\_

**ATTACHMENTS**

- \_\_\_ LOCAL AGENCY REFERRAL LETTER
- \_\_\_ PROJECT MAPS
- \_\_\_ BUILDING ELEVATIONS
- \_\_\_ AIRCRAFT HAZARD & RISK ASSESSMENT
- \_\_\_ ENVIRONMENTAL DOCUMENTATION
- \_\_\_ APPLICATION FEE

**ALUC USE ONLY**

**APPLICATION COMPLETION DATE:** \_\_\_\_\_ **INITIALS:** \_\_\_\_\_

COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
214 SOUTH C STREET  
OXNARD, CALIFORNIA 93030



January 31, 2022

Amanda Fagan  
Director of Planning and Sustainability  
Ventura County Transportation Commission  
751 E. Daily Drive, Suite 420  
Camarillo, CA 93010

**RE: Portofino Place - Referral to Ventura County Airport Land Use Commission**  
**Project & Zoning Permit Numbers:** 19-500-04 (Special Use Permit); 20-620-02 (General Plan Amendment to change the land use designation from Business Research Park (BRP) to Residential Medium (RM); PZ 20-570-02 (Zone Change from Business Research Park to Multiple-Family (R-2)), and PZ 20-300-02 (Tentative Subdivision Map (Tract No. 6064) for condominium purposes)  
**Project Location:** 7.61-acre site located along the south side of Fifth Street at the intersection of Portofino Place (south of the Oxnard Airport)  
**APNs:** 185-0-221-025, 185-0-221-265, and 185-0-223-015

Dear Ms. Fagan:

With this letter, the City of Oxnard refers the project to the Ventura County Transportation Commission – acting in its role as the Airport Land Use Commission (ALUC) – for a consistency determination. City of Oxnard staff have determined that the project being considered by the formal application is consistent with the ALUP. The City previously referred this project to the Oxnard Airport Authority for review and recommendation.

The City of Oxnard has been informed that the proposed project is scheduled to be reviewed by the OAA on February 10, 2022, and the ALUC is scheduled to review the proposed project on March 3, 2022.

As additional background, the City of Oxnard and applicant team have been in consultation with the OAA staff for a period of approximately 3.5 years as we collectively reviewed a pre-application and a formal application. Throughout the processing of this application, the applicant team and City staff continually engaged the OAA, and the OAA continually provided “no objection” messages regarding the project.

The formal application was submitted to the City of Oxnard in December 2019. In April 2020, the City of Oxnard hosted a Community Workshop and informed the OAA of the meeting. An OAA official participated in the Community Workshop via Zoom. The project was reviewed by the City of Oxnard’s Planning Commission on November 18, 2021, and they voted to approve the Special Use Permit and recommend approval of the remaining items. Their packet included two projects, of which the Portofino Place project is found on PDF pages 71-564 of 564, and the Oxnard Airport is specifically discussed within the staff report (see PDF pages 82-83 of 564) and

the CEQA Addendum (see PDF pages 104 or 564, 176-177 of 564, 180-181 of 564, 207 of 564, and 530-532 of 564):

- <https://civicclerk.blob.core.windows.net/stream/OXNARDCA/00f66f83-538b-43c9-a9f3-c77fbbba1ca.pdf?sv=2015-12-11&sr=b&sig=9pAouZuVYU%2Bg0lpnJgVnrCZzEMcmBGzGvCEtiMGMgYM%3D&st=2022-01-26T14%3A42%3A11Z&se=2023-01-26T14%3A47%3A11Z&sp=r&rsc=cache&rsc=application%2Fpdf>

The Planning Commission's Special Use Permit Resolution included the following conditions of approval:

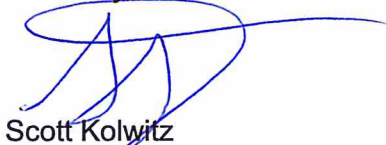
136. Developer shall grant to the County of Ventura an avigation easement that includes the elements of the Federal Aviation Administration's (FAA) Model Avigation Easement. (PL)
137. Developer shall file with FAA a Form 7460, "Notice of Construction or Alteration," that enables the FAA to review the development for any hazards to airport/aviation operations. The FAA's review shall result in a finding of "no objection." (PL)
138. The Developer shall adhere to any recommendations from the FAA for marking or lighting. (PL)
188. The applicant shall provide a notice to potential homebuyers and renters disclosing the presence of the Oxnard Airport and a helicopter flight path along West Fifth Street and the potential expansion of the Oxnard Airport. The applicant shall provide such notice to each homebuyer and renter and obtain signatures acknowledging the presence of the Oxnard Airport and helicopter flight path along West Fifth Street and the potential expansion of the Oxnard Airport. (MND, K-1)

In January 2022, the City was informed that the project needed to be reviewed by the OAA and ALUC. Also in January 2022, Keith Freitas, Director of Airports, confirmed that the project is not required to be reviewed by the Ventura County Aviation Advisory Commission (AAC).

The ALUC is to provide a determination if the General Plan Amendment and / or Zone Change is or is not consistent with the ALUP.

I can be reached by email at [Scott.Kolwitz@oxnard.org](mailto:Scott.Kolwitz@oxnard.org) or by phone at (805) 385-3919 if you have any questions regarding this letter.

Sincerely,



Scott Kolwitz  
Planning & Environmental Services Manager

Attachment: FAA Review / FAR Part 77 Determination



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2019-AWP-3506-OE

Issued Date: 05/21/2019

Kate Neiswender  
 Law Office of KM Neiswender  
 PO Box 1225  
 Blue Jay, CA 92317

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building DUPLEXES
Location:	OXNARD, CA
Latitude:	34-11-50.00N NAD 83
Longitude:	119-12-52.00W
Heights:	32 feet site elevation (SE) 25 feet above ground level (AGL) 57 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 11/21/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (424) 405-7642, or [ladonna.james@faa.gov](mailto:ladonna.james@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2019-AWP-3506-OE.

**Signature Control No: 400772522-406369682**

( DNE )

LaDonna James  
Technician

Attachment(s)

Map(s)

Verified Map for ASN 2019-AWP-3506-OE

