CITY OF OXNARD
PLANNING COMMISSION
AGENDA

REGULAR MEETING
Council Chambers, 305 West Third Street
Thursday, October 3, 2019, 6:00 p.m.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES

C. PUBLIC COMMENTS - On Items Not On The Agenda

At this time, a person may address the Planning Commission on matters within the jurisdiction of the Planning Commission, including information/consent items and any item not appearing on the agenda. The Chair shall limit public comments to three (3) minutes. The Planning Commission cannot take action on any item presented during public comments that is not on the agenda and such item may only be referred to the Commission Secretary. Persons wishing to speak on public hearing items should do so at the time of the public hearing.

D. CONSENT AGENDA

1. APPROVAL OF MINUTES – September 5, 2019

E. PUBLIC HEARING

1. **Project Name: Rio Urbana Development** – PLANNING AND ZONING PERMIT PZ NO. NOS. 17-610-01 (Annexation); 17-620-01 (General Plan Amendment), 17-560-01 (Pre-Zoning), 17-300-03 (Tentative Subdivision Map for Tract No. 5998), 17-500-05 (Special Use Permit – Office), 17-500-13 (Special Use Permit - Residential), and 17-535-02 (Density Bonus): requests to annex a 10.24 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) to the City of Oxnard, amend the General Plan land use designation to General Commercial; pre-zone to General Commercial-Planned Development (C-2-PD); subdivide and develop a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building with 61 standard parking spaces; and a 9.12 acre "Parcel 2" with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (38 feet in height) that includes a fitness center, 17 low income deed-restricted units (10% of all units), 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages, 163 surface parking spaces, 99 guest parking spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, seven play areas and a tot lot, small dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet along the property frontage (48,999 sf dedication). The project will maintain parking and access to abutting properties along Rio School Lane which will become a drive aisle. A Density Bonus of two percent (2%) allows for three additional residential units and reduction of the interior yard space development standard from 30% to 24% of the parcel area. The Tentative Subdivision Map (TSM) for Tract No. 5998 creates Parcels 1 and 2 and 167 condominium parcels and a common area parcel on Parcel 2. Filed by Rio School District, 2500 E. Vineyard Ave.,

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

Written materials relating to an item on this agenda that are distributed to the Planning Commission within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at 214 South C Street, during customary business hours.

Oxnard, CA and The Pacific Companies, 430 E. State Street #100, Eagle, Idaho.
Project Planner: Chris Williamson, Consulting Planner

Recommendation: That the Planning Commission:

a) Adopt a resolution recommending that the City Council adopt Mitigated Negative Declaration (MND) 2017-04 and approve Planning and Zoning Permit No. 17-610-01 (Annexation) to add the project area to Oxnard municipal boundaries within City Council District No. 2; and Planning and Zoning Permit No. 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General, and

b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD), and

c) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus), subject to certain findings and conditions, and

d) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-05 (Special Use Permit - Office), subject to certain findings and conditions, and

e) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-13 (Special Use Permit – Residential), subject to certain findings and conditions.

F. STUDY SESSION/REPORTS

G. PLANNING COMMISSION BUSINESS

H. COMMUNITY DEVELOPMENT STAFF UPDATES

I. ADJOURNMENT

FUTURE MEETINGS

Thursday, October 17, 2019, 6:00 p.m., City Council Chambers

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a meeting, you should contact the office of the City Clerk at (805) 385-7803. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

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PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Scott Kolwitz, Planning & Environmental Services Manager
Chris Williamson, Contract Planner

DATE: October 3, 2019

SUBJECT: Rio Urbana Development - Planning and Zoning Permit Nos. 17-610-01 (Annexation); 17-620-01 (General Plan Amendment), 17-560-01 (Pre-Zoning), 17-300-03 (Tentative Subdivision Map for Tract No. 5998), 17-500-13 (Special Use Permit – Residential), 17-500-05 (Special Use Permit - Office), 17-535-02 (Density Bonus) and Mitigated Negative Declaration (MND) No. 2017-04. Located at 2714 East Vineyard Avenue.

1) **Recommendation:** That the Planning Commission:

   a) Adopt a resolution recommending that the City Council adopt Mitigated Negative Declaration (MND) 2017-04 and approve Planning and Zoning Permit No. 17-610-01 (Annexation) to add the project area to Oxnard municipal boundaries within City Council District No. 2; and Planning and Zoning Permit No. 17-620-01 (General Plan Amendment) to change the land use designation from School to Commercial General, and

   b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 17-560-01 (Pre-Zoning) to General Commercial Planned Development (C2-PD), and

   c) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit Nos. 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus), subject to certain findings and conditions, and

   d) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-05 (Special Use Permit - Office), subject to certain findings and conditions, and

   e) Adopt a resolution Approving Planning and Zoning Permit No. 17-500-13 (Special Use Permit – Residential), subject to certain findings and conditions.

2) **Project Description and Applicant:** The Rio School District is requesting to:

   a) Annex a 10.24 acre parcel located at 2714 East Vineyard Avenue[1] (APN 145-0-232-010) to the City of Oxnard, amend the General Plan land use designation to General Commercial, add the project area to Oxnard municipal boundaries within City Council District No. 2;

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[1] Vineyard Avenue is prefixed with "East" within Oxnard city limits and "North" in the unincorporated County. This report references the project parcel with Vineyard Avenue as the "west edge" and Rio School Lane as the "north edge."

b) Pre-zone to General Commercial-Planned Development (C-2-PD);

c) Process a Tentative Subdivision Map (TSM) for Tract No. 5998 creating Parcels 1 and 2 and 167 condominium parcels and a common area parcel on Parcel 2 allowing for the following development through two Special Use Permits for:

i) a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building with 60 standard parking spaces; and

ii) a 9.12 acre "Parcel 2" with 167 one- to three-bedroom attached condominiums in eight three-story structures (38 feet in height) that includes a fitness center, 17 low income deed-restricted units (10% of all units), 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages, 163 surface parking spaces, 93 guest parking spaces, onsite stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, seven play areas and a tot lot, small dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet along the property frontage (48,999 sf dedication). The project will maintain parking and access to abutting properties along Rio School Lane which will become a private drive aisle.

d) Grant a Density Bonus of two percent (2%) allowing for three additional residential units, reduced parking standards, and reduction of the interior yard space development standard from 30% to 24% of the parcel area.

For the purposes of this staff report, the foregoing project description shall be referred to as "the Project." Filed by Rio School District, 2500 E. Vineyard Ave., Oxnard, CA and The Pacific Companies, 430 E. State Street #100, Eagle, Idaho.

3) Existing & Surrounding Land Uses: The project area is a rectangular, 10.24 acre, flat site located about 1,000 feet northeast of the Vineyard Avenue/101 Freeway interchange within the unincorporated El Rio community but contiguous with Oxnard city limits on two sides. The site is presently developed with five vacant former El Rio Elementary School buildings and a water well; these buildings will be demolished, the well abandoned and all vegetation removed to accommodate the project.

To the north of the site, highway-oriented commercial uses face Vineyard Avenue with single-family homes in the rear blocks. To the immediate east are an eight-acre greenhouse and agriculture uses on three parcels facing Cortez Street, a site designated in the Ventura County 2014-2021 Housing Element for affordable housing at 20 units per acre. Across Vineyard Avenue to the west of the project site are commercial uses, the West El Rio single-family community, and the RiverPark Specific Plan community. Immediately adjacent to the south of the project site is the Vallarta Market shopping center.

El Rio School Lane, located along the north side of the school parcel for the length of the parcel, is a 30-foot public right-of-way (ROW) that provides parking to several businesses and access to the rear of seven residential parcels. El Rio School Lane will be vacated as a

public right-of-way in advance of annexation. Vineyard Avenue (State Highway 232) has four travel lanes and a raised median with left turn pockets. The Oxnard General Plan designates Vineyard Avenue as a scenic highway that requires a 30-foot setback within City limits.

The table below provides uses, City and County General Plan designations, and zoning.[2] Attachment A includes a regional location and vicinity map, an aerial photo of the project site and surrounding area, and an Oxnard General Plan and zoning designation map.

LOCATION	GENERAL PLAN	ZONING	LAND USE
Project Site	School (City) Urban Res. (County)	RE-20,000 (Rural Exclusive, County)	Surplus elementary school used for RSD bus storage
North	Commercial (County) Commercial General & Residential Low (City)	CPD (Commercial) RE-20,000 (County) NA	Commercial along Vineyard, El Rio residential community
South (City)	Commercial General	C-2, General Commercial	Shopping Center, Offices
East	Urban Residential (County) Residential Low (City)	RHD-20 du/ac (Residential High Density, County) NA	Greenhouses and agriculture [potential for 163 housing units, Ventura County General Plan, 2013 Land Use Appendix, Figure 3.3.7-1, page 118]
LOCATION	**GENERAL PLAN**	**ZONING**	**LAND USE**
West (City)	Commercial General, Residential Low Specific Plan	C-2, General Commercial R-1, Single Family Specific Plan	Commercial along Vineyard, West El Rio residential area, Riverpark Specific Plan

4) **Background Information:** The project site was originally developed between 1949 and 1952 as the El Rio Elementary School with five one-story structures, parking, and playing fields. The school was closed in 2007 and was used by the Rio School District (RSD) for school bus parking. In part due to the lack of adequate fire-fighting water supply and pressure from the Vineyard Avenue Acres Municipal Water Company for new multi-story structures, redevelopment of the project site requires utility connections to the City of Oxnard

[2] Unincorporated areas within the City Sphere of Influence have Oxnard General Plan designations but would not have Oxnard zoning designations until after annexed into the City.

which triggers annexation to obtain adequate water service. In 2015, the RSD submitted a Pre-Application to the City for 228 residential units at a density of 22 units per acre (22 % higher than the Oxnard 2030 General Plan land use designation that allows up to 18 units per acre). The City Council expressed concerns regarding adequate parking, new water supply, traffic, on-site open space, and compatibility with adjacent uses. The RSD revised the project to 182 condominium units and a two-story 15,000 sf. office building that could be used for the relocation of RSD offices and filed for annexation and project and subdivision map approvals in March 2017. In May 2019, the project was modified to the present description of 167 units to meet available water supply. Demolition plans, Tentative Subdivision Map for Tract No. 5988, and project site and building plans are included as Attachment B. Additional project details are provided in Section 6.

5) **Environmental Determination:** The proposed legislative actions, entitlements, and subsequent development are subject to review in accordance with the California Environmental Quality Act (CEQA). Initial Study/Mitigated Negative Declaration (MND) No. 2017-04 was prepared to analyze potentially significant adverse environmental effects of the proposed discretionary actions. The MND reviewed 17 topics for which nine technical studies were prepared and included in the MND Appendices. The MND used the City of Oxnard CEQA Thresholds and/or California recommended thresholds to determine if an environmental impact was large enough to be significant. The MND found four potential significant impacts for which mitigations are identified that reduce the impacts to a less than significant level. The mitigations are a nesting bird survey (BIO-1), archaeologist monitoring of construction (CUL-2), noise reduction design elements for the residential units facing Vineyard Avenue (N-1), and construction-related noise reduction best practices (N-2). Mitigation W-1 requires the applicant to provide adequate water supply rights to the City. With these mitigations and the incorporation of a range of uniformly-applied standards and conditions of approval, there are no remaining significant impacts. The MND traffic study documented a cumulative impact on the Rose Avenue/Auto Center Drive intersection, lowering the Level of Service by year 2030 to LOS "D." As a cumulative impact is not a project specific impact, no project specific mitigation measure is required; however, the Project is conditioned to pay a Development Impact Fee as fair-share contributions to offset the cumulative impact.[3]

   The MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019. Ten comment letters were received from seven agencies and three nearby residents. None of the agencies' or public comments required changes to the project or resulted in changes to the MND mitigations or findings. The MND, agency and public comments, and

[3] The recent addition of an additional right-turn lane from northbound Vineyard onto Auto Center Drive would improve the LOS back to "C" if traffic counts were re-taken and the LOS recalculated, in the opinion of the City Traffic Engineer.

responses to comments are included as Attachment C. The MND Appendices are posted on the City's Environmental Documents web page.[4]

6) **Analysis:**

a) ***Annexation:*** If approved by the City Council, the project requires subsequent approvals by the:

i) Ventura County Local Agency Formation Commission (LAFCo) (annexation),

ii) Calleguas Municipal Water District (annexation),

iii) Metropolitan Water District of Southern California (annexation),

iv) Caltrans (Vineyard Avenue widening and improvements),

v) SCE (power pole relocations),

vi) Fox Canyon Groundwater Management Agency (permanent well-water extraction allocation transfer from RSD wells to the City in the amount needed to meet the City's water neutral policy),

vii) The RSD will complete abandonment of the Rio School Lane ROW under a separate request to Ventura County prior to completion of the LAFCo annexation process, and

viii) Modification of City Council District boundaries of the City of Oxnard 2018 Districting Map 635 as codified in Oxnard City Code Chapter 2, Article 1, Division 1, Appendix A.

b) ***General Discussion:*** The proposed development consists of the following:

i) Site Preparation, Demolition and removal of all structures, utilities, paving, and vegetation on the entire parcel, including Rio School Lane, and abandon a well, under standard demolition procedures in compliance with applicable air quality, water quality, and hazardous material removal regulations. Existing access to adjoining El Rio properties along Rio School Lane will be maintained during demolition and during all construction to the extent feasible. Demolition materials will be recycled or hauled to an appropriate landfill in compliance with the City and/or County resource recovery regulations.

ii) Parcel 1, construct a two-story, 15,000 gsf. office building with 60 parking spaces, one motorcycle space, loading zone, landscaping, a refuse structure, and associated utilities.

iii) Parcel 2, construct eight, three-story, multi-family structures with a total of 167 one-

[4] https://www.oxnard.org/city-department/community-development/planning/environmental-documents/

to three-bedroom for-sale condominiums (17 affordable to low income); fitness center; recreation pavilion; landscaping throughout the complex; four refuse structures; 169 resident garages, 163 surface resident parking spaces, 93 guest parking spaces, 6 motorcycle spaces, and associated utilities.

iv) Vineyard Avenue, construct median improvements, widen and improve by 23 ft. and dedicate to Caltrans, connect to City wastewater and water lines in Vineyard Avenue, and relocate four SCE 66kV transmission poles on Vineyard Avenue.

c) ***General Plan Consistency:*** The City's 2030 General Plan land use designation for the subject site is School. A General Plan Amendment (GPA) is proposed to change the land use designation from School (SCH) to Commercial General (CG) and Pre-zoning both parcels to General Commercial Planned Development (C2-PD). According to Section 3.5 of the 2030 General Plan, the existing SCH land use designation is reserved for "campuses of the elementary and secondary public school districts that serve Oxnard," with a compatible zoning designation of Community Reserve (C-R)[5]. The proposed GPA and zoning will allow the property to be developed with the proposed district office and the condominium complex, which is allowable in the C2-PD zone under the R-3 development standards on approval of a Special Use Permit (Oxnard Municipal Code Section 16-136).

With approval of the pre-zoning to C-2-PD ("General Commercial Planned Development"), the project would be consistent with General Plan land use map, use designations, and standards (Goals and Policies, Sections 3.3 and 3.5). The project site is located within the City Urban Restriction Boundary (CURB) where annexation does not require voter approval (Goals and Policies, Section 3.4). The General Plan Amendment includes changing the Neighborhoods map (Goals and Policies, Figure 3-4) to include the project site in the El Rio West neighborhood.

Consistency with 2030 General Plan policies is defined by the relationship between the policies (Goals and Policies, Section 3.6 and Chapters 4 through 8, inclusive) and the proposed project. The three consistency classification levels are:

I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).

II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).

III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

The project's consistency review with 2030 General Plan policies is included as Attachment D and finds the project consistent with General Plan policies.

[5] City of Oxnard 2030 General Plan, Table 3.2

d) ***Conformance with Zoning Development Standards:*** The proposed project would be developed under the "General Commercial-Planned Development" (C-2-PD) zone district. In accordance with the Oxnard Municipal Code (OMC), the proposed Parcel 1 office use and Parcel 2 residential use may each be permitted with a Special Use Permit (SUP) for Planned Development (PD), respectively. The "PD" additive designation allows approval of an increase of up to 25% in a numeric development standards. Applicable development standards of the Parcel 1 "General Commercial" (C-2) zone, Parcel 2 "Garden Apartment Zone" (R-3) zone, and Attached Dwelling Units that apply to any residential project with six or more units are compared with the proposed project and included as Attachment E, Zoning Compliance Tables. The project meets applicable development standards with application of one Density Bonus permit concession for reduction of interior yard space, three PD standards adjustments for building height, number of stories and storage space size, and administrative relief under OMC 16-651(B)(2), "Off-site parking" for distance to condominium parking spaces.

Affordable housing and the Density Bonus Permit are discussed below in Section "i."

e) ***Tentative Tract Map:*** Tentative Map No. 5998 is requested for subdividing the 9.90 acre school district property and 0.34 acre Rio School Lane (a County of Ventura public right-of-way to be vacated prior to annexation), into two parcels, with Parcel 1 (1.12 acres) to be developed as the El Rio School District Administrative Office and Parcel 2 (9.12 acres) to be subdivided for condominium purposes for the 167 condominium units. Tract Conditions are outlined in Attachment I.

f) ***Site Design:*** The site plan follows the parcel's rectangular shape bisected by a central drive aisle and bordered with a perimeter drive aisle. Below are site descriptions of the office building (Building 1), eight multifamily structures in building plans A, B, and C (Buildings 2 to 9), recreation pavilion and three courtyard/recreation areas (Northwest, Northeast, and Central). Project site and building plans are included as Attachment B.

PARCEL 1:

<u>Office Building (Building 1)</u>: The two-story, 15,000 sf. office building is situated in the center of the newly created Parcel 1 with right-in/right-out access from Vineyard Avenue and a gated drive aisle connection to Parcel 2. There are 60 surface parking spaces and one motorcycle space in a parking area that wrap around the building and a loading zone. The property has a six-foot perimeter fence and parking lot gate that would be used overnight and on weekends but does not prevent using the drive aisle to access Vineyard Avenue.

PARCEL 2:

Six of the eight multifamily condominium buildings are in three pairs (Buildings 2 to 7 from west to east); Building 8 is located adjacent to the office building (Building 1), and Building 9 is located in the southeast corner.

Paired Buildings 2 and 3: These two "Type C" L-shaped buildings with a total of 46 units create an interior parking court with 46 resident garages, 4 surface parking spaces and a refuse facility in the middle of the parking court. Building 2 fronts Vineyard Avenue behind the City's required Vineyard Avenue 30 ft. scenic setback. A 1,217 sf. play lawn is located near the central drive entrance. There are 36 surface parking spaces and two motorcycle spaces along the perimeter and central driveways, for a total of 40 surface parking spaces and 2 motorcycle spaces within 62.5 feet of Buildings 2 and 3. Five additional surface spaces are located within 85 feet.

Northwest Courtyard: Between Buildings 3 and 4 is a landscaped courtyard ranging from 50 to 70 feet in width with a 3,062 sf. play lawn and an approximately 1,300 sf. trellis-covered BBQ and seating area. Most of the condominium units in Buildings 3 and 4 are oriented to the courtyard with ground-level patios or balconies (see Attachment B, Sheet L-7).

Paired Buildings 4 and 5: Building 4 (Type A) and Building 5 (Type B) with a total of 34 units create an interior parking court with 36 resident garages and a centrally-located refuse facility. A 2,025 sf. play area is located near the central drive and an attached two-story fitness center is provided for all residents. There are 32 surface parking spaces along the perimeter and central driveways within 62.5 feet of Buildings 2 and 3 (not including two spaces which are overlapped by Buildings 3 radius).

Northeast Courtyard: Between Buildings 5 and 6 is a courtyard about 50 feet in width with two play lawns (1,421 sf and 2,598 sf.), two water features, and an outdoor lounge area. Most of the condominium units in Buildings 5 and 6 are oriented to the courtyard with ground-level patios or balconies (see Attachment B, Sheet L-9).

Paired Buildings 6 and 7: Two "Type C" buildings with a total of 46 units create an interior parking court with 46 resident garages and centrally-located refuse facility with 4 adjacent surface parking spaces. An 834 sf. play lawn is located in the northeast corner. There are 58 surface parking spaces and 2 motorcycle spaces along the perimeter and central driveways, for a total of 62 surface parking spaces and 2 motorcycle spaces within 50 feet of Buildings 6 and 7 (not including two spaces which overlapping Buildings 5 radius)..

Building 8: This "Type C" building has 23 units, 23 resident garages, and 54 surface parking spaces within 62.5 feet of Building 8.

Central Courtyard: Between Buildings 8 and 9 is the project's main recreation facility with a 3,712 sf. play area with a "rolling hill" and dry creek with bridges motif, pavilion structure, BBQ area, and tot lot with a "lawn hill with built-in slide." A refuse enclosure is located adjacent to the perimeter drive aisle that serves Buildings 8 and 9 (see Attachment B, Sheet L-10).

Building 9: This "Type B" building has 18 units has 18 resident garages, 54 surface parking spaces, and one motorcycle space. A small dog run area is located in the southeast corner along the perimeter drive aisle. There are 55 surface parking spaces and 1 motorcycle spaces along the perimeter and central driveways within 62.5 feet of Building 9.

g) ***Circulation and Parking:*** Rio School Lane public right of way would be vacated by the County of Ventura for the project, with current access and parking for adjoining properties, maintained. Access to the Parcel 1 office building and Parcel 2 residential units will be from Vineyard Avenue. Vineyard Avenue northbound traffic would utilize any of the three drive aisle entries while Vineyard Avenue soundboard traffic would only turn left into the north drive aisles and enter the south drive aisle with a U-turn. Vehicles exiting from the office or residential development would only turn right onto Vineyard Avenue. However, vehicles exiting from the office building (south) drive aisle could cross over all northbound lanes to use the left turn pocket and turn onto Sycamore Street or make a U-turn to travel south on Vineyard Avenue, towards the 101 Freeway. In the same manner, vehicles exiting from the north drive aisle (currently Rio School Lane) could cross over all northbound lanes to access the left turn pocket and make a U-turn at the Stroube Street signalized intersection to travel south on Vineyard Avenue, or turn onto Stroube Street in either direction. There would be no vehicular access to the project from the adjoining Vallarta Market shopping center parking lot. Traffic signals at Ventura Blvd. and Stroube Street have left-turn signals that that allow U-turns for project traffic.

Traffic to the Parcel 1 office building would enter and exit at the south drive aisle that enters the three office parking lots (south, east, and north). The office building's east parking lot has a sliding entrance gate that is intended to restrict access to the east and north parking lots. The south drive aisle/parking lot with 14 surface parking spaces would remain open at all times. Residential traffic to and from the 167 units on Parcel 2 would use all three drive aisles, with visitors more likely to use the central drive aisle. The total number of average daily weekday trips based on 182 units is 1,232 (107 in the a.m. peak, 121 in the p.m. peak).

The Project traffic study (Attachment C, Appendix C) examined potential project traffic impacts on 11 intersections, on Vineyard Avenue from project traffic making U-turns,

and on Stroube Street as an alternative route to Rose Avenue and the 101 Freeway and found that project traffic would not generate significant impacts. The study also considered adding a traffic signal at Sycamore Street aligned with the project main entrance but found the signal would cause additional congestion on Vineyard Avenue from the relatively small number of vehicles that would use the signal from the project and Sycamore Street.

The project's new sidewalks and the wider shoulder will connect with the existing sidewalks to the south and north and allow residents to cross Vineyard Avenue at the Stroube Street signal. This would be the pedestrian route to the Rio Vista and Rio Del Mar schools, businesses on the north side of Vineyard Avenue, and access to southbound Gold Coast transit. The existing Gold Coast Transit Vineyard Avenue northbound bus stop is located about 350 feet from the entrance to the Parcel 1 office building.

Parking: The project qualifies for a State density bonus under Government Code Section 65915(b) and therefore is eligible for a reduction in parking ratio (in addition to the density bonus concession). The proposed project exceeds the State density bonus parking requirement. The following table compares the OMC and density bonus parking requirements within the project:

RIO URBANA CONDOMINIUMS PROJECT
PARKING COMPLIANCE

		OCC Requirement (reference. only)	**Density Bonus Requirement**	**Provided**	**Complies?**
Resident parking					
	1 bedroom	1 enclosed space/unit (5 one-bedroom = 5 garage spaces)	1/unit = 5 surface spaces	5 garage spaces	Yes
	2 bedrooms	2 enclosed spaces/unit (115 two-bedroom = 230 garage spaces)	2/unit = 230 surface spaces	115 garage 115 surface	Yes
	3 bedrooms	2 enclosed spaces/unit (47 three-bedroom = 94 garage spaces)	2/unit = 94 surface spaces	47 garage 47 surface	Yes
Total Resident Parking		329 garage spaces	329 surface spaces	169 garage 163surface 332 total	Yes
Visitor Parking		99 spaces	None Required	93 spaces	

Motorcycle Parking	None Required	None Required	6 motorcycle	
Total Visitor Parking	99 spaces	None Required	99 spaces	
Total Parking	428 spaces	329 spaces	431 spaces	

Each resident will have an assigned garage in the same building as their residence and a second reserved surface parking space along one of the drive aisles. OCC Section 16-645 requires the condominium parking spaces be located within 50 feet of the condominium unit; this distance may be increased by 25%, to 62.5 feet for projects within the PD additive zone. For 5 units in Buildings 2 and 3, the walking distance to the surface parking space would exceed the 62.5 ft. by approximately 25 feet. OCC Section 16-651 allows the Commission to grant administrative relief from the parking provisions of the code, provided that replacement spaces are located within 500 feet of the use served. An administrative relief may also be granted when a requirement is excessive. Although the parking relief section of the code as written is intended to address a reduction in the number of parking spaces, an interpretation of the code section may be made that the administrative relief is appropriate to allow a distance request of an additional 25 for condominium parking, since up to 500 feet is allowable for off-site parking. Also, the requested parking distance for the five condominiums is within the 200 feet distance allowable for apartments under the same section of the code. Therefore administrative relief from this provision is included within the SUP application.

Although visitor parking is not required under the density bonus, the project provides 93 visitor parking spaces and 6 motorcycle spaces. Since visitor parking is not required, the visitor parking distance standard (OCC Section 16-645) of 100 feet for condominiums does not apply.

h) ***Building Design:*** The project has four building types and several accessory structures, as described below.

Office (Building 1): The contemporary two-story office building is rectangular with a 7,800 sf. footprint. The four walls have a regular fenestration pattern of aluminum-framed windows with vertical sun-shade louvers. The main "cut-out" entrance is in the southwest corner with an overhanging flat roof resting on two columns. Exterior materials are white and grey-painted cement plaster and stone veneer. The flat roof parapets screen the HVAC equipment and solar panel arrays, if installed at a later date.

Residential (Buildings 1-9): The three-story, multifamily, L-shaped residential building types A, B, and C share a similar basic design wherein the first floor consists of enclosed garages facing a parking court or drive aisle and four or more abutting ground floor units take access from open entry patios oriented towards courtyards or open space with front doors, principal room windows, and low-wall enclosed patios. Many of the ground floor

units also directly access a garage unit. The second and third floors take access from two or three stairwells (no elevators) and have up to eight two- and three-bedroom units entered from a single-loaded open-air walkway over the garage spaces on the ground level. Principal rooms and master bedrooms are opposite the walkway entrance, facing outward towards the courtyard or open space, and have a balcony/deck of at least 100 sf. All units have an assigned garage in the same structure with an overhanging storage area of 210 cubic feet (reduced from a 225 cubic foot requirement by applying a Planned Development additive zoning reduction of 6 per cent). Each 2 & 3 bedroom unit will also have an assigned surface parking space.

The three multifamily building types share a common contemporary design with articulated stucco walls painted in white or neutral tones (with less articulation on the interior garage façade), accent arches, regular fenestration with traditional double-hung windows, third floor open decks, and first floor and arch stone veneers. The low-hip style tile roof screens HVAC and solar panels. The components of the eight residential buildings are:

- Type A (Building 4): 16 units, 18 garages, 3 ground level units, and a two-story resident fitness center
- Type B (Buildings 5 and 9): 18 units, 18 garages, 4 ground level units.
- Type C (Buildings 2, 3, 6, 7, and 8): 23 units, 23 garages, 5 ground level units, and a third stairwell.

Accessory Structures: Pavilions, Refuse Structures, These structures mimic and complement the residential buildings with stone veneer bases on the pavilion, white stucco walls and super-structures, and wood beam trellis or enclosed roofing.

i) ***Landscaping and Open Space:*** A 2018 arborist report and 2019 Tree Protection Plan (Sheet L-10) identified 34 live on-site trees and 63 live off-site/property line trees, most of which are Blue Gum Eucalyptus, Tamarisk, and Twisted Juniper. The arborist's valuation of the 34 trees to be removed is $73,300 which is mitigated by increasing the box size of 249 news trees from a minimum 24 inch box size to 36 and 48 inch box sizes for a total tree up-grade valuation of $176,275.

The proposed plant palette consists mainly of drought-tolerant species in compliance with City landscape standards and water consumption regulations. Open spaces, courtyards, play areas, and the pavilion provide a combination of passive and active resident recreation opportunities: seating, fireplace, BBQ's, water features, tot lot play equipment, "rolling hills", lawn areas, and a small fenced dog park. Drive aisles are lined by Bloodgood Plane trees, Coastal Live Oak, California Sycamore and Fruitless Olive in a traditional street-tree format. Accent plants include native grasses, manzanita, citrus trees, Bougainvillea, Agave, and other plants commonly found in recent developments.

Outdoor lighting includes low-level bollards and "café-style" suspended linear lighting over seating areas.

Paving is accented throughout the project to de-mark pedestrian crossings, entrances, and courtyards and throughout the pavilion recreation feature.

j) ***Affordable Housing and Density Bonus:*** The project is subject to the City's inclusionary Ordinance Nos. 2615, 2688, and 2721 that requires a project with 10 or more residential units to set aside 10 percent of the units as affordable to low income households as defined in California Health and Safety Code Section 50079.5. In 2019, the annual Ventura County income for a four-person low income household is between $52,300 and $83,700.[6] The project complies with this requirement by designated 17 units (10% of 167 units rounded up) distributed throughout the project as low income affordable. These same 17 units qualify the project for a State density bonus under OCC Section 16-410H that requires the City approve the project with reduced parking standards, allow one development standard concession, and allow up to 20 percent additional density. The project elected to request a two percent density bonus (3 additional units). Parking is described above. The density bonus concession is used to reduce the Interior Yard Space requirement from 30 to 24 percent of the parcel area. The 17 units will be sold with an equity-sharing deed restriction that allocates a proportional share of appreciation to the City which shall be used within five years for any purpose that promotes home ownership (OCC Section 16-410(S)).

k) ***Development Impact Fees:*** The City requires development connection and/or impact fees to be collected as part of any new development to pay a proportional share of providing public services and improvements to new development. The proposed project will be required to pay impact fees for wastewater, water system, water service and meter, storm drain, traffic (City and County), growth capital, Quimby (park), public art, and General Plan maintenance connection and/or impact fees. A non-binding impact fee estimate, based upon current fees, is attached for reference (Attachment F).

7) Development Advisory Committee: The Development Advisory Committee (DAC) reviewed this project on October 11, 2017 and April 4, 2018. The DAC process led to changes in the project reflected in the attached plans (dated May 2, 2019), including a reduction in the number of units. Conditions of approval are incorporated in the attached resolutions for the Tentative Subdivision Map (Attachment I), SUP for Parcel 1 Office Building (Attachment J), and SUP for Parcel 2 Residential community (Attachment K).

8) Community Workshop and Public Input: In early June 2018, the applicant mailed notices of the Community Workshop meeting to all property owners within the West El Rio

[6] http://www.ahacv.org/income_limits.shtml

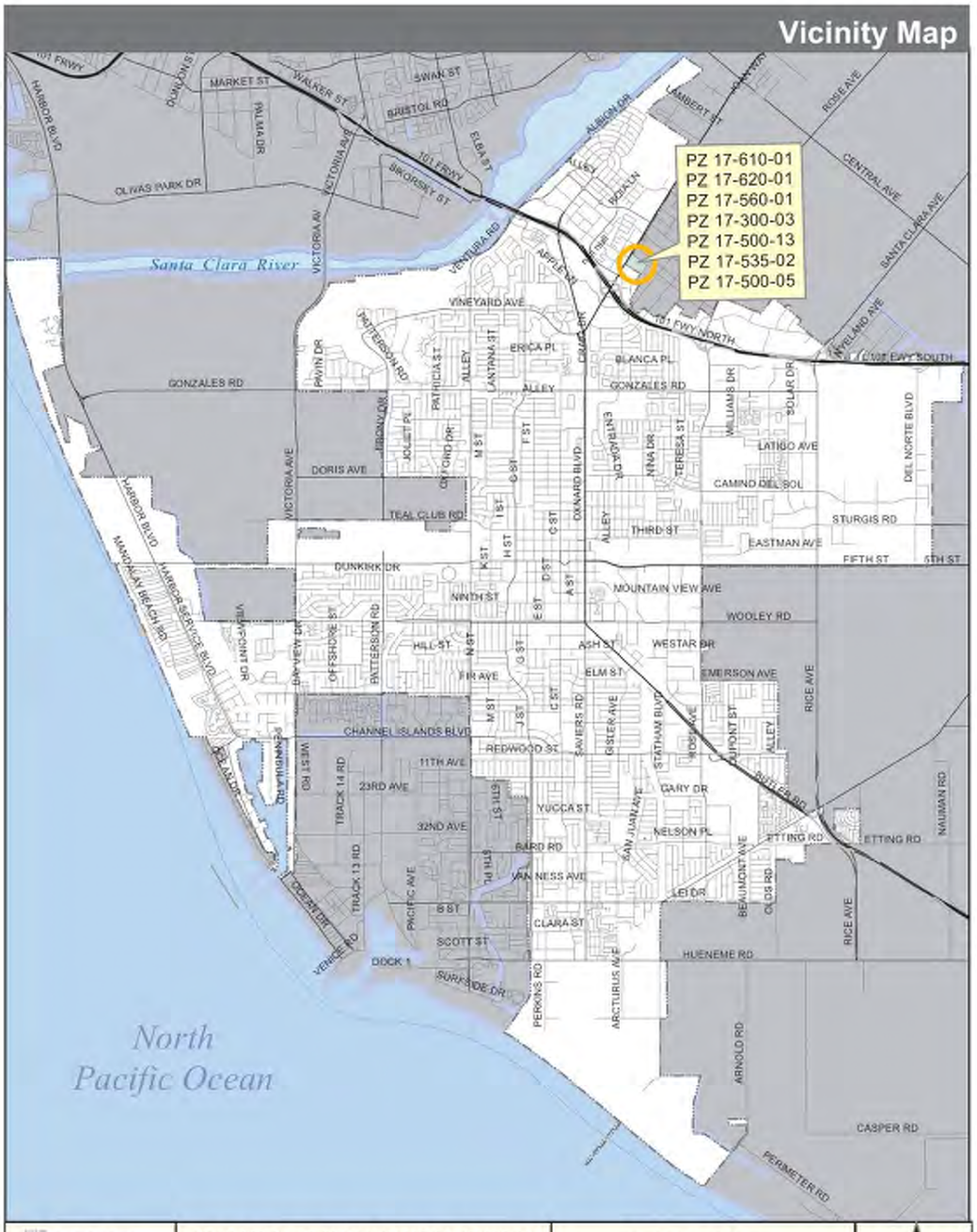
Neighborhood and the project was presented at the June 18, 2018 Community Workshop. A separate outreach to the El Rio/Del Norte Municipal Advisory Council (MAC) was required and completed on June 21, 2018. Members of the public and the MAC raised questions regarding U-turns on Vineyard Avenue, adequate parking, water supply and utilities, students needing to cross Vineyard Avenue, and the need for annexation.

9) **Appeal Procedure:** The requested actions for the Annexation, General Plan Amendment, Pre-Zoning, and Tentative Subdivision Map are recommendations to the City Council in accordance with Oxnard Municipal Code Sections 16-581 (Change of Boundaries and Uses), 15-40 (Subdivisions). In accordance with Oxnard City Code Section 16-544, the Planning Commission's action on Special Use Permits for the office and condominium developments may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. All aspects of this project shall not become effective unless and until the City Council approves the General Plan Amendment, Pre-Zoning, and Tentative Subdivision Map and LAFCo approves the Annexation.

Attachments:

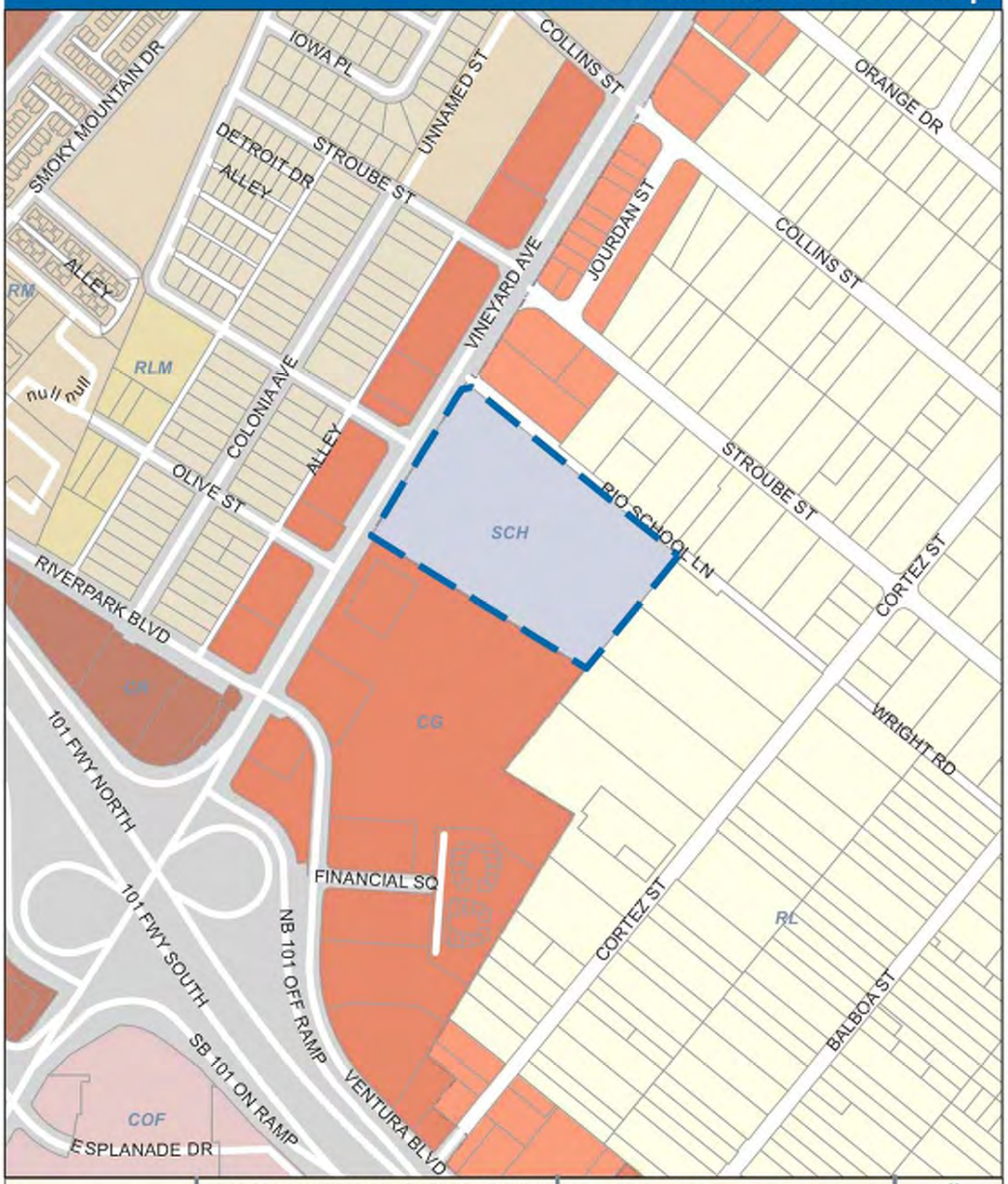
A. Vicinity, General Plan, and Zoning Maps and Aerial Photo
B. Reduced Demolition, Tentative Subdivision Map No. 5998, and Project Plans
C. Final IS/MND 2017-04 (separate document) including public comments and response to comments
D. General Plan Consistency Analysis
E. Zoning Compliance Tables (C-2-PD, R-3-PD, Attached Dwelling Unit Standards)
F. Estimated Development Impact Fees
G. Resolution (Annexation and General Plan Amendment)
H. Resolution (Pre-Zoning Ordinance)
I. Resolution (Tentative Subdivision Map and Density Bonus)
J. Resolution (Special Use Permit – Office)
K. Resolution (Special Use Permit - Residential)

ATTACHMENT A



OXNARD Oxnard Planning July 22, 2019	PZ 17-620-01, 17-560-01, 17-300-03, 17-500-13, 17-610-01, 17-535-02, 17-500-05 Location: 2714 E Vineyard Av APN: 1450323010 Rio Urbana	Vicinity Map 0 0.5 1 1.5 2 Miles	N 1:70,000

2030 General Plan Land Use Map



OXNARD

Oxnard Planning

July 22, 2019

PZ 17-620-01, 17-560-01, 17-300-03, 17-500-13, 17-610-01,17-535-02, 17-500-05
Location: 2714 E Vineyard Av
APN: 1450323010
Rio Urbana
Feet
0 125 250 500

2030 General Plan Land Use Map

N W E S

1:5,000

Zoning/Specific Plan Map

OXNARD

Oxnard Planning

July 22, 2019

PZ 17-620-01, 17-560-01, 17-300-03, 17-500-13, 17-610-01,17-535-02, 17-500-05
Location: 2714 E Vineyard Av
APN: 1450323010
Rio Urbana

0 75150 300 450 600 Feet

Zoning/Specific Plan Map

1:5,000

Aerial Map

OXNARD

Oxnard Planning

July 22, 2019

PZ 17-620-01, 17-560-01, 17-300-03, 17-500-13, 17-610-01,17-535-02, 17-500-05

Location: 2714 E Vineyard Av

APN: 1450323010

Rio Urbana

0 75 150 300 450 600 Feet

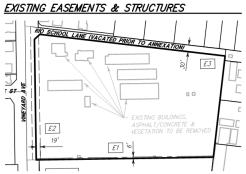
Aerial Map

ATTACHMENT B

Reduced Tentative Subdivision Map for Tract No. 5998

Reduced Project Plans

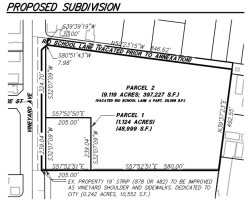
EXISTING EASEMENTS & STRUCTURES



EASEMENTS SCHEDULE

E1	PUBLIC UTILITIES AND POLE EASEMENT – CENTERLINE ONLY – TO SOUTHERN CALIFORNIA EDISON PER 958 OR 420
E2	EASEMENT TO THE CITY OF OXNARD FOR A PUBLIC SIDEWALK DEDICATION PER INSTRUMENT NO. 90-180309 OR
E3	PUBLIC ROAD EASEMENT TO VENTURA COUNTY PER 878 OR 402

PROPOSED SUBDIVISION



UTILITIES

WATER/SEWER:	GAS:	
CITY OF OXNARD 305 W. THIRD OXNARD, CA. 93030	SOUTHERN CALIF. GAS CO. 130 S. PATTERSON AVE. SANTA BARBARA, CA. 93111	
ELECTRIC:	TELEPHONE:	CABLE:
EDISON INTERNATIONAL 10060 TELEGRAPH RD. VENTURA, CA. 93004	PACIEL 2459 PALMA DR. VENTURA, CA. 93003	TIME WARNER CABLE 731 WALKNAPP AVE. OXNARD, CA 93035

FIRE ACCESS

PROPOSED UNIT MIX & PARKING

PARCEL 1:

COMMERCIAL PARKING REQUIRED:	60 STANDARD & 1 MOTORCYCLE SPACES (1 STANDARD SPACE PER 250 SF)
COMMERCIAL PARKING PROVIDED:	60 STANDARD & 1 MOTORCYCLE (15,000 SF/ 250 SF = 60 SPACES)

PARCEL 2:

RESIDENTIAL PARKING REQUIRED:	329 STANDARD SPACES
RESIDENTIAL PARKING PROVIDED:	300 STANDARD SPACES
VISITOR PARKING REQUIRED:	0 SPACES
VISITOR PARKING PROVIDED:	93 STANDARD SPACES & 6 MOTORCYCLE
TOTAL RESIDENTIAL PARKING PROVIDED:	431 SPACES (NOTE: 102 SPACES MORE THAN REQUIRED)

VICINITY MAP – NOT TO SCALE

PRELIMINARY LAND USE DATA

PROJECT LOCATION:	2714 VINEYARD AVE. OXNARD, CA 93036
ASSESSOR'S PARCEL No.:	145-0-232-010 (9.9 ACRES)
TOTAL PROJECT AREA:	10.49 ACRES (456,779 S.F.) (INCLUDING VACATION OF RIO SCHOOL LANE)

EXISTING USE OF THE PROPERTY:

PREVIOUSLY USED AS AN ELEMENTARY SCHOOL. THIS SITE IS NOW USED AS THE EL RIO SCHOOL DISTRICT OFFICES AND THE MAJORITY OF OLD CLASSROOM BUILDINGS ARE VACANT.

PROPOSED PROJECT DESCRIPTION:

SUBDIVIDE A.P.N. 145-0-232-010 INTO TWO PARCELS. PARCEL 1 (1.124 ACRES) WOULD BE DEDICATED AS THE EL RIO SCHOOL DISTRICT OFFICE AND PARCEL 2 (9.119 ACRES) WOULD BE REZONED FOR RESIDENTIAL CONDOMINIUM PURPOSES.

EXISTING GENERAL PLAN:	SCHOOL (ADJACENT TO CITY LIMITS)
PROPOSED GENERAL PLAN:	SCHOOL (ANNEXED INTO CITY)
PROPOSED ZONING:	PARCEL 1: SCHOOLS PARCEL 2: RESIDENTIAL MEDIUM (R-3-PD)

PROPOSED SUBDIVISION:

- PARCEL 1: 1.124 ACRES (48,999 S.F.)
- PARCEL 2: 9.119 ACRES (397,227 S.F.)
  - * INCLUDES VACATED RIO SCHOOL LANE (25,399 S.F.; 0.58 AC)

PROPOSED BUILDING IMPROVEMENTS:

PARCEL 1:

BUILDING NAME:	UNITS	HEIGHT	LOT COVERAGE (S.F.)
BUILDING 1 /			
SCHOOL OFFICE	N/A	2-STORY	7,800 (15.9%)
ACCESSORY OFFICE	N/A	1-STORY	158
TOTALS:	N/A		7,958 S.F. (16.2%)

PARCEL 2:

BUILDING NAME:	UNITS	HEIGHT	LOT COVERAGE (S.F.)
BUILDING 2:	23	3-STORY	14,264
BUILDING 3:	23	3-STORY	14,264
BUILDING 4:	16	3-STORY	11,193
BUILDING 5:	18	3-STORY	11,193
BUILDING 6:	23	3-STORY	14,264
BUILDING 7:	23	3-STORY	14,264
BUILDING 8:	23	3-STORY	14,264
BUILDING 9:	18	3-STORY	11,151
REC PAVILION:	N/A	1-STORY	1,068
ACCESSORY RESIDENTIAL (4 REFUSE @ 424 SF)			1,696
TOTALS:	167 UNITS		108,693 S.F. (27.3%)

PROJECT DENSITY:

- PARCEL 1: N/A
- PARCEL 2: 167 UNITS/9.119 ACRES = 18.31 DU/AC*
  - *ALLOWED UNIT @ YER GENERAL PLAN IS 18 DU/AC. PROJECT PROPOSES AFFORDABLE HOUSING UTILIZING 2% OF THE 20% DENSITY BONUS ALLOWANCE.

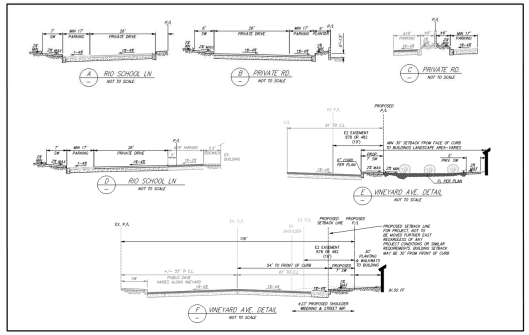
LEGEND

PROPOSED		EXISTING	
44.7 F.F.	PAD ELEV.		STORM DRAIN
	STORM DRAIN		WATER
	CATCH BASIN		SEWER
	SURFACE DRAIN		GAS
	WATER		TELEPHONE
	SEWER		OVERHEAD ELEC.
	FLOWLINE		WATER VALVE
	EASEMENT LINE		FIRE HYDRANT
	CONTOUR LINE		STREET LIGHT
	BLOCK WALL		CONTOUR LINE
	FIRE HYDRANT		STREET SIGN
	INFILTRATION BASIN		POWER POLE
	POROUS PAVEMENT		

ABBREVIATIONS

FS	FINISH SURFACE	SW	SIDEWALK
FF	FINISH FLOOR	EX	EXISTING
GFF	GARAGE FINISH FLOOR	FL	FLOW LINE
TC	TOP OF GRATE	PVT	PRIVATE
FH	FIRE HYDRANT	INV	INVERT

SECTIONS



NGS BENCHMARK

THE ELEVATIONS ON THIS MAP ARE US FOOT, BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AS DETERMINED LOCALLY BY GPS OBSERVATIONS ON THE FOLLOWING NGS BENCHMARKS:

NGSPID "EW5886" – ELEVATION: 78.66' (24.037 METERS)

LOCAL BENCHMARKS

THE LOCAL ELEVATIONS CAN BE DETERMINED BY USING THE FOLLOWING POINTS:

PT#315 – FOUND 1.5" IRON PIPE W/ TAG "LS 5983" – MARKING SOUTHWEST CORNER OF SUBJECT PROPERTY.

ELEVATION: 88.30 FEET

PT#315 – FOUND 1.5" IRON PIPE W/ TAG "LS 5983" – MARKING NORTHWEST CORNER OF SUBJECT PROPERTY.

ELEVATION: 90.89 FEET

THESE ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AS DETERMINED LOCALLY BY GPS OBSERVATIONS.

BASIS OF BEARINGS

THE BEARINGS ON THIS MAP ARE GRID, BASED ON THE CUSTOM LOW DISTORTION PROJECTION (LDP) DEFINED HEREON – NAD83 (EPOCH 2010.40) AS DETERMINED LOCALLY BY A LINE BETWEEN NGS CORS (CWTNUALY) OPERATING REFERENCE STATION) SI1E5 "TOST" AND "CSST" BEING NORTH 70° 12' 03.8" WEST, AS DERIVED FROM GEODETIC VALUES PUBLISHED BY THE NATIONAL GEODETIC SURVEY (NGS) AND SHOWN IN CONTROL SCHEME DETAIL.

GRAPHIC SCALE: 1"=40'

REVISION	DATE
2ND SUBMITTAL	06/05/2017
3RD SUBMITTAL (PRE-LMC)	04/03/2018
3RD SUBMITTAL (POST-LMC)	06/04/2018
4TH SUBMITTAL	05/13/2019

SUBDIVIDER:
THE PACIFIC COMPANIES
430 E. STATE STREET, STE 100
EAGLE, ID 83616
ATTN: CALEB ROOPE
(208) 461-0022 X3012

OWNER:
EL RIO SCHOOL DISTRICT
2714 VINEYARD AVE.
OXNARD, CA. 93035-1131

ENGINEER:
JENSEN DESIGN & SURVEY, INC
1672 DONLON STREET
VENTURA, CALIF 93003
PHONE 805/654-6977
FAX 805/654-6979
www.jdsinc.com

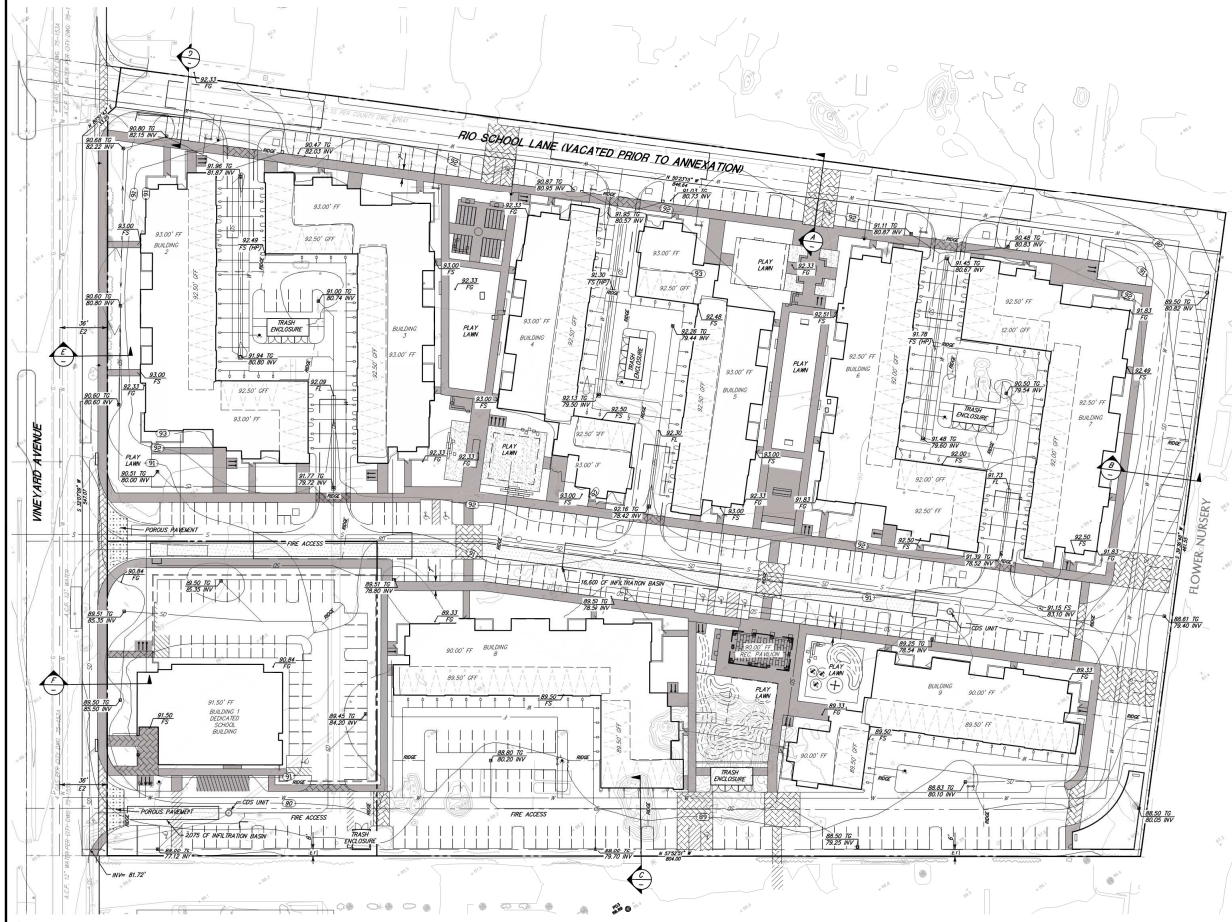
RIO URBANA
TENTATIVE TRACT 5998
FOR CONDOMINIUM PURPOSES

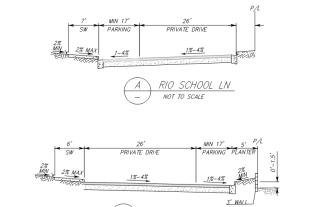
CITY OF OXNARD — COUNTY OF VENTURA — STATE OF CALIFORNIA

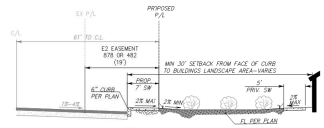
LEGAL DESCRIPTION: Portion of lot 10 of the Rancho Santa Clara Del Norte, in the County of Ventura, State of California, as per map recorded in book 3, page 26 of maps, records of County of Ventura, APN: 145-0-231-010

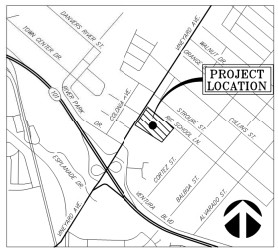
SCALE: 1"=40'
J.N.: ALD15659
DATE: May 02, 2019
DWG. NAME: 5659-01-TM.dwg

SHEET 1 OF 1





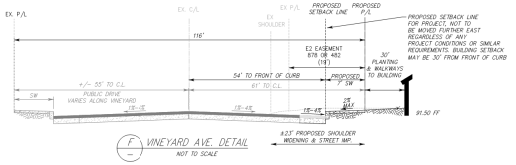




VICINITY MAP
NOT TO SCALE

LEGEND

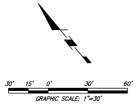
PROPOSED	EXISTING	ABBREVIATIONS	
PAD ELEV.	STORM DRAIN	FS	FINISH SURFACE
STORM DRAIN	WATER	FG	FINISH GRADE
CATCH BASIN	SEWER	INV	INVERT
SURFACE DRAIN	GAS	TG	TOP OF GRATE
WATER	TELEPHONE	SW	SIDEWALK
SEWER	WATER VALVE	EX	EXISTING
FLOWLINE	FIRE HYDRANT	FL	FLOW LINE
EASEMENT LINE	STREET LIGHT	PVT	PRIVATE
CONTOUR LINE	CONTOUR LINE		
BLOCK WALL	STREET SIGN		
FIRE HYDRANT			



F VINEYARD AVE. DETAIL
NOT TO SCALE

EASEMENTS

1. 6' WIDE SCE UTILITY EASEMENT PER BOOK 958 PAGE 420
2. 10' SIDEWALK EASEMENT AS INSTRUMENT NO. 90-180339 O.R.



JENSEN DESIGN & SURVEY, INC.
www.jdsurvey.com
1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE 805/654-6977
FAX 805/654-6979

SCALE: 1"=30'
DATE: May 02, 2019
J.N.: AL001.5659
DWG. NAME: 5659 PDP.dwg

EL RIO ENGR. SITE PLAN FOR TENTATIVE TRACT MAP 5998

2714 E VINEYARD AVE
City of Oxnard
COUNTY OF VENTURA STATE OF CALIFORNIA

SHEET 1 OF 1

J:\AL001\5659\Planning\Preliminary\5659 PDP.dwg May 02, 2019, 8:14am mwilkins

RIO URBANA COMMUNITY

2714 EAST VINEYARD AVENUE
OXNARD, CA. 93036

DAC RESPONSE SUBMITTAL

MAY 2, 2019
Project Number 160587

THE PACIFIC COMPANIES

PACIFIC WEST COMMUNITIES

460 EAST STATE STREET
SUITE # 100
EAGLE, ID 83616
208.461.0022
www.tpchousing.com

ARCHITECT:

ktgy

12555 WEST JEFFERSON BLVD.,
SUITE 100
LOS ANGELES, CA 90066
310.394.2623
www.ktgy.com

LANDSCAPE ARCHITECT:

KIESEL·DESIGN
LANDSCAPE ARCHITECTURE & PLANNING

422 E MAIN STREET
VENTURA, CA 93001
805.947.0730
www.kieseldesign.com

CIVIL ENGINEER:

JENSEN DESIGN & SURVEY, INC.

1672 DONLON STREET
VENTURA, CA 93003
805.654.6977
www.jdscivil.com

ktgy

Architecture + Planning
888.456.5849
ktgy.com

PACIFIC WEST COMMUNITIES
460 East State Street, Suite 100
Eagle, Idaho 83616

RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

0 100 200 400

VICINITY MAP

A - 02

1 EXISTING SITE - EAST VINEYARD AVE.

DATE TAKEN - 12/12/2016

2 EXISTING SITE - END OF RIO SCHOOL LN.

3 EXISTING SITE - NORTH RIO SCHOOL LN.

DATE TAKEN - 12/12/2016

4 EXISTING SITE - SOUTH RIO SCHOOL LN.

DATE TAKEN - 12/12/2016

5 EXISTING SITE - E. VINEYARD AVE. INSIDE THE SITE

6 EXISTING SITE - S. ALLEY/ PARKING

DATE TAKEN - 12/12/2016

Architecture + Planning
888.456.5849
ktgy.com

PACIFIC WEST COMMUNITIES
460 East State Street, Suite 100
Eagle, Idaho 83616

RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

EXISTING SITE CONTEXT

7 SITE ADJACANT- EAST VINEYARD AVE. - NORTH OF SITE

DATE TAKEN - 12/12/2016

8 SITE ADJACANT- EAST VINEYARD AVE.. - SOUTH OF SITE

DATE TAKEN - 12/12/2016

9 SITE ADJACANT- WEST VINEYARD AVE.. - SOUTH OF SITE

DATE TAKEN - 12/12/2016

ktgy

Architecture + Planning
888.456.5849
ktgy.com

PACIFIC WEST COMMUNITIES
460 East State Street, Suite 100
Eagle, Idaho 83616

RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

EXISTING SITE CONTEXT

10 SITE ADJACANT- WEST VINEYARD AVE. - ACROSS SITE

DATE TAKEN - 12/12/2016

11 SITE ADJACANT- WEST VINEYARD AVE. - NORTH OF SITE

DATE TAKEN - 12/12/2016

12 SITE ADJACANT- WEST VINEYARD AVE. - NORTH OF SITE

DATE TAKEN - 12/12/2016

ktgy

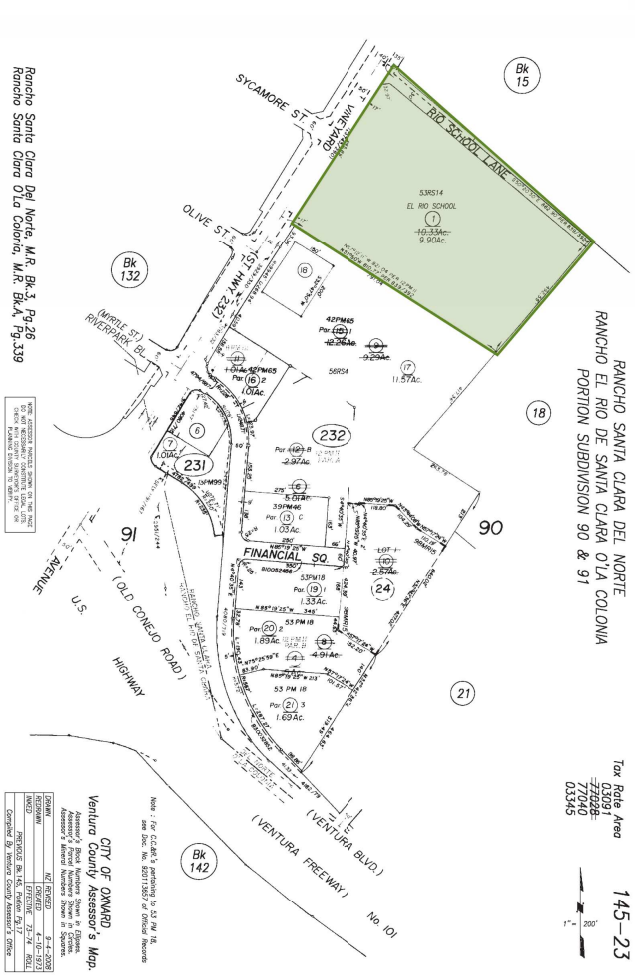
Architecture + Planning
888.456.5849
ktgy.com

PACIFIC WEST COMMUNITIES
460 East State Street, Suite 100
Eagle, Idaho 83616

RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

EXISTING SITE CONTEXT



Site Information	Parcel 1 - With Office Building	Parcel 2 - With Residential Buildings	
Assessor Parcel Nos	145-0-231-015	145-0-231-015	
Lot Area (sf after R.O.W. dedication)	48,999	397,227	
Lot Area (acres)	1.12	9.12	
Zoning - Existing	Unincorporated	Unincorporated	
Zoning - Proposed	C-2-PD	C-2-PD	
Use - Existing	School Storage	School Storage	
Use - Proposed	Office	Multi-Family Residential	
General Plan Land Use Designation - Existing	SCH - School	SCH - School	
General Plan Land Use Designation - Proposed	CG - Commercial General	CG - Commercial General	
Council District	N/A	N/A	
Coastal Zone	N/A	N/A	
Airport Hazard	N/A	N/A	
Summary of Development Standards			
Commercial Use	OMC 16-135 PERMITTED USES (A) The following uses are permitted in the C-2 General Commercial Zone (1) Any use permitted in the C-O and C-1 zones		
Commercial Floor Area Ratio (Allowed)	.35:1		
Net Lot Area	48,999		
Base FAR	17,150		
Residential Use		OMC 16-136 RELATED USES (A) The following uses are permitted only on approval of a special use permit (2) The permitted and related uses in the R-3 zone	
Lot Area		397,227	
Minimum Lot Area Per Dwelling Unit Per Zoning (C-2)		600	OMC 16-138
Maximum Units		662.05	
Maximum Units w/ Max. Affordable Density Bonus		894	
Minimum Lot Area Per Dwelling Unit Per R3 (for reference)		2400	OMC 16-59
Maximum Units		166	
Maximum Units w/ Max. Affordable Density Bonus		223	
Maxmimum Density Per General Plan		18 du/acre	
Acres		9.12	
Maximum Units		164	
Maximum Units w/ Max. Affordable Density Bonus		222	
Height	C-2: 2 stories, 35' or SUP	C-2: 2 stories, 35' or SUP	OMC 16-137
Required Yards	Commercial	Residential	OMC 16-139, 140, 141, 142
Front	10'	20'	Buildings used exclusively for dwelling purposes shall comply with the front, side and rear yard regulations of the R-3 zone.
Side	5' (0' adjacent to Commercial Zone)	5' for 1-2 stories, 7.5' for 2.5 stories	OMC 16-60, 61, 62
Rear	15'	25'	
Open Area	N/A	Projects having 12 or more units - at least one area with not less that 2,500 sqft and min. dimension of 35'	OMC 16-362 (D)
R3 Interior Yard Space (for reference)		30% of lot area	OMC 16-63
Parking Spaces Required	Base Zoning	Base Zoning	W/ Affordable
studio - 1 bedroom		1 garage space per unit	1 onsite space per unit
2 -3 bedrooms		2 garage spaces per unit	2 onsite spaces per unit
Guest		1 space per unit up to 30; .5 spaces per unit 31 and over; Vistor space must be striped "Visitors Onl/"	No guest spaces required
Commercial	1 per 250 sqft		
Commercial Motorcycle	1 for uses with over 25 spaces		
Standard Parking Stall	9'X19'	9'X19'	Single Car Garage: 10'-6"X20' interior
Motorcycle Parking Stall	4.5'X7'	4.5'X7'	
Bike Parking Required			
Residential, long-term		N/A; 0 in B&PMP	
Residential, short-term		N/A per zoning; .05 per bedroom in B&PMP	
Commercial, long-term	N/A - Only applies to office over 100,000 sqft; 2 locker spaces per 10,000		
Commercial, short-term	N/A per zoning; 8 spaces per 10,000 square feet in B&PMP		
Bike Parking Stall	2.5'X6'		
Loading Required	0-15,000: 1; 15,001-100,000: 2	N/A	
Loading Space	12X40 and 14' clear high		
Trash Service	Internal Building or Enclosure	1 bin per 12 units, min. 1 recycling bin per enclosure	

Project Tables

Buildings

	Use	Stories	Height	Aff. Units	Market Units	Total Units	Sqft
Building 1	Office	2	35'	0	0	0	15,000
Accessory Office	Refuse	1	12'	0	0	0	158
Building 2 (Type C)	Residential	3 (SUP)	38' (SUP)	3	20	23	42,357
Building 3 (Type C)	Residential	3 (SUP)	38' (SUP)	2	21	23	42,357
Building 4 (Type A)	Residential	3 (SUP)	38' (SUP)	2	14	16	33,963
Building 5 (Type B)	Residential	3 (SUP)	38' (SUP)	2	16	18	33,963
Building 6 (Type C)	Residential	3 (SUP)	38' (SUP)	2	21	23	42,357
Building 7 (Type C)	Residential	3 (SUP)	38' (SUP)	2	21	23	42,357
Building 8 (Type C)	Residential	3 (SUP)	38' (SUP)	2	21	23	42,357
Building 9 (Type B)	Residential	3 (SUP)	38' (SUP)	2	16	18	33,963
Accessory Residential	Rec Pavilion	1	14'	0	0	0	1,068
(4) Accessory Residential	Refuse (424 sqft)	1	12'	0	0	0	1,696
				17	150	167	

Affordable Housing

Allowed # of Units per Zoning (C-2 - 1 per 600 sqft)	662	units
For Reference R-3 (1 per 2400 sqft)	166	units
Allowed # of Units per General Plan (18 du/acre)	164	units
Proposed # of Units	167	units
Proposed # of Density Bonus Units	3	units more than allowed in General Plan
Proposed % of Density Bonus (allowable 20% density bonus)	2%	
Proposed # of Affordable Units	17	
Proposed % Affordable Units (per base allowable)	10%	Low Income Units in a Common Interest Development
# of Incentives Corresponding to provided Affordable Units	1	
Proposed Incentive		Reduction in Interior Yard Space

Affordable Units are located equitably among all residential buildings per table above consisting of the following types

1 Bed	1	unit
2 Bed	11	units
3 Bed	5	units
	17	units

Project Summary

	Parcel 1 - With Office Building	Parcel 2 - With Residential Buildings	
Site			
Site Area (acres)	1.12	9.12	
Site Area (sqft)	48,995	397,230	
Total Units		167	
Proposed Density		18.31	w/ affordable bonus
Gross Building Floor Area	15,100	316,438	
Floor Area Ratio	0.31		
Building Heights	35'	35'	
Stories	2	3	
Units			
One Bed	0	5	3%
Two Bed	0	115	69%
Three Bed	0	47	28%
Total Units	**0**	**167**	**units**
Parking			
For Reference Base City - Resident	0	329	
For Reference Base City - Visitor	0	98.5	
For Reference Base City - Total	0	427.5	
Required Affordable - Resident	0	329	surface spaces
Required Affordable - Visitor	0	0	
Required Affordable - Total	0	329	
Required Commercial - Office	61	0	
Total Required Vehicle Parking	**61**	**329**	**spaces**
Provided Resident Parking			
Garage Spaces	0	169	
Standard Surface Spaces	0	163	
Motorcycle Spaces	0	0	
Total Provided Resident Spaces	**0**	**332**	
Voluntarily Provided Visitor Parking			
Standard Spaces	0	93	
Motorcycle Spaces	0	6	
Total Provided Visitor Spaces	**0**	**99**	
Provided Commercial Parking			
Standard Spaces	60	0	
Motorcycle Spaces	1	0	
Total Provided Commercial Spaces	**61**	**0**	
Provided Vehicle Parking	**61**	**431**	**spaces**
Office Loading	1		

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Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

0 20 40 80

ARCHITECTURAL SITE PLAN

A - 08

UTILITY KEY

- ELECTRIC METERS
- TRANSFORMER
- GAS METERS
- FIRE CABINET
- BACKFLOW
- WATER METER (BELOW GRADE)

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SITE UTILITY DIAGRAM

A - 09

OPEN SPACE

- INTERIOR YARD SPACE
- PARKING LANDSCAPE
- FRONT YARD

Land Coverage	Parcel 1 - Office		
Site Area		**48,995 sqft**	
Building	**17%**	**8,333 sqft**	
Paving	**53%**	**25,957 sqft**	
Open Space	**30%**	**14,705 sqft**	
Interior Yard (larger than 15'x15')	n/a	n/a	24%
Interior Yard (smaller than 15'x15')	n/a	n/a	3%
Parking Landscape	21%	10,102 sqft	
Front Yard	3%	1,582 sqft	
Landscape			
Planted / Play Area	24%	11,701 sqft	
Pedestrian	6%	3,004 sqft	

Land Coverage	Parcel 2 - Residential	
Site Area		**397,230 sqft**
Building	**27%**	**108,023 sqft**
Paving	**40%**	**158,833 sqft**
Open Space	**33%**	**130,374 sqft**
Interior Yard (larger than 15'x15')	24%	94,030 sqft
Interior Yard (smaller than 15'x15')	3%	11,000 sqft
Parking Landscape	5%	19,332 sqft
Front Yard	2%	6,012 sqft
Landscape		
Planted / Play Area	22%	86,565 sqft
Pedestrian	11%	43,809 sqft

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OPEN SPACE DIAGRAM

SIGNAGE DIAGRAM

- PEDESTRIAN LEVEL OFFICE SIGNAGE 8'X3' METAL W/ BACK LIGHTING
- BUILDING LEVEL OFFICE SIGNAGE 6'X10' METAL W/ BACK LIGHTING
- HISTORIC EL RIO BELL INSET INTO WALL W/ LIGHTING

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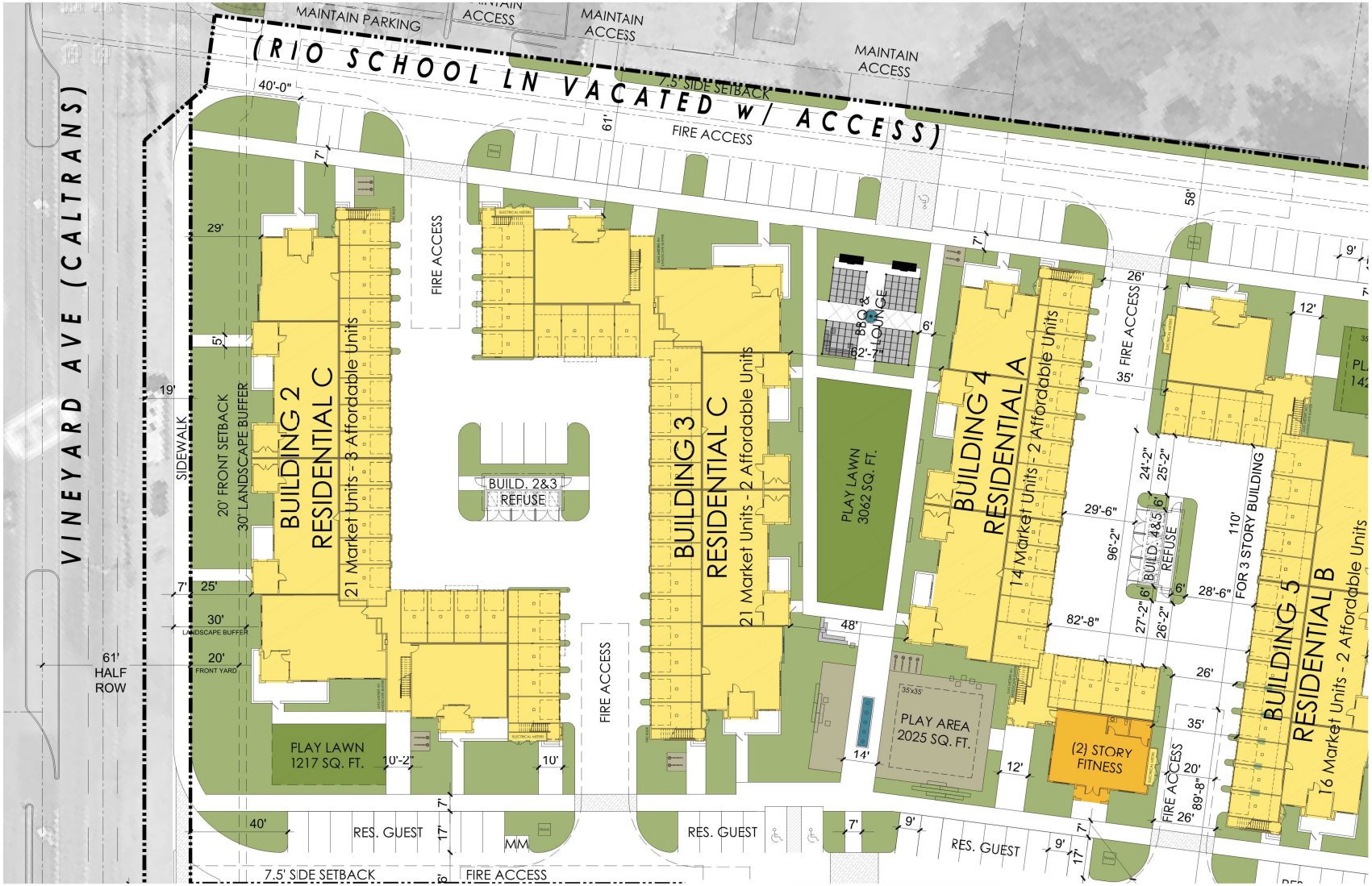
SIGNAGE LOCATION DIAGRAM

A - 011



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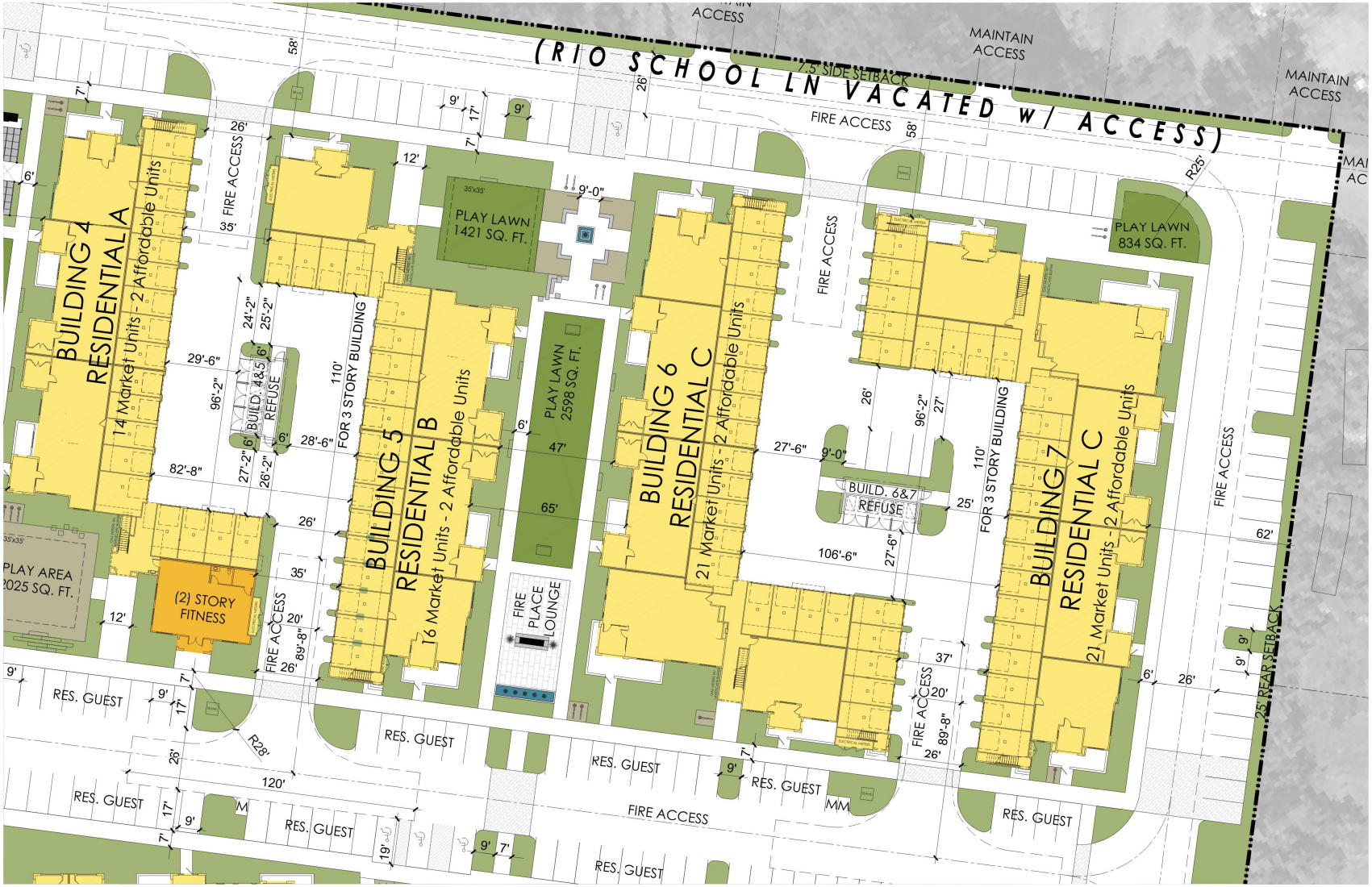
ARCHITECTURAL SITE PLAN

A - 012



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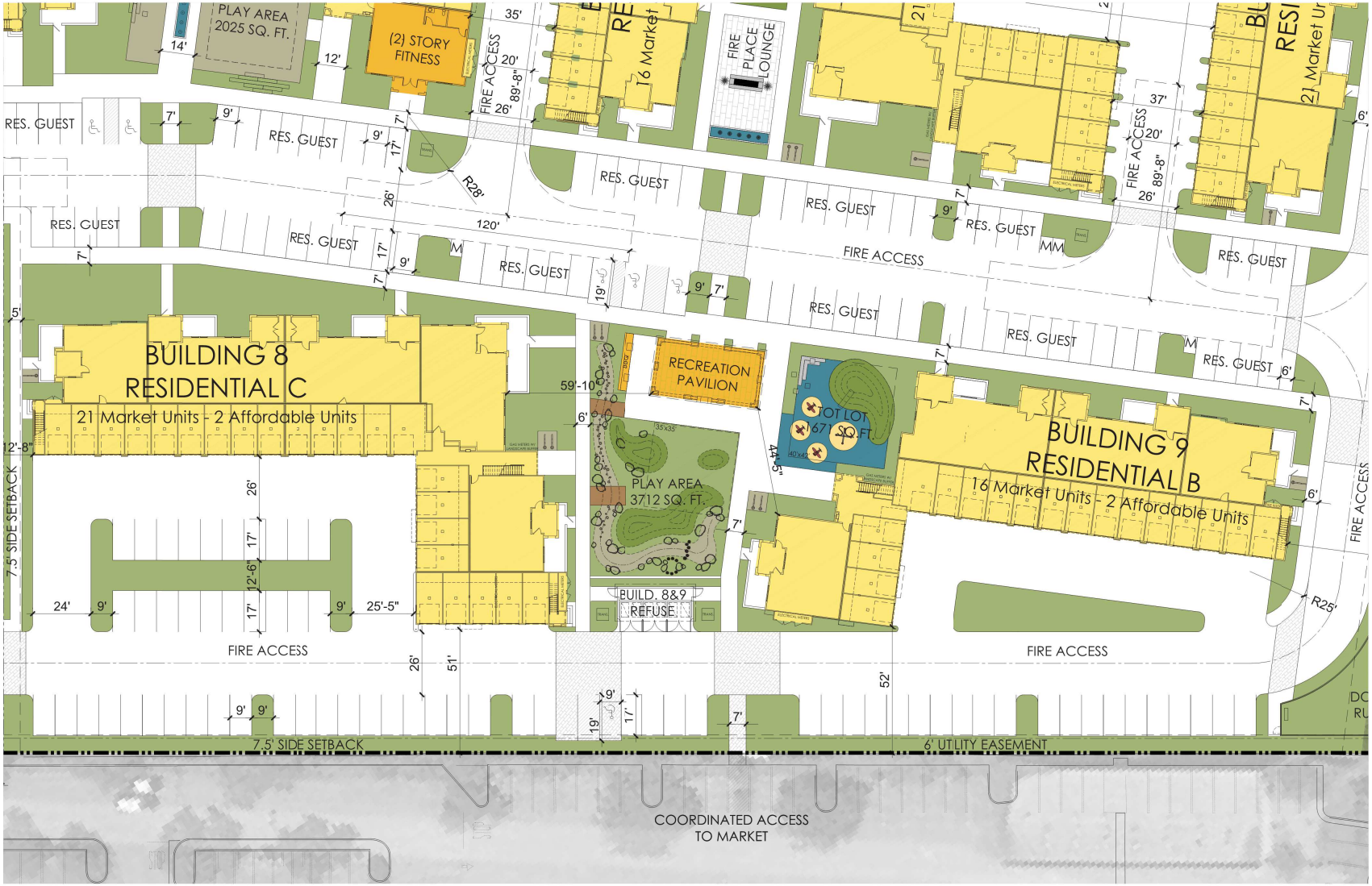
ARCHITECTURAL SITE PLAN

A - 013



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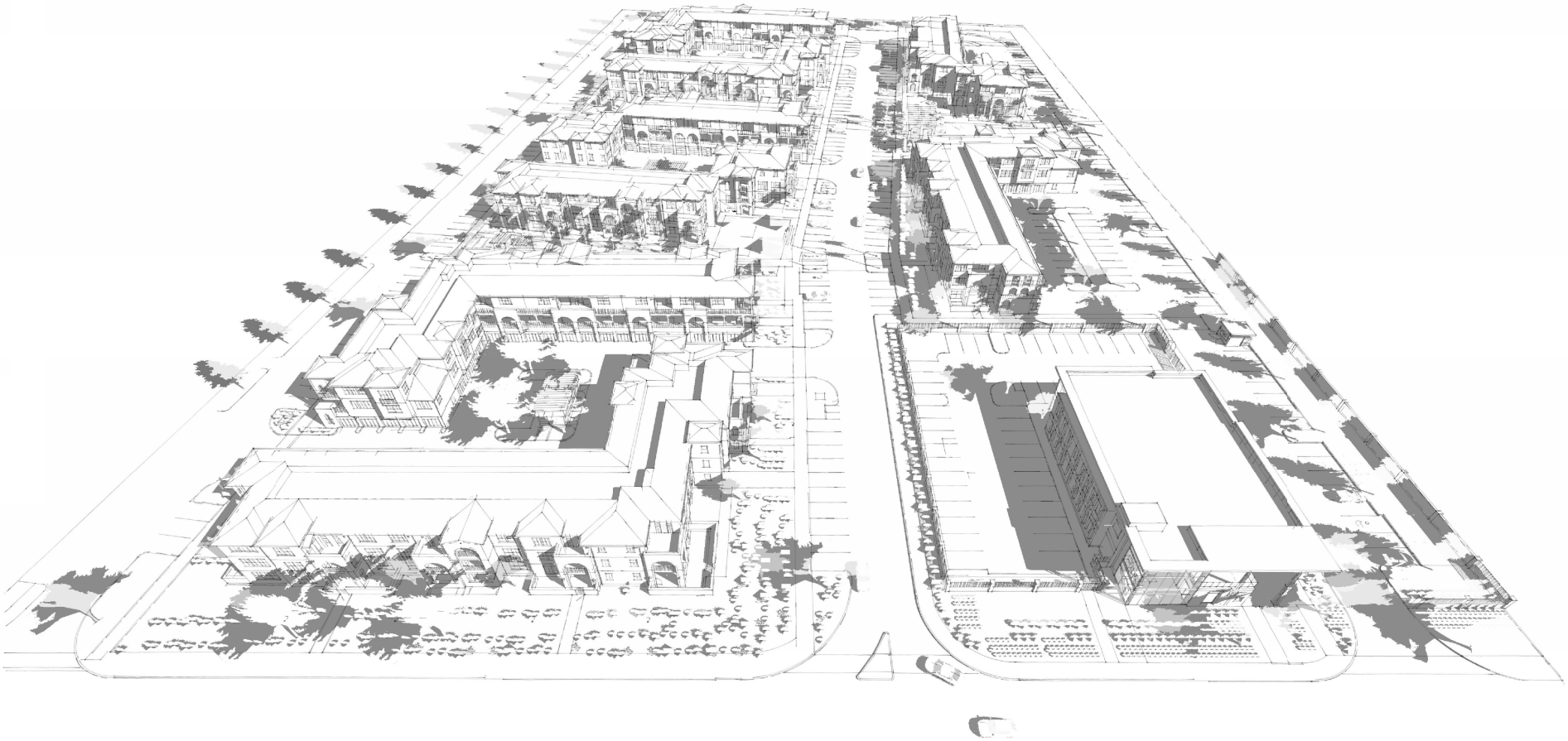
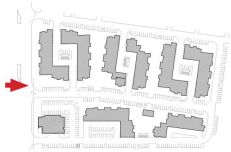
ARCHITECTURAL SITE PLAN

A - 014





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AERIAL VIEW

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SITE ENTRY PERSPECTIVE

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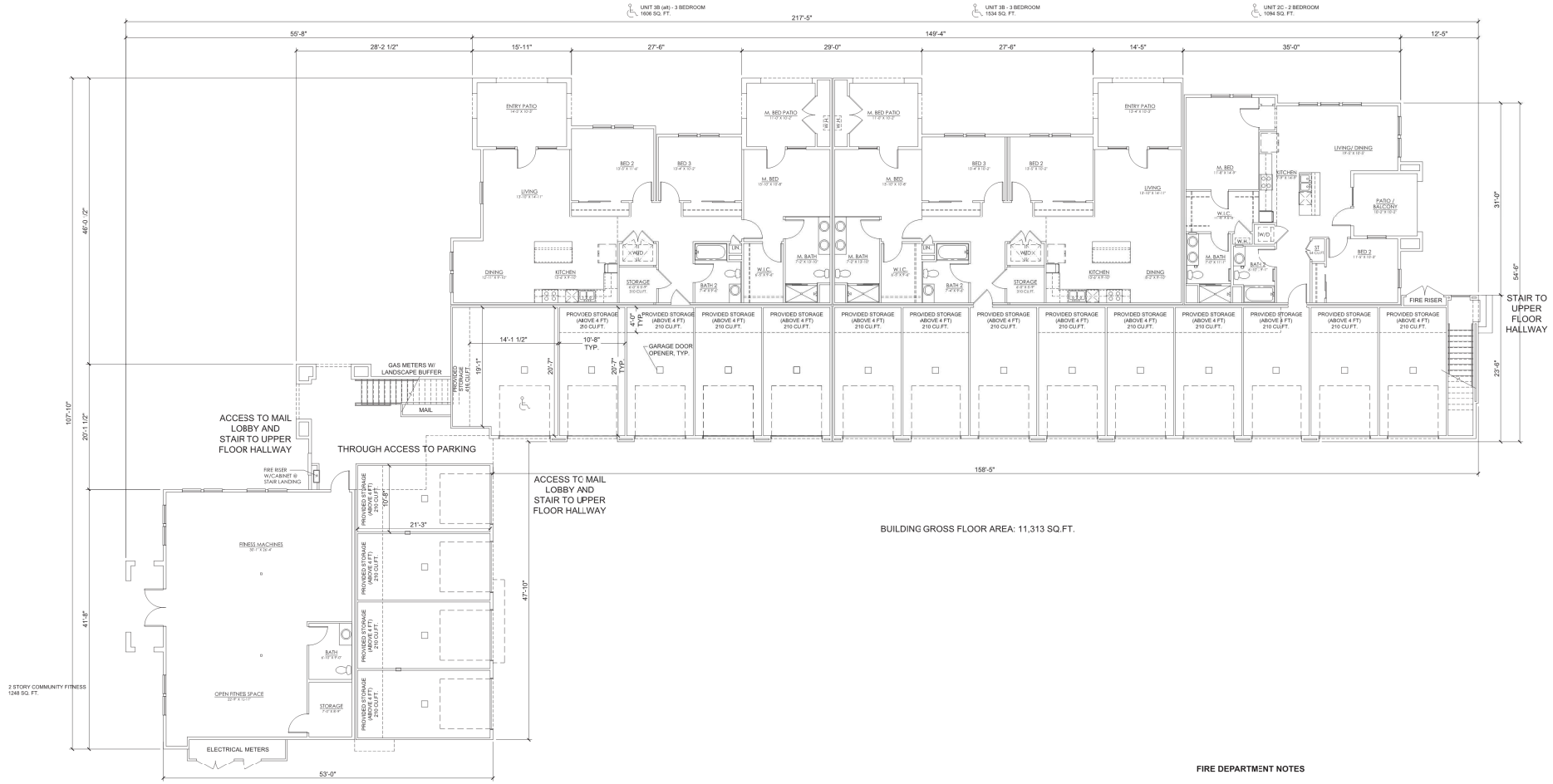
RESIDENTIAL PERSPECTIVE



BUILDING GROSS FLOOR AREA: 11,313 SQ.FT.

FIRE DEPARTMENT NOTES

1. NFPA 13 FIRE SPRINKLER SYSTEM REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

2. FIRE ALARM SYSTEM WITH OCCUPANT NOTIFICATION PER NFPA 72 AND THE 2016 CALIFORNIA FIRE CODE REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

3. CLASS I WET STANDPIPE SYSTEM IS REQUIRED AT EVERY STAIRWELL. COMBINED SPRINKLER AND STANDPIPE SYSTEM SHALL BE REQUIRED

4. PROJECT SHALL COMPLY WITH THE OXNARD FIRE DEPARTMENT FIRE PROTECTION GUIDE REQUIREMENTS.

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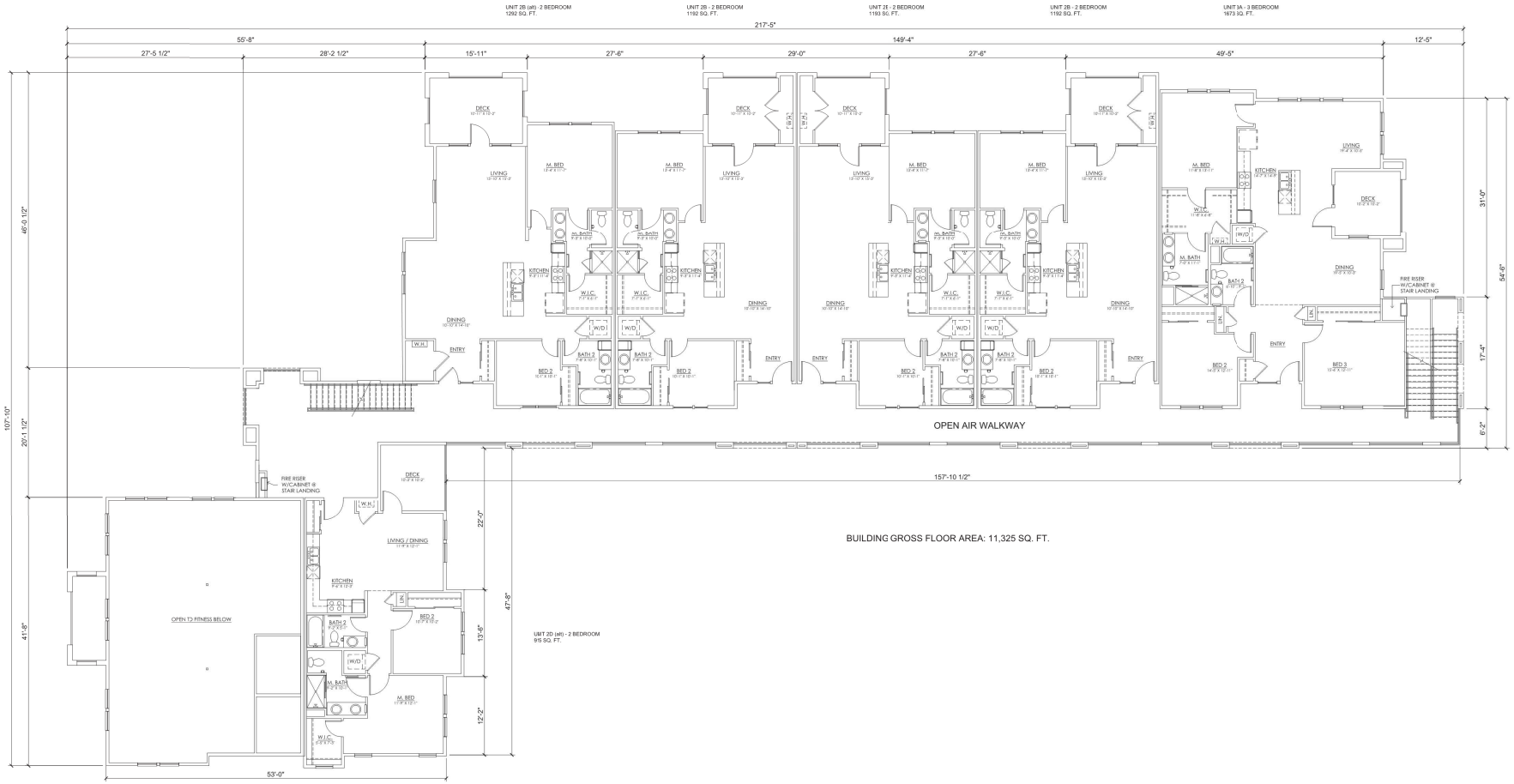
RESIDENTIAL A - LEVEL 1

A - 23



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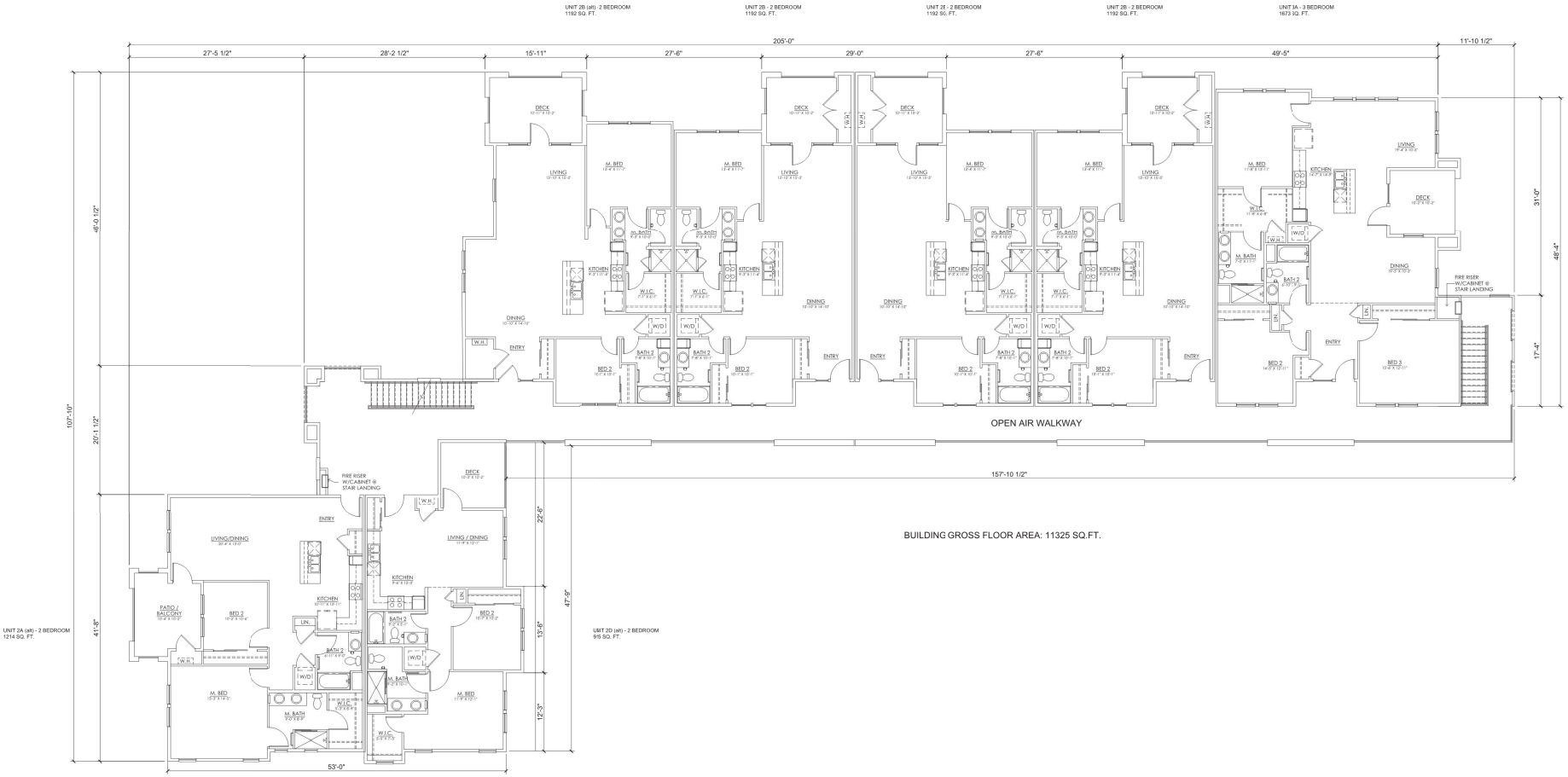
RESIDENTIAL A - LEVEL 2



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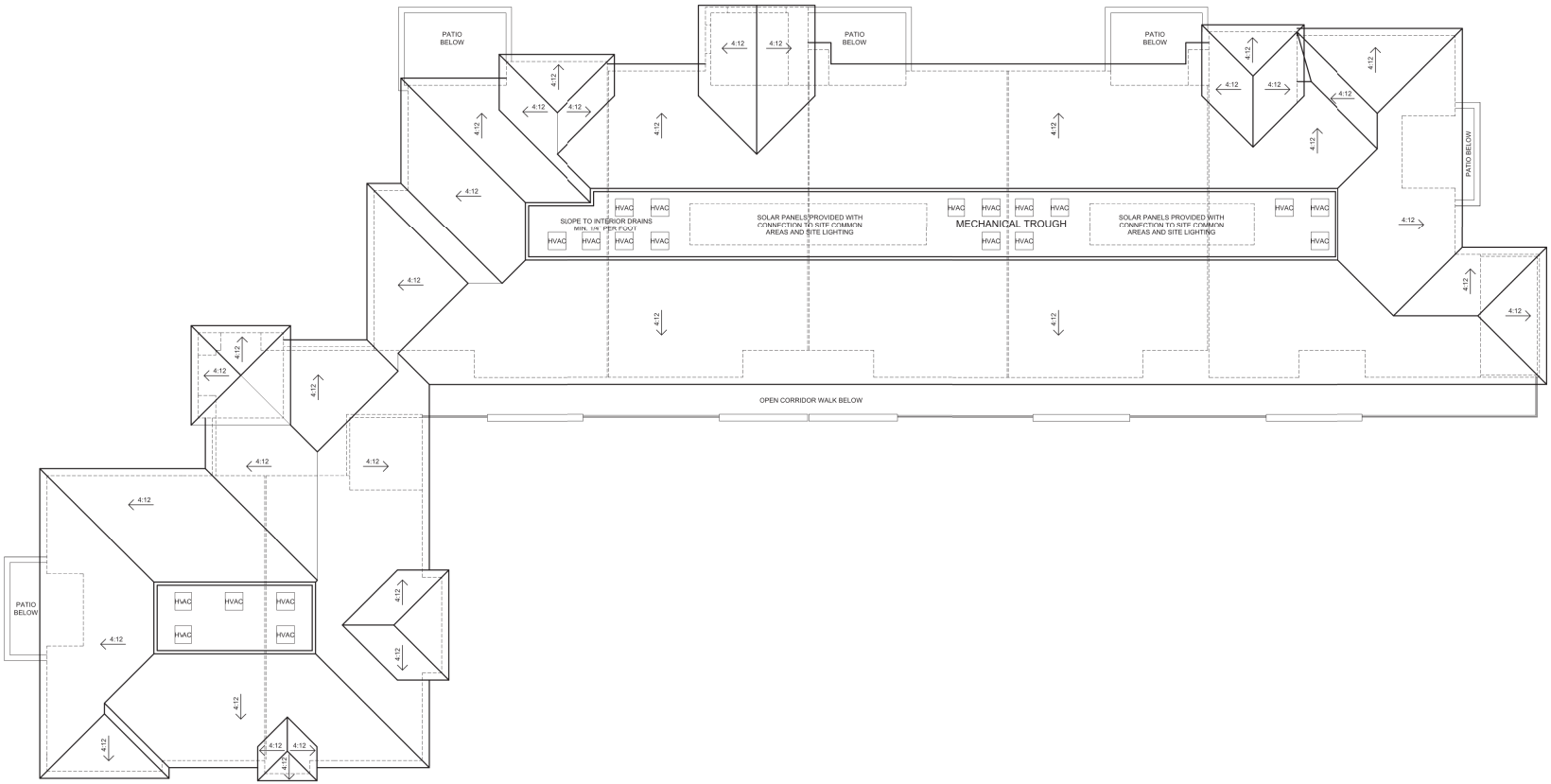
RESIDENTIAL A - LEVEL 3

A - 25



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RESIDENTIAL A - ROOF

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW7008 - ALABASTER
- STONE VENEER OYSTER - CUT COURSE
- CLAY TILE ROOFING BROWN GRAY RANGE

KEYNOTE LEGEND

1. VINYL WINDOW SYSTEM BRONZE
2. ALUMINUM RAILING SYSTEM SW7041 - VANDYKE
3. EXTERIOR DOOR
4. METAL GUTTER
5. METAL DOWNSPOUT
6. METAL SECTIONAL GARAGE DOOR
7. EXTERIOR LIGHT FIXTURE
8. SUN SHADE LOUVERS
9. ALUMINUM STOREFRONT
10. SCREEN VINYL WINDOW SYSTEM - BRONZE

RIGHT SIDE ELEVATION

FRONT ELEVATION

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RESIDENTIAL A - ELEVATIONS

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW7008 - ALABASTER
- STONE VENEER MADRONA - CUT COURSE
- CLAY TILE ROOFING BROWN GRAY RANGE

KEYNOTE LEGEND

1. VINYL WINDOW SYSTEM BRONZE
2. ALUMINUM RAILING SYSTEM SW7041 - VANDYKE
3. EXTERIOR DOOR
4. ME¯AL GUTTER
5. ME¯AL DOWNSPOUT
6. ME¯AL SECTIONAL GARAGE DOOR
7. EXTERIOR LIGHT FIXTURE
8. SUN SHADE LOUVERS
9. ALUMINUM STOREFRONT
10. SCREEN VINYL WINDOW SYSTEM - BRONZE

LEFT SIDE ELEVATION

REAR ELEVATION

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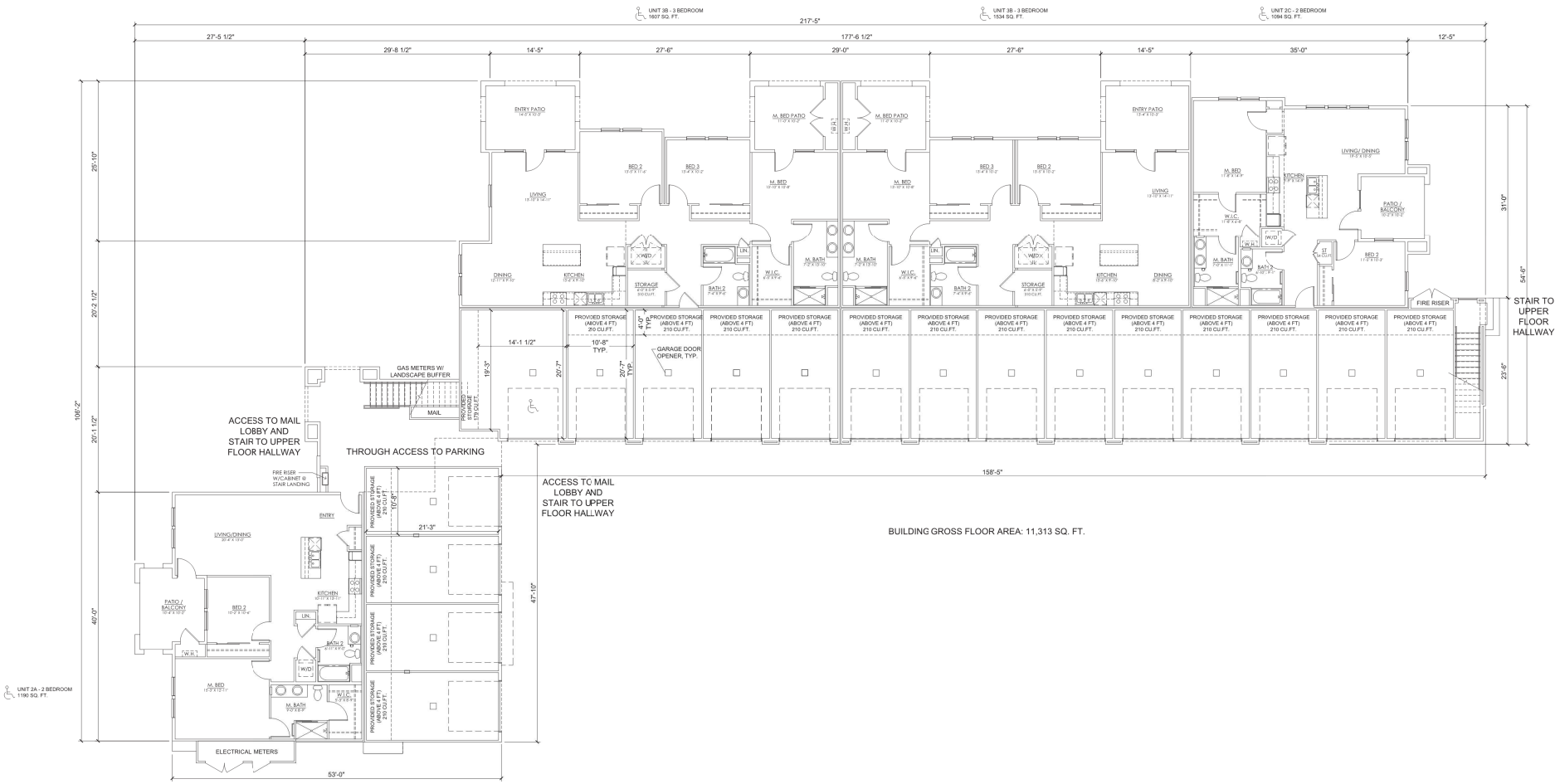
RESIDENTIAL A - ELEVATIONS



FIRE DEPARTMENT NOTES

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2. FIRE ALARM SYSTEM WITH OCCUPANT NOTIFICATION PER NFPA 72 AND THE 2016 CALIFORNIA FIRE CODE REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

3. CLASS I WET STANDPIPE SYSTEM IS REQUIRED AT EVERY STAIRWELL. COMBINED SPRINKLER AND STANDPIPE SYSTEM SHALL BE REQUIRED

4. PROJECT SHALL COMPLY WITH THE OXNARD FIRE DEPARTMENT FIRE PROTECTION GUIDE REQUIREMENTS.

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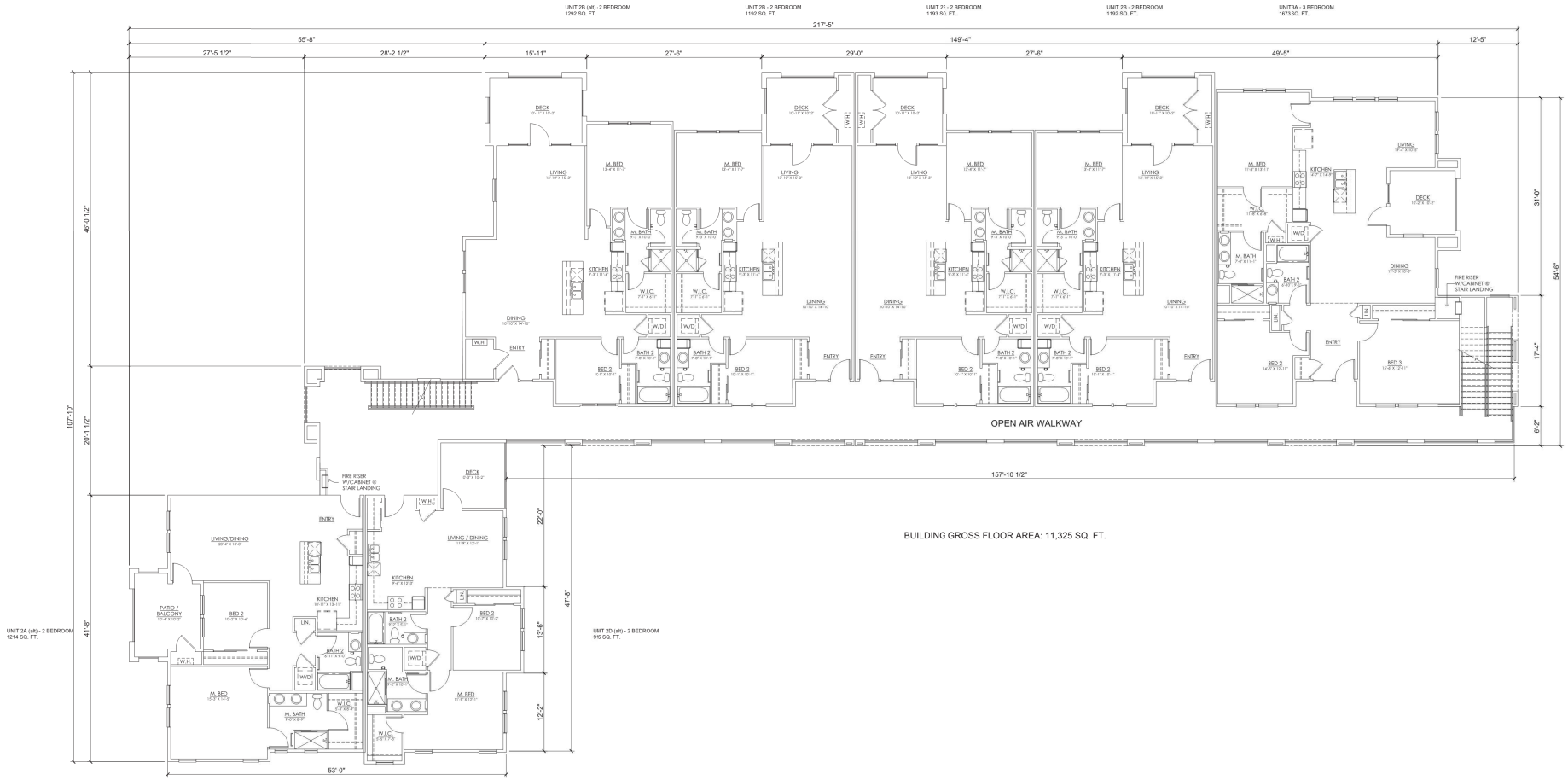
MAY 2, 2019

0 4 8 16

RESIDENTIAL B - LEVEL 1

A - 29



BUILDING GROSS FLOOR AREA: 11,325 SQ. FT.

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APN: 145-0-231-015

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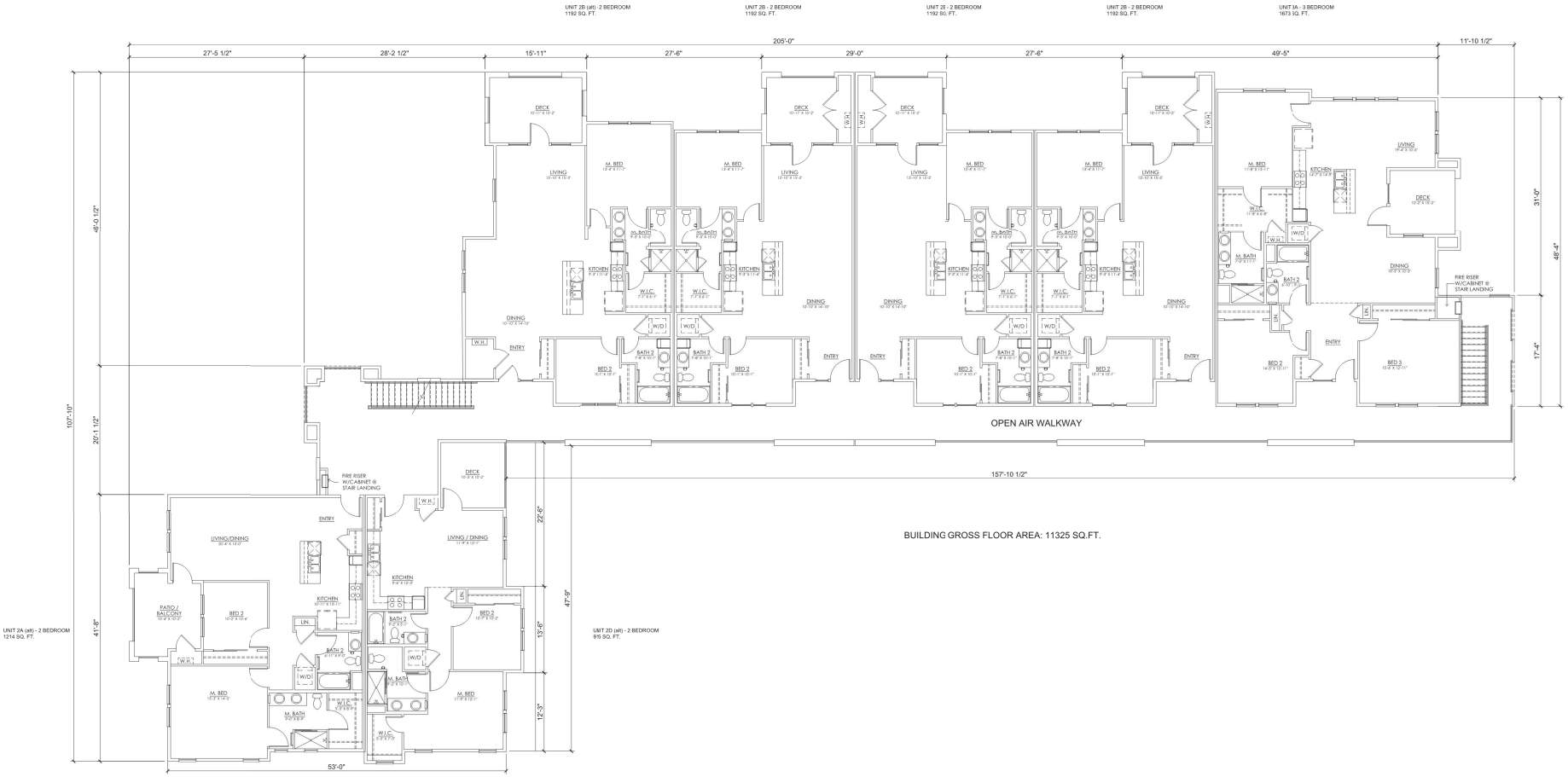
0 4 8 16

RESIDENTIAL B - LEVEL 2

A - 30



BUILDING GROSS FLOOR AREA: 11325 SQ.FT.

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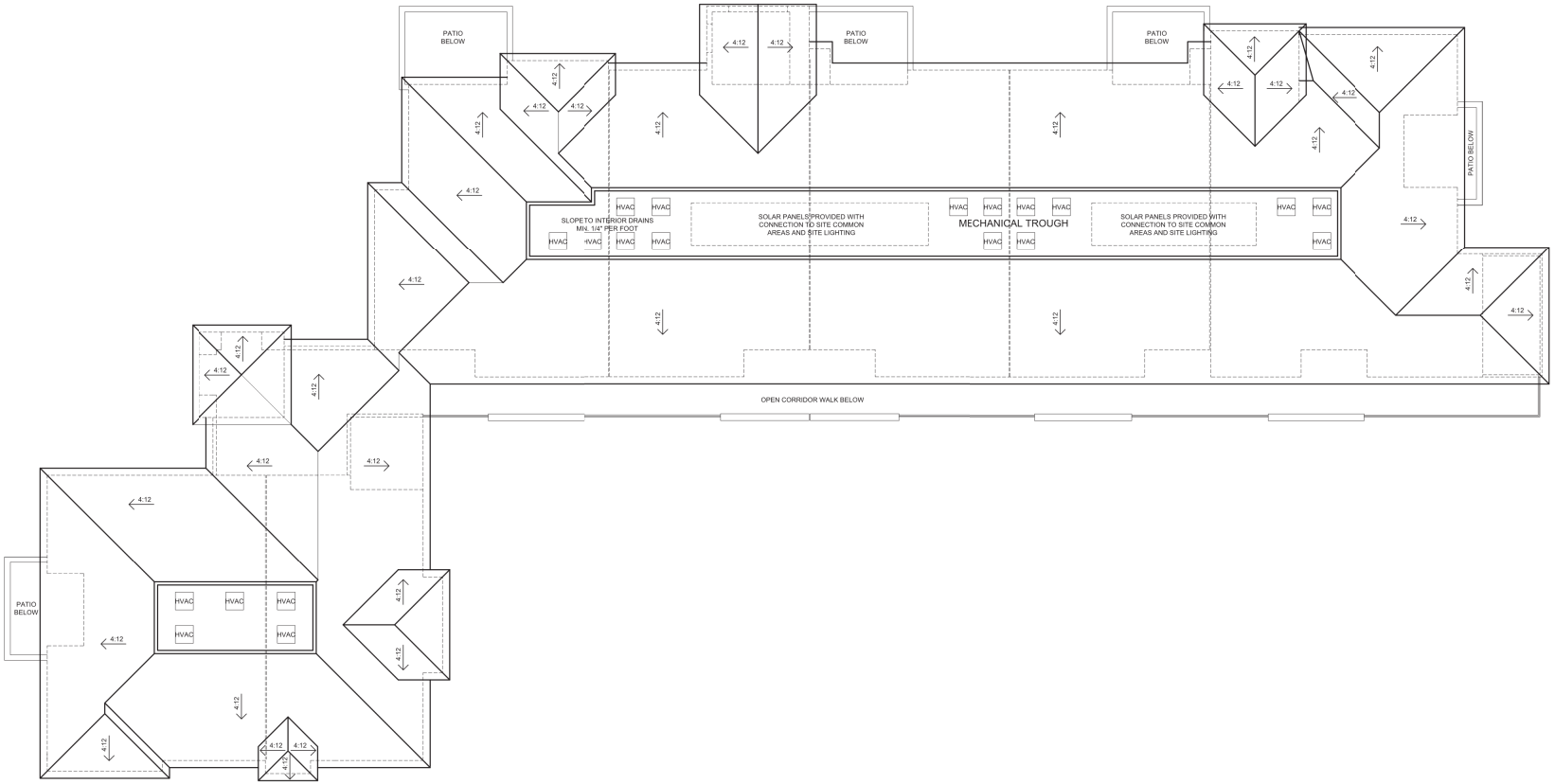
RESIDENTIAL B - LEVEL 3

A - 31



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RESIDENTIAL B - ROOF

A - 32

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW7008 - ALABASTER
- STONE VENEER OYSTER - CUT COURSE
- CLAY TILE ROOFING BROWN GRAY RANGE

KEYNOTE LEGEND

1. VINYL WINDOW SYSTEM BRONZE
2. ALUMINUM RAILING SYSTEM SW7041 - VANDYKE
3. EXTERIOR DOOR
4. METAL GUTTER
5. METAL DOWNSPOUT
6. METAL SECTIONAL GARAGE DOOR
7. EXTERIOR LIGHT FIXTURE
8. SUN SHADE LOUVERS
9. ALUMINUM STOREFRONT
10. SCREEN VINYL WINDOW SYSTEM - BRONZE

RIGHT SIDE ELEVATION

FRONT ELEVATION

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RESIDENTIAL B - ELEVATIONS

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW7008 - ALABASTER
- STONE VENEER OYSTER - CUT COURSE
- CLAY TILE ROOFING BROWN GRAY RANGE

KEYNOTE LEGEND

1. VINYL WINDOW SYSTEM BRONZE
2. ALUMINUM RAILING SYSTEM SW7041 - VANDYKE
3. EXTERIOR DOOR
4. METAL GUTTER
5. METAL DOWNSPOUT
6. METAL SECTIONAL GARAGE DOOR
7. EXTERIOR LIGHT FIXTURE
8. SUN SHADE LOUVERS
9. ALUMINUM STOREFRONT
10. SCREEN VINYL WINDOW SYSTEM - BRONZE

LEFT SIDE ELEVATION

REAR ELEVATION

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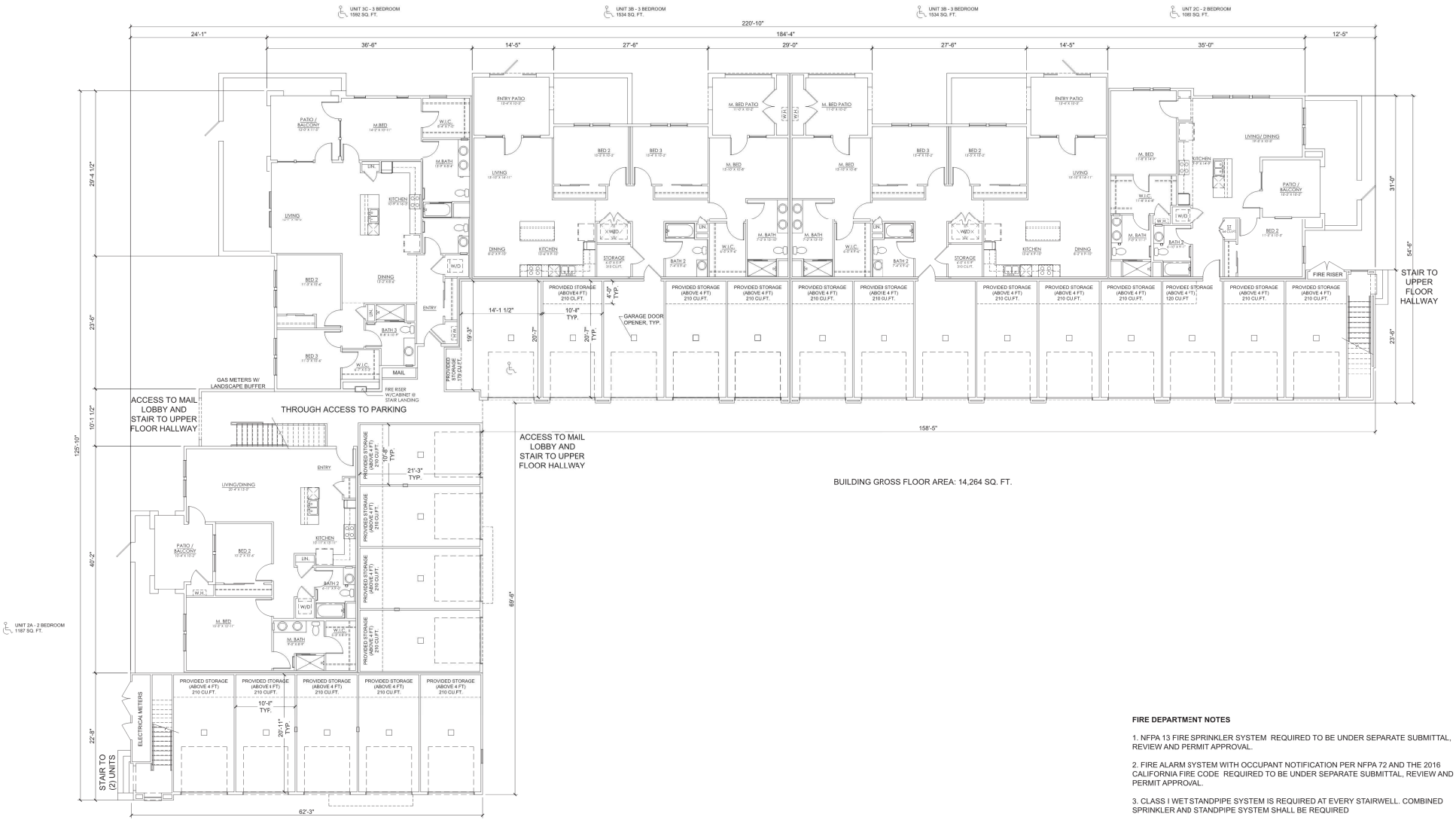
RESIDENTIAL B - ELEVATIONS



BUILDING GROSS FLOOR AREA: 14,264 SQ. FT.

FIRE DEPARTMENT NOTES

1. NFPA 13 FIRE SPRINKLER SYSTEM REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

2. FIRE ALARM SYSTEM WITH OCCUPANT NOTIFICATION PER NFPA 72 AND THE 2016 CALIFORNIA FIRE CODE REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

3. CLASS I WET STANDPIPE SYSTEM IS REQUIRED AT EVERY STAIRWELL. COMBINED SPRINKLER AND STANDPIPE SYSTEM SHALL BE REQUIRED

4. PROJECT SHALL COMPLY WITH THE OXNARD FIRE DEPARTMENT FIRE PROTECTION GUIDE REQUIREMENTS.

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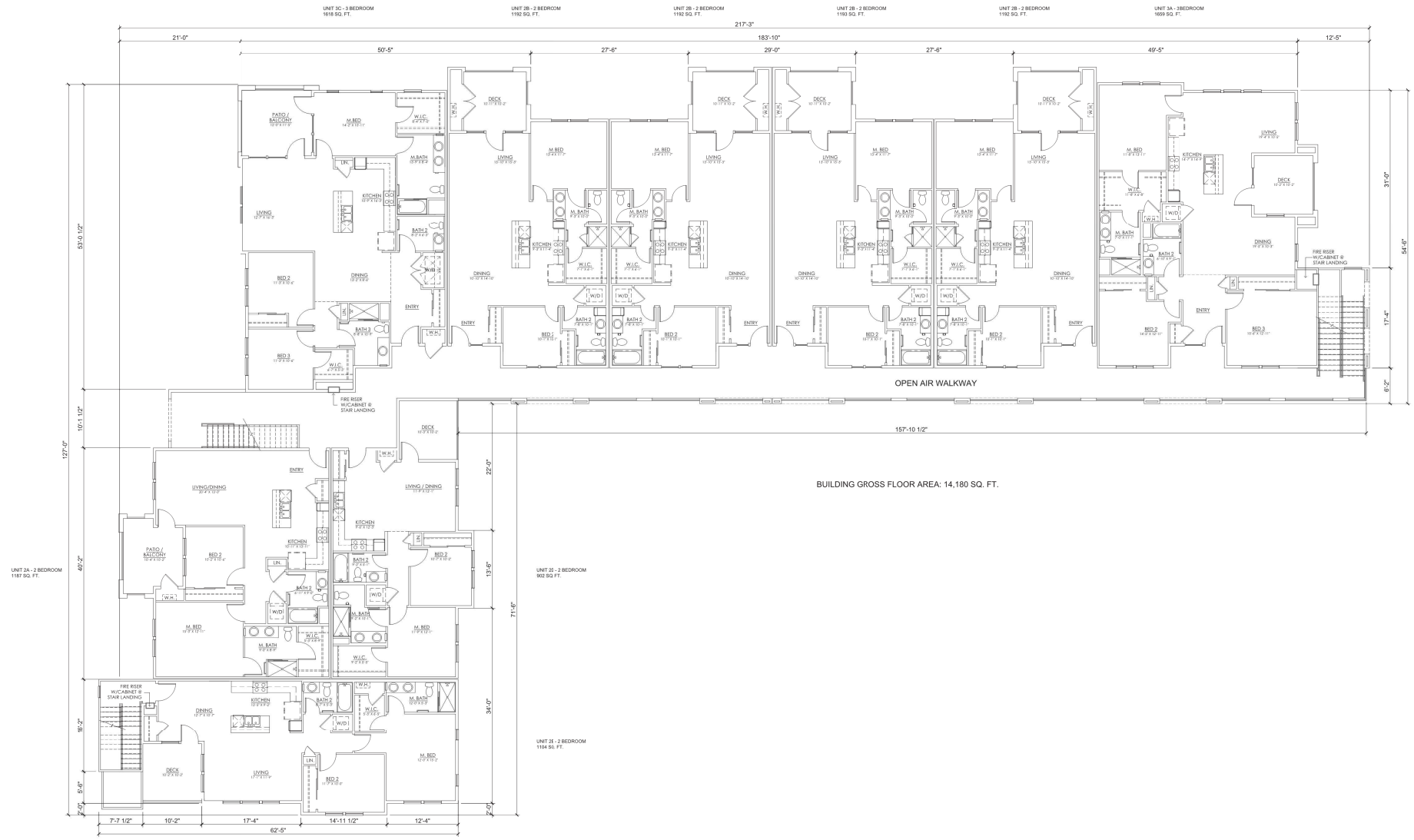
RESIDENTIAL C - LEVEL 1



BUILDING GROSS FLOOR AREA: 14,180 SQ. FT.

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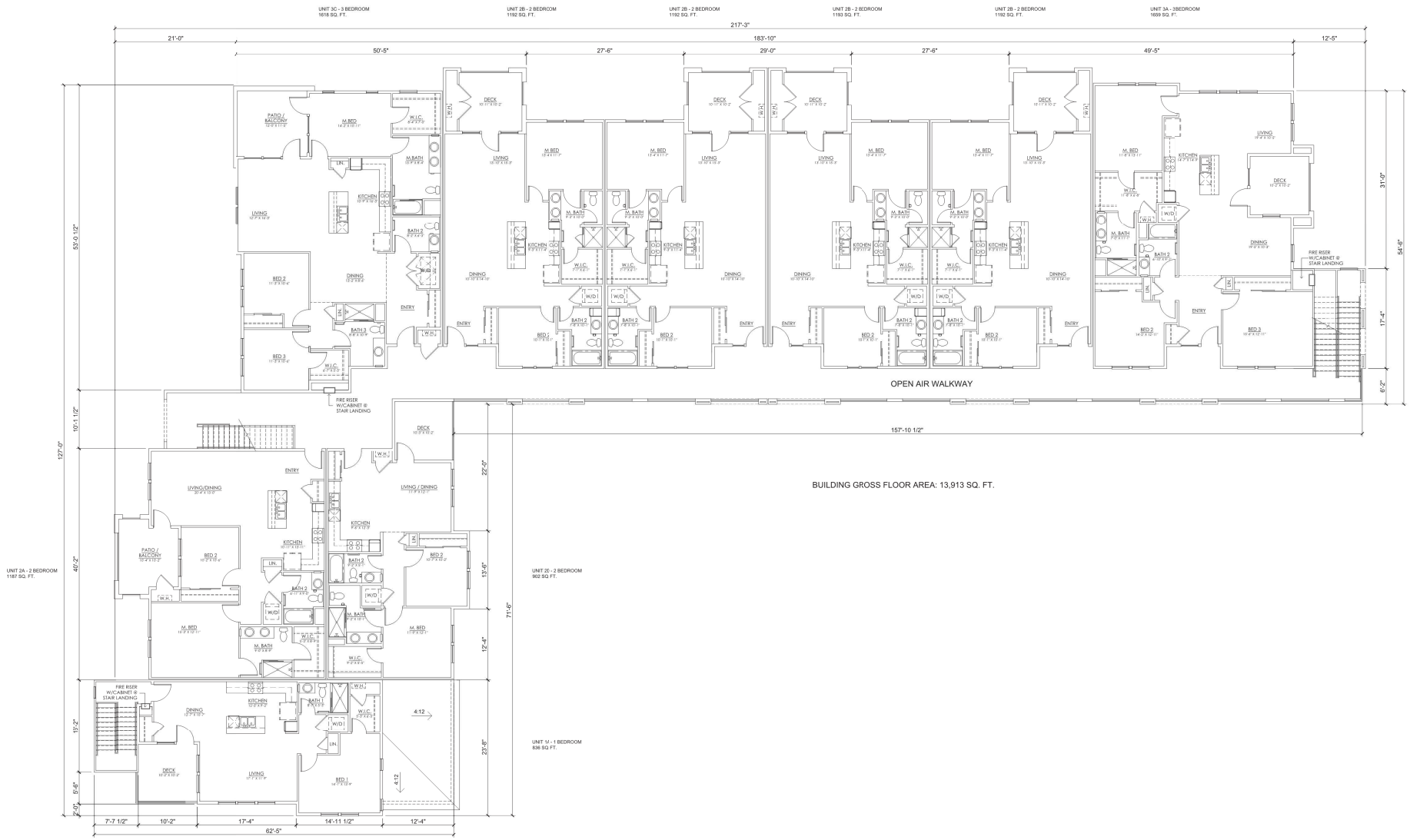
RESIDENTIAL C - LEVEL 2



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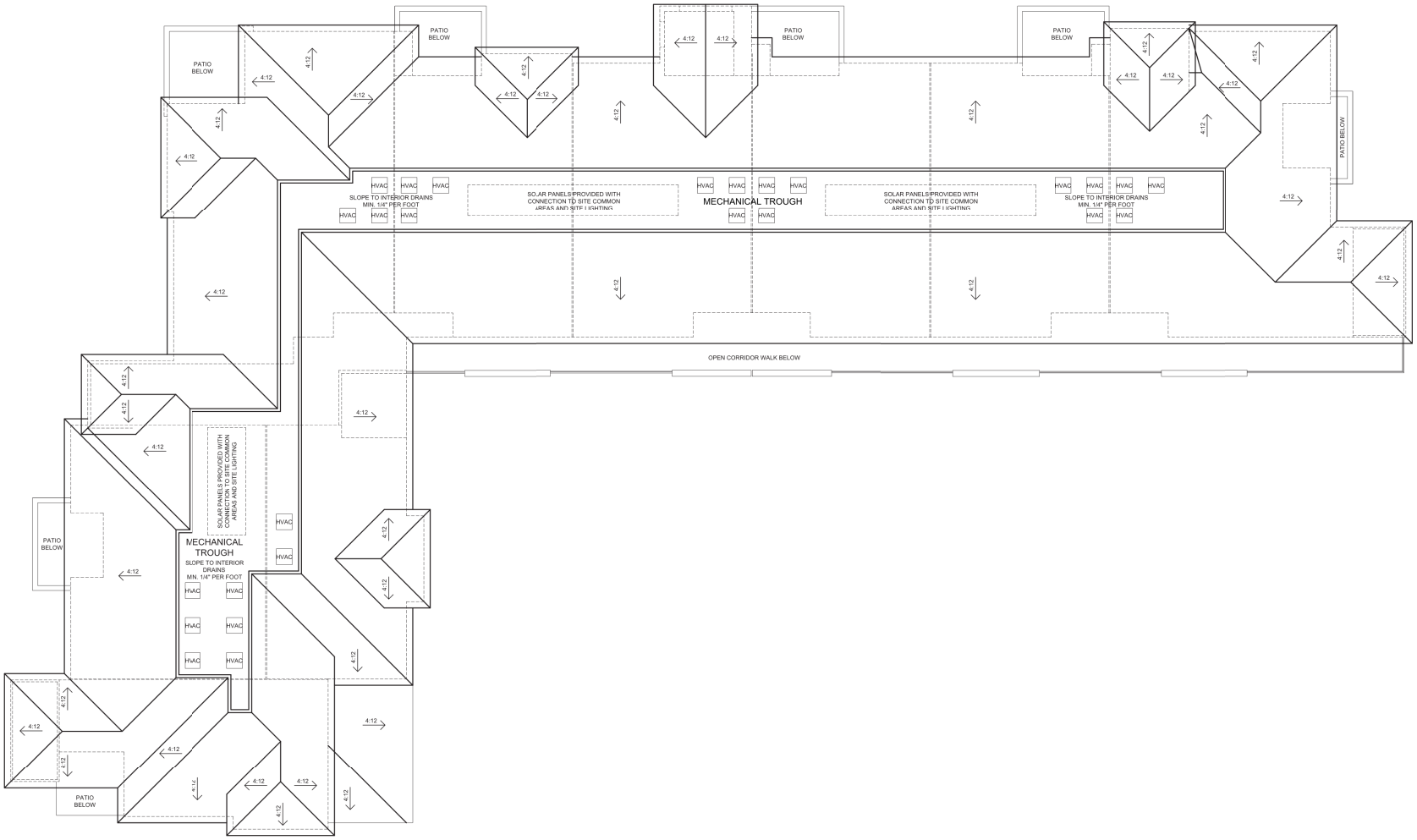
RESIDENTIAL C - LEVEL 3

A - 37



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RESIDENTIAL C - ROOF

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW7008 - ALABASTER
- STONE VENEER MADRONA - CUT COURSE
- CLAY TILE ROOFING BROWN GRAY RANGE

KEYNOTE LEGEND

1. VINYL WINDOW SYSTEM BRONZE
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7. EXTERIOR LIGHT FIXTURE
8. SUN SHADE LOUVERS
9. ALUMINUM STOREFRONT
10. SCREEN VINYL WINDOW SYSTEM - BRONZE

RIGHT SIDE ELEVATION

FRONT ELEVATION

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RESIDENTIAL C - ELEVATIONS

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW7008 - ALABASTER
- STONE VENEER MADRONA - CUT COURSE
- CLAY TILE ROOFING BROWN GRAY RANGE

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7. EXTERIOR LIGHT FIXTURE
8. SUN SHADE LOUVERS
9. ALUMINUM STOREFRONT
10. SCREEN VINYL WINDOW SYSTEM - BRONZE

LEFT SIDE ELEVATION (NORTH)

REAR ELEVATION (EAST)

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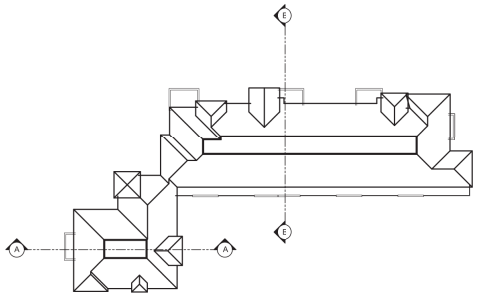
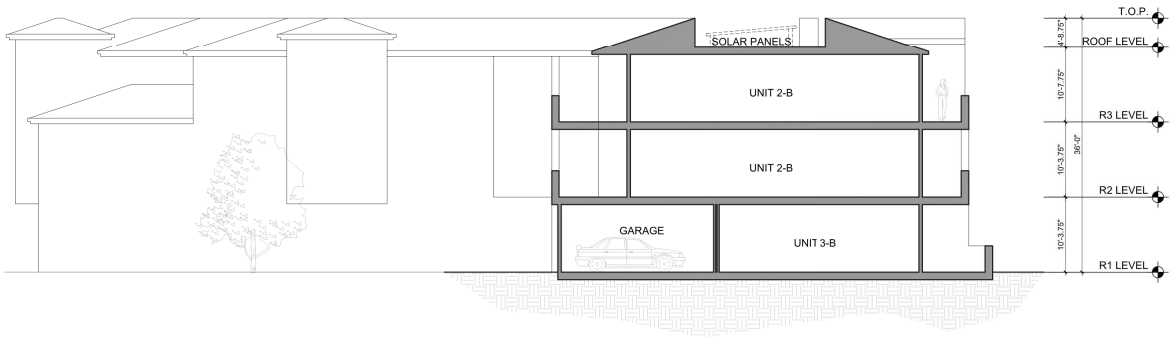
RESIDENTIAL C - ELEVATIONS

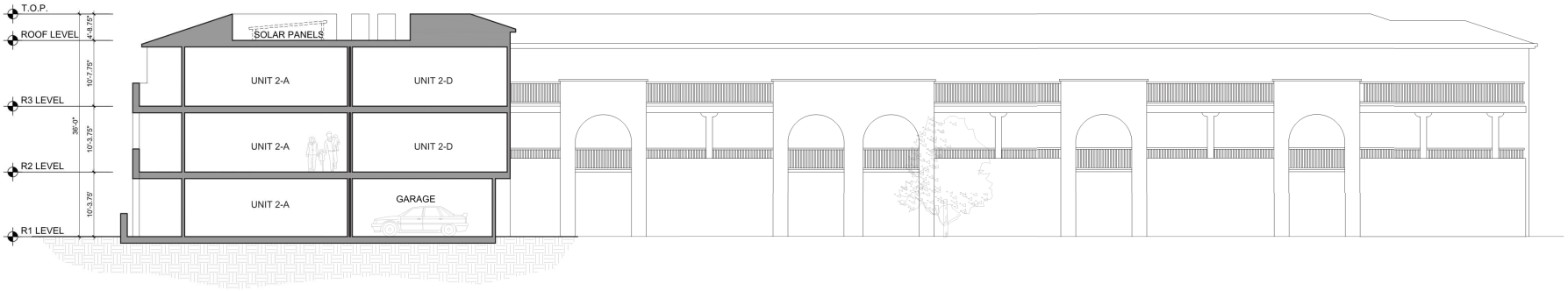


PROPOSED BUILDING HEIGHT PER ZONING
MAXIMUM 3 STORIES AND 38' W/ SUP



SECTION B-B

PROPOSED BUILDING HEIGHT PER ZONING
MAXIMUM 3 STORIES AND 38' W/ SUP



SECTION A-A

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RESIDENTIAL - SECTIONS

SITE SECTION B-B

SITE SECTION A-A

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0 5 10 20

SITE SECTIONS

1	2	3	4	5	6	7	8
Body 1 Walls	Accent 1 Doors/ Windows/ Railings	Accent 2 Garage	Trim 1 Fascia / Rafter Tails / Corbels	Trim 2 Windows/ Wall Cap	Body 2 Walls	Roof	Decorative 1
Stucco Smooth-Coat Finish	SW 7008 Alabaster	SW 7041 VanDyke	SW 7039 Virtual Taupe	SW 7041 VanDyke	Split Edge White Cloud	Cut Course Madrona	Capistrano 3687 - Brown Gray Range	Meridian Sconce 305615 LED

PAINT: SHERWIN WILLIAMS

STONE: ELDORADO

ROOFING: EAGLE ROOFING

LIGHTING: HUBARDTON FORGE

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RESIDENTIAL BUILDINGS A&B
MATERIALS SAMPLE BOARD

1	2	3	4	5	6	7	8
Body 1 Walls	Accent 1 Doors/ Windows/ Railings	Accent 2 Garage	Trim 1 Fascia / Rafter Tails / Corbels	Trim 2 Windows/ Wall Cap	Body 2 Walls	Roof	Decorative 1
Stucco Smooth-Coat Finish	SW 7008 Alabaster	SW 7041 VanDyke	SW 7039 Virtual Taupe	SW 7041 VanDyke	Split Edge White Cloud	Cut Course Oyster	Capistrano 3687 - Brown Gray Range	Meridian Sconce 305615 LED

PAINT: SHERWIN WILLIAMS

STONE: ELDORADO

ROOFING: EAGLE ROOFING

LIGHTING: HUBARDTON FORGE

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RESIDENTIAL BUILDING C
MATERIALS SAMPLE BOARD

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REC. PERSPECTIVE

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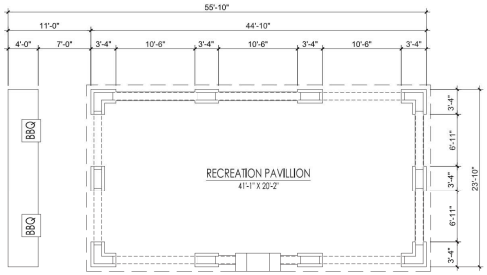
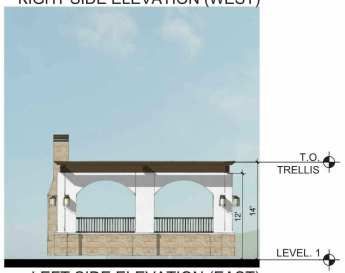
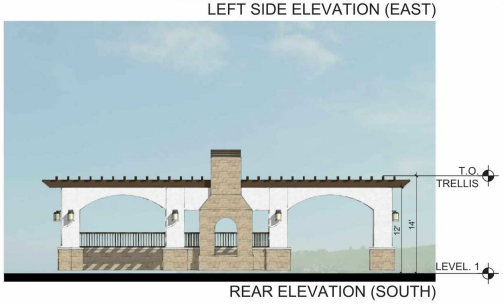
REC. PERSPECTIVE



RIGHT SIDE ELEVATION (WEST)



LEFT SIDE ELEVATION (EAST)



REAR ELEVATION (SOUTH)

FRONT ELEVATION (NORTH)

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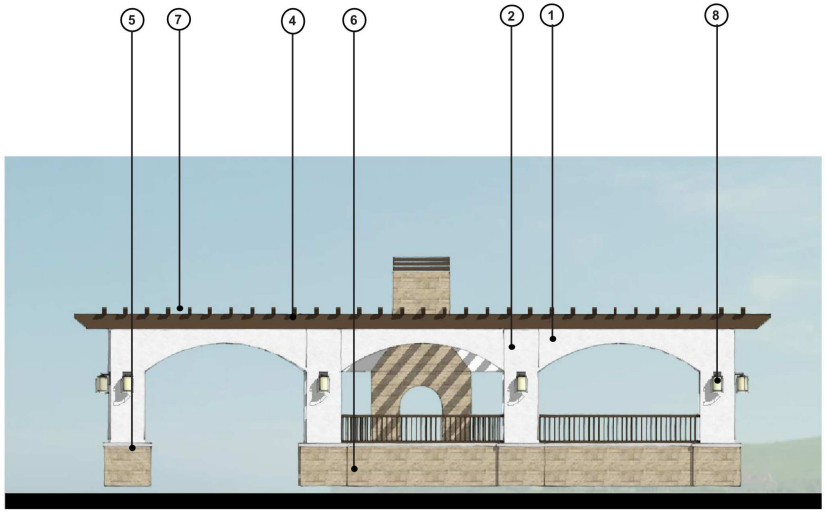
REC. PLAN & ELEVATIONS



1	2	3	4	5	6	7	8
Body 1 Walls	Accent 1 Doors/ Windows/ Railings	Accent 2 Garage	Trim 1 Fascia / Rafter Tails / Corbels	Trim 2 Windows/ Wall Cap	Body 2 Walls	Trim 3 Trellis	Decorative 1
Stucco Smooth-Coat Finish	SW 7008 Alabaster	SW 7041 VanDyke	SW 7039 Virtual Taupe	SW 7041 VanDyke	Split Edge White Cloud	Cut Course Oyster	SW 3532 Hill Country	Meridian Sconce 305615 LED

PAINT: SHERWIN WILLIAMS

STONE: ELDORADO

HEAVY TIMBER

LIGHTING: HUBARDTON FORGE

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RECREATIONAL BUILDING
MATERIALS SAMPLE BOARD

NOTE:

SOLID ROOF TO COVER ALL TRASH AND RECYCLING RECEPTACLES

FIRE SPRINKLERS TO BE PROVIDED AT UNDERSIDE OF ROOF AT TRASH AREA PER OXNARD CODE.

METAL ROOF TO MATCH TRIM 1

CHERRY STAINED WOOD ROOF STRUCTURE

GALVANIZED STEEL POSTS PAINTED TRIM 1

PEDESTRIAN ACCESS GATE

CHERRY STAINED WOOD

20/30 SAND FINISH STUCCO PAINTED TO MATCH RESIDENTIAL ON CMU WALLS

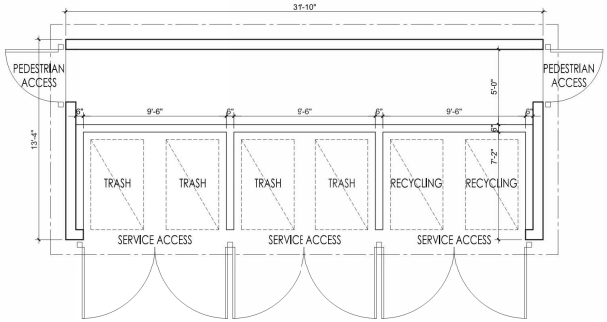
PERSPECTIVE

LEFT SIDE ELEVATION

RIGHT SIDE ELEVATION

REAR ELEVATION

FRONT ELEVATION



MAXIMUM NUMBER OF UNITS SERVED BY ONE TRASH ENCLOSURE: 46
REQUIRED MIN. 1 BIN PER 12 UNITS: 3.8
PROVIDED TRASH BINS: 4
REQUIRED MIN. 1 RECYCLING BIN PER ENCLOSURE: 1
PROVIDED RECYCLING BINS: 2

TYPICAL TRASH & RECYCLING PLAN

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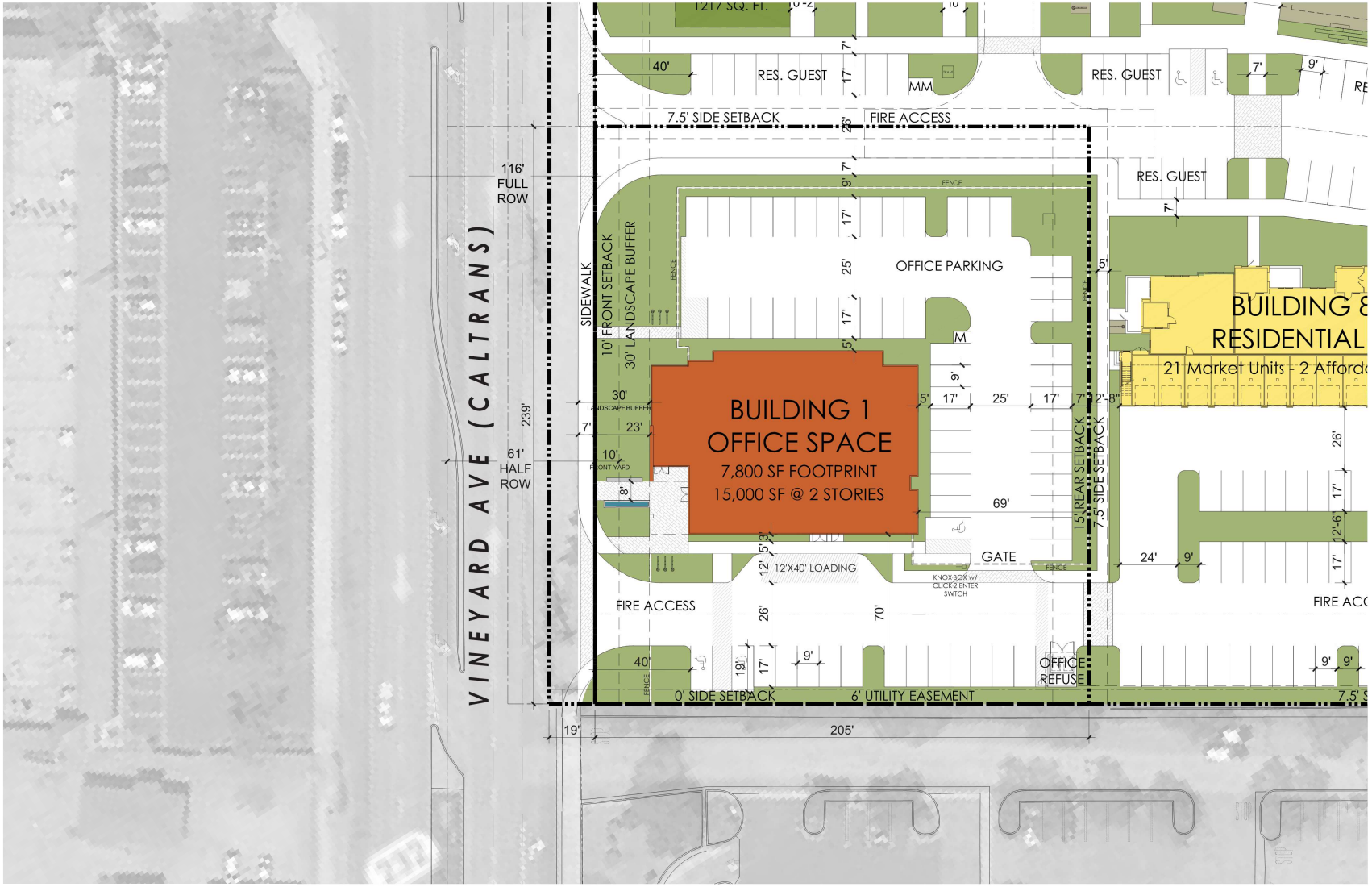
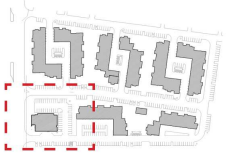
RESIDENTIAL
TRASH & RECYCLING





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ARCHITECTURAL SITE PLAN

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OFFICE PERSPECTIVE

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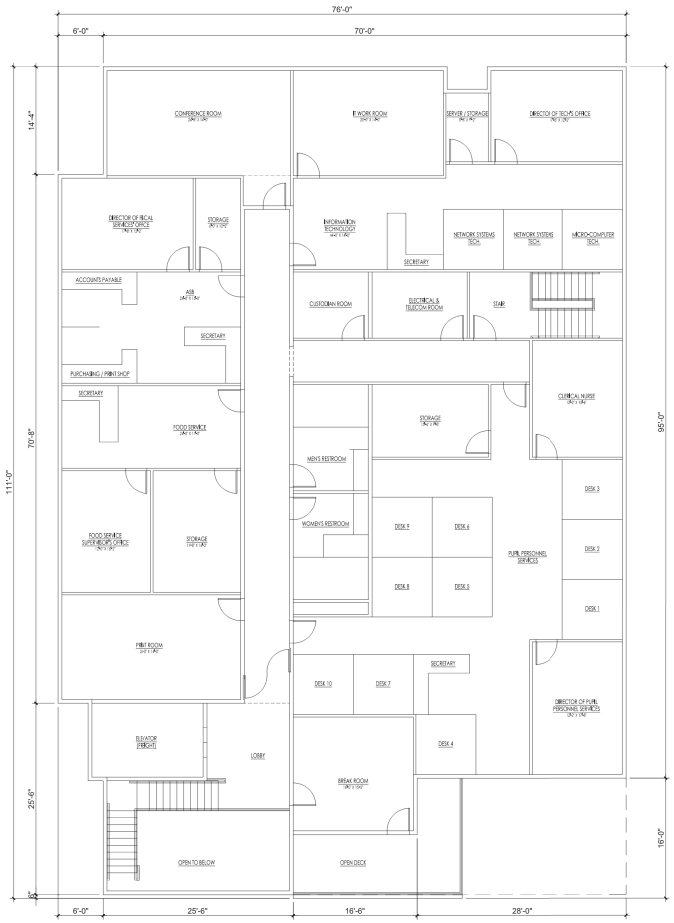
OFFICE PERSPECTIVE

OFFICE LEVEL 1



OFFICE LEVEL 2

TRASH & RECYCLING NOTES

1. TRASH & RECYCLING WILL BE MOVED BY BUILDING STAFF FROM INTERIOR CENTRAL COLLECTION POINT TO ON SITE EXTERNAL OFFICE REFUSE LOCATION FOR PICK UP

FIRE DEPARTMENT NOTES

1. NFPA 13 FIRE SPRINKLER SYSTEM REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

2. FIRE ALARM SYSTEM WITH OCCUPANT NOTIFICATION PER NFPA 72 AND THE 2016 CALIFORNIA FIRE CODE REQUIRED TO BE UNDER SEPARATE SUBMITTAL, REVIEW AND PERMIT APPROVAL.

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2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

0 4 8 16

OFFICE - PLANS

MATERIAL LEGEND

- EXTERIOR CEMENT PLASTER SW6105 - DIVINE WHITE
- EXTERIOR CEMENT PLASTER SW7066 - GRAY MATTERS
- STONE VENEER WHISPER WHITE - RIDGETOP18
- EXTERIOR CEMENT PLASTER SW7068 - GRIZZLE GRAY
- EXTERIOR CEMENT PLASTER SW7019 - GUNTLET GRAY

KEYNOTE LEGEND

1. ALUMINUM WINDOW SYSTEM GRIZZLE GREY FINISH
2. GLASS RAILING SYSTEM
3. EXTERIOR DOOR
4. EXTERIOR LIGHT FIXTURE
5. SUN SHADE LOUVERS
6. ALUMINUM STOREFRONT GRIZZLE GREY FINISH
7. PEDESTRIAN LEVEL OFFICE SIGNAGE 8'X3' METAL W/ BACK LIGHTING
8. BUILDING LEVEL OFFICE SIGNAGE 6'X10' METAL W/ BACK LIGHTING
9. HISTORIC EL RIO BELL INSET INTO WALL W/ LIGHTING

REAR ELEVATION (EAST)

RIGHT SIDE ELEVATION (SOUTH)

FRONT ELEVATION (WEST)

LEFT SIDE ELEVATION (NORTH)

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PACIFIC WEST COMMUNITIES
460 East State Street, Suite 100
Eagle, Idaho 83616

RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
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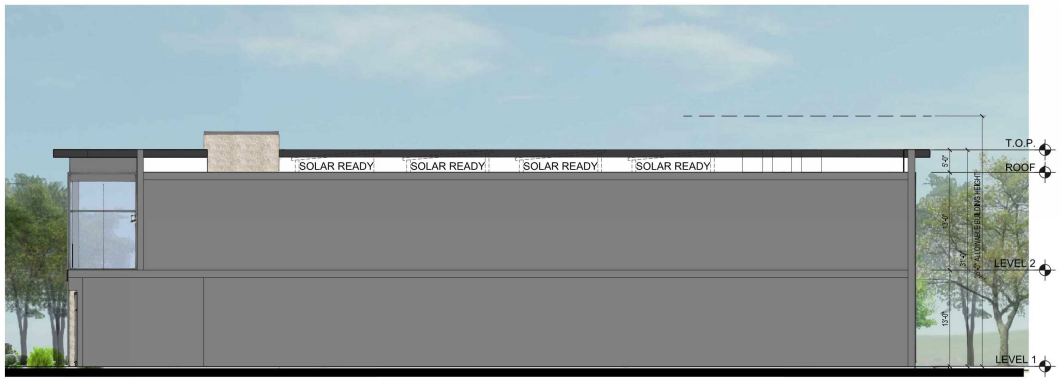
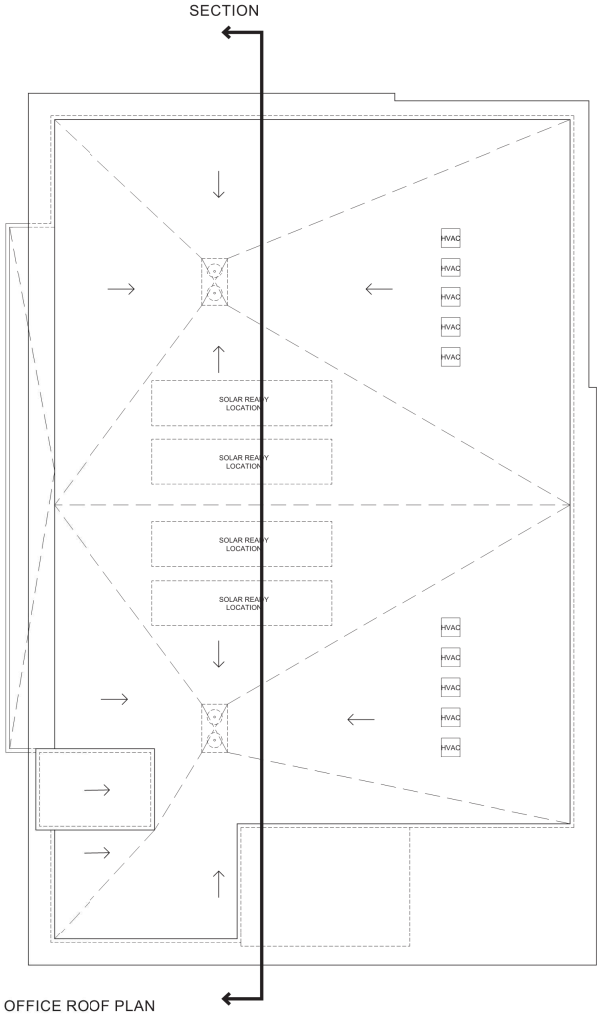
0 4 8 16

OFFICE - ELEVATIONS



OFFICE BUILDING SECTION



OFFICE ROOF PLAN

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OFFICE - ROOF PLAN AND SECTION

1	2	3	4	5	6	7	8	9	10
Body 1 Walls	Accent 1 Under Windows	Accent 2 Walls	Accent 3 Sun Shading/ Column	Trim 1 Windows / Doors/ Railing Base	Accent 4 Roof Cap	Body 2 Walls	Glass Railing Balcony	Aluminum Storefront	Decorative 1
Stucco 20/30 Sand Finish	SW 6105 Divine White	SW 7066 Gray Matters	SW 7019 Guntlet Gray	SW 7018 Dovetail	SW 7068 Grizzle Gray	SW 6991 Black Magic	Ridgetop Whisper White	Tempered Glass	Trim 1 - Grizzle Gray	Vessel - Brushed Aluminum LED

PAINT: SHERWIN WILLIAMS

METAL DETAILS

METAL ROOFING

STONE: ELDORADO

LIGHTING: MODERN FORM

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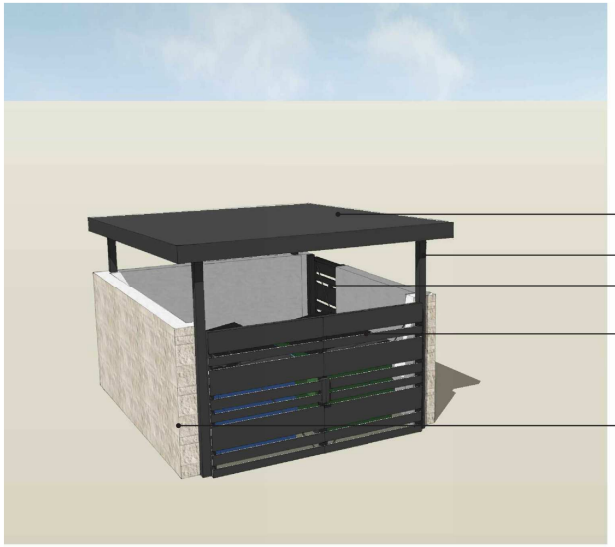
Eagle, Idaho 83616

RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

OFFICE BUILDING
MATERIALS SAMPLE BOARD



PERSPECTIVE

NOTE:

SOLID ROOF TO COVER ALL TRASH AND RECYCLING RECEPTACLES

FIRE SPRINKLERS TO BE PROVIDED AT UNDERSIDE OF ROOF AT TRASH AREA PER OXNARD CODE.

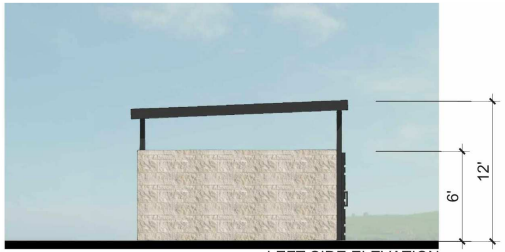
METAL ROOF TO MATCH OFFICE ROOF TRIM

GALVANIZED STEEL POSTS PAINTED TRIM 1

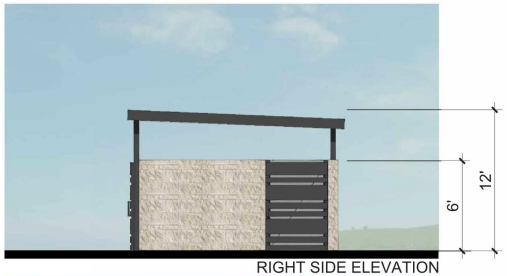
PEDESTRIAN ACCESS GATE

STAINED WOOD TO MATCH OFFICE ROOF TRIM

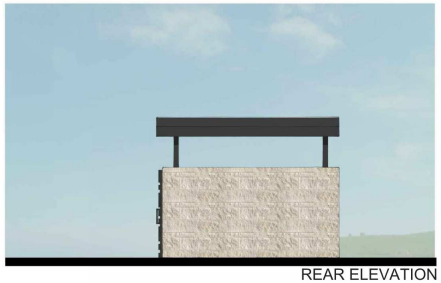
STONE WALLS TO MATCH OFFICE BODY 2 WALLS / RIDGETOP WHISPER WHITE ON EXTERIOR



LEFT SIDE ELEVATION

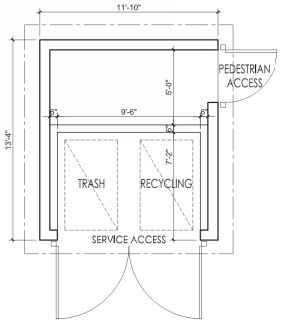


RIGHT SIDE ELEVATION



REAR ELEVATION

FRONT ELEVATION



PROVIDED TRASH BINS: 1
REQUIRED MIN. 1 RECYCLING BIN PER ENCLOSURE: 1
PROVIDED RECYCLING BINS: 1

OFFICE TRASH & RECYCLING PLAN

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RIO URBANA COMMUNITY
2714 East Vineyard Avenue
Oxnard, California KTGY# 2016-0587
APN: 145-0-231-015

DAC RESPONSE SUBMITTAL
MAY 2, 2019

OFFICE
TRASH & RECYCLING

ATTACHMENT C

Final Initial Study/Mitigated Negative Declaration (MND) No. 2017-04

Rio Urbana Project

Initial Study-Mitigated Negative Declaration

prepared by

City of Oxnard
Community Development Department
Planning Division
214 South C Street
Oxnard, California 93030
Contact: Chris Williamson, AICP

prepared with the assistance of

Rincon Consultants, Inc.
1530 Monterey Street, Ste. E
San Luis Obispo, California 93401

September 2019

RINCON CONSULTANTS, INC.
Environmental Scientists | Planners | Engineers
rinconconsultants.com

Table of Contents

City of Oxnard CEQA Initial Study Checklist....1
Project Title....1
Lead Agency Name and Address:....1
City of Oxnard Contact Person and Phone Number....1
Project Location....1
Co-Applicants....1
Project Contacts....1
Oxnard General Plan Designation....1
Oxnard Zoning....1
Project Description....1
Surrounding Land Uses and Setting....2
Other Public Agencies Whose Approval is Required....2
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code 21080.3.1?....3
Project Plans....3
Appendices....3
Environmental Factors Potentially Affected....9
Determination....10
Evaluation of Environmental Impacts....11
Issue Topics....13
I. Aesthetics and Urban Design....13
II. Agricultural Resources....17
III. Air Quality....19
IV. Biological Resources....25
V. Climate Change and Greenhouse Gas Emissions....29
VI. Cultural and Tribal Cultural Resources....33
VII. Geology and Soils....35
VIII. Hazards and Hazardous Materials....39
IX. Hydrology and Water Quality....41
X. Land Use and Planning....47
XI. Mineral Resources....49

XII. Noise 51
XIII. Population, Education, and Housing 57
XIV. Public Services and Recreation 61
XV. Transportation and Circulation 65
XVI. Utilities and Energy 73
XVII. Cumulative Impacts 81
References 83

Tables

Table 1 Federal and State Ambient Air Quality Standards 20
Table 2 Ambient Air Quality Data at the El Rio Monitoring Station 21
Table 3 Summary of Existing Plus Project Traffic Noise Levels 53
Table 4 Existing Peak Hour Levels of Service 66
Table 5 Project Trip Generation 67
Table 6 Existing plus Project Peak Hour Levels of Service 67
Table 7 Approved and Pending Projects (Cumulative Development) Trip Generation 68
Table 8 Cumulative Peak Hour Levels of Service 69
Table 9 Cumulative plus Project Peak Hour Levels of Service 70

Figures

Figure 1 Project Location and Planning Area Boundaries 4
Figure 2 Project Site and City Land Use Designations 5
Figure 3 Project Site and Existing County Zoning 6
Figure 4 Proposed Site Plan 7

Attachments

Attachment 1 Response to Comments on the Initial Study
Attachment 2 Mitigation Monitoring and Reporting Plan (MMRP)

CITY OF OXNARD CEQA INITIAL STUDY CHECKLIST

Project Title: Rio Urbana Project (Tentative Subdivision Map No. 5998)

Lead Agency Name and Address:
City of Oxnard
Community Development Department
Planning Division
214 S. C Street
Oxnard, California 93030

City of Oxnard Contact Person and Phone Number:
Chris Williamson, AICP, Contract Planner
(805) 385-8156

Project Location:
2714 East Vineyard Avenue and Rio School Lane
Assessor's Parcel Number (APN) 145-0-232-01

Co-Applicants:
El Rio School District
2500 East Vineyard Avenue
Oxnard, California 93036

The Pacific Companies
430 East State Street, Suite #100
Eagle, Idaho 83616

Project Contacts:
Tony Talamante, P.E.
Caleb Roope

Oxnard General Plan Designation: SCH – School

Oxnard Zoning: N/A – Unincorporated (County of Ventura)

Project Description: The proposed project includes demolition of the existing school buildings onsite (formerly El Rio Elementary School) and subdivision of the approximately 10.5 acre parcel into two parcels. The project would develop 167 condominium units in eight, three-story buildings that include a fitness center and 17 low income deed-restricted units on the 9.12-acre parcel, as well as a two-story, 15,100 square foot office building on the 1.12-acre parcel. This office development is intended for use as relocated Rio School District administrative offices. The project would also include widening of Vineyard Avenue, associated parking, open space, landscaping, and amenities for on-site residents. The residential units would be made up of one- to three-bedroom attached units. The residential and office structures would have a maximum height of 38 feet. The residential portion of the project would include 431 parking spaces consisting of 169 resident garages, 163 parking spaces, and 99 guest parking spaces.

The office portion of the project would include 60 standard parking spaces. Resident amenities include a 1,068 square foot recreation pavilion, four refuse structures, six play areas and a tot lot, and a dog run.

Rio School Lane would be vacated by the County of Ventura with current access and parking for adjoining properties, maintained. This roadway will be included as a private street within the annexation to the City of Oxnard, and will include a 7-foot wide sidewalk to connect existing access points from the adjacent residential area to Vineyard Avenue and its sidewalk. The project site would be accessed by three driveways from Vineyard Avenue. Internal circulation would accommodate fire and emergency access, and solid waste collection vehicles.

The project would require the following entitlements:

1. Annexation to the City of Oxnard (PZ 17-610-01)
2. Oxnard General Plan Amendment (PZ 17-620-01) to change the land use designation from School to Commercial General
3. Pre-Zoning to C-2-PD (PZ 17-560-01)
4. Tentative Subdivision Map that creates two parcels (Parcel 1 on 1.12 acres and Parcel 2 on 9.12 acres; PZ 17-300-03) and 167 condominium parcels
5. Special Use Permit (PZ 17-500-05) for development of an office building on Parcel 1
6. Special Use Permit (PZ 17-500-13) for three-story (38 feet high(residential use on Parcel 2
7. Issuance of a Density Bonus (PZ 17-535-02) for provision of three additional units (a 2% density bonus, out of the 20% that is allowable) and reduction in interior yard space from 30 percent to 24 percent

Surrounding Land Uses and Setting: The project site is location within the El Rio community in unincorporated County of Ventura north of the City of Oxnard. The site is bordered by the following land uses:

- North – CG- Commercial General, RL-Low Residential
- East – RL-Low Residential; eight-acre greenhouse and agriculture use which is designated in the Ventura County 2014-2021 Housing Element for affordable housing at 20 units per acre
- South – CG- Commercial General
- West – CG-Commercial General, RL-Low Residential

The project site is a 10.49 acre parcel developed with Rio School Lane and vacant buildings (cafeteria, administration, classrooms, and two portable buildings) that were formerly the El Rio Elementary School campus, closed since 2008. Portions of the site are currently utilized as parking and dispatch for school buses and storage.

The project site is shown in the context of the City's planning area boundaries on Figure 1. Figure 2 shows the project site boundary as well as the City's 2030 General Plan land use designations for the site and surrounding properties. Figure 3 shows the project site boundary as well as the existing County of Ventura zoning designations. Figure 4 shows the proposed site plan for the project.

Other Public Agencies Whose Approval is Required:

- *Ventura Local Agency Formation Commission* – Annexation to the City of Oxnard and Annexation to the Calleguas Municipal Water District;~~,~~ Detachment from the Ventura County Resource Conservation District, Ventura County Fire Protection District, and Ventura County Service Area No. 32~~ of Ventura~~

- *California Department of Transportation* – Approval of Vineyard Avenue (State Route 232) improvements
- *County of Ventura* – Vacation of Rio School Lane, Detachment from County of Ventura service areas and districts
- *Calleguas Municipal Water District and Metropolitan Water District of Southern California*– Annexation
- *Fox Canyon Groundwater Management Agency* – Transfer of allocations for groundwater use ~~well rights/entitlements~~
- *Ventura County Watershed Protection District* – Stormwater runoff compliance and permitting

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code 21080.3.1?

[Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.]

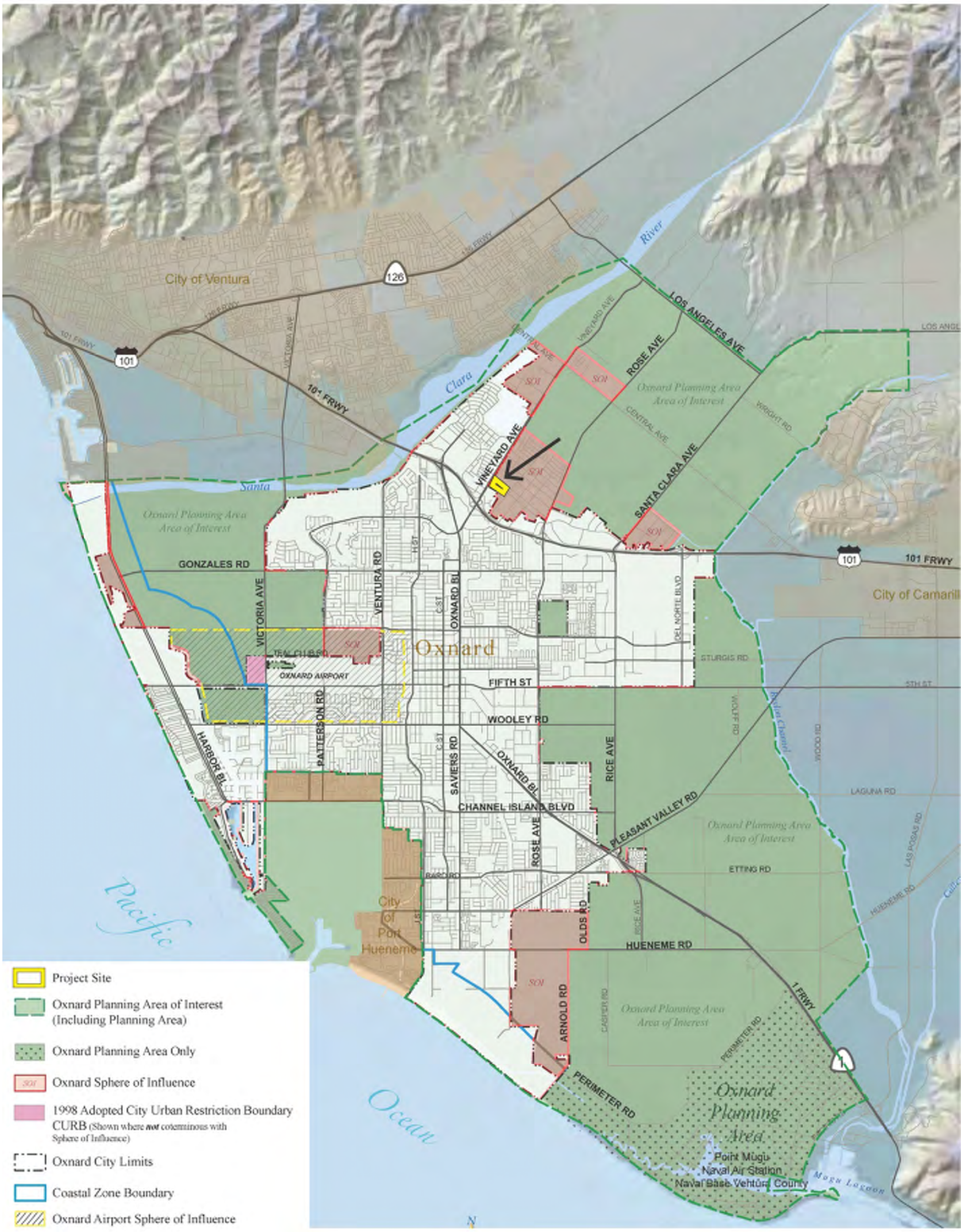
Project Plans:

Tentative Subdivision Map No. 5998
Civil Site Plan
Architectural Site Plan
Project Plans
Landscape Plan

Appendices:

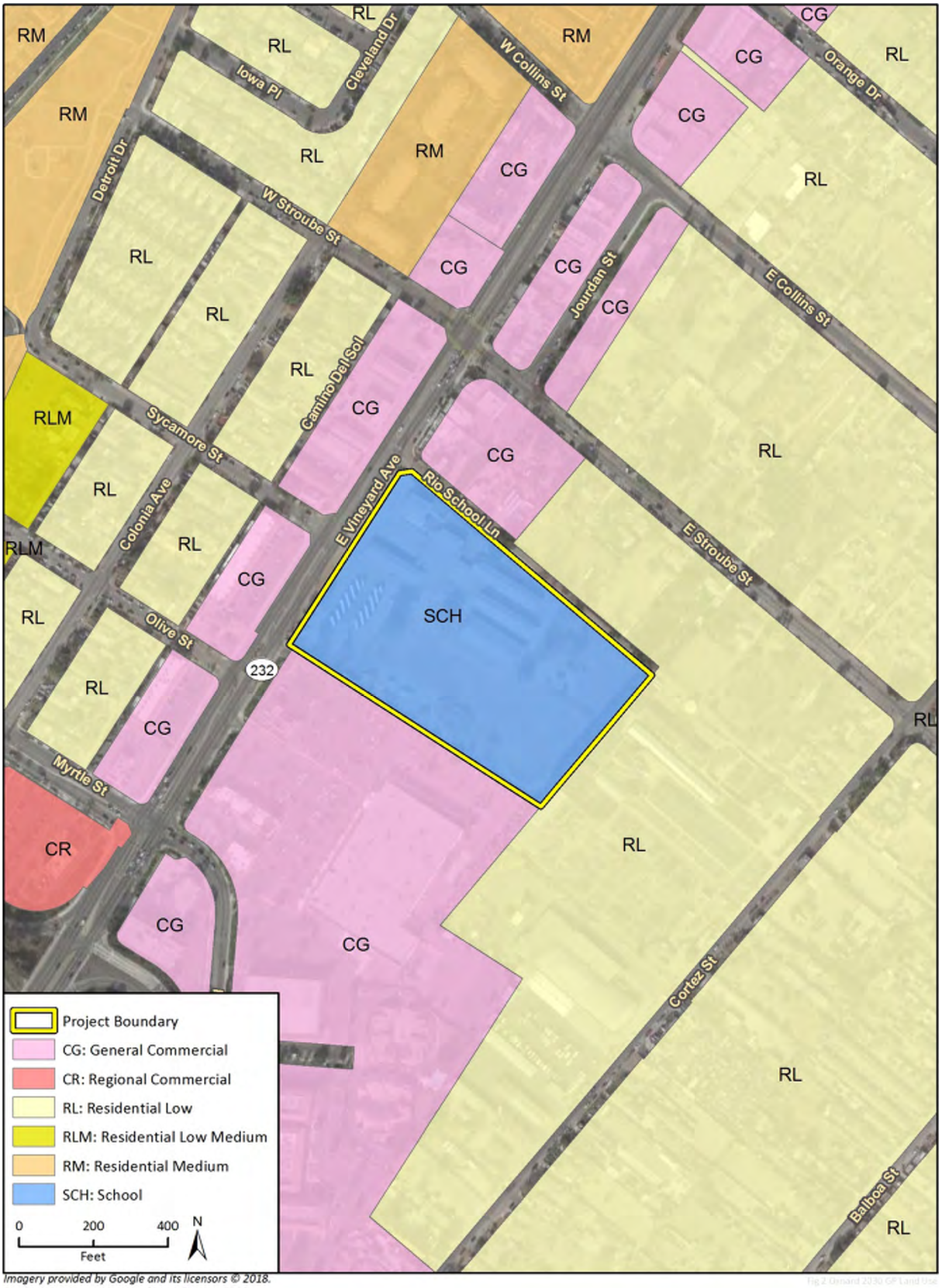
Appendix A – Air Quality Study
Appendix B – Health Risk Assessment of Diesel Emissions
Appendix C – Biological Assessment Report
Appendix D – Climate Change and Greenhouse Gas Study
Appendix E – Phase I Cultural Resource Assessment and Paleontological Resources Assessment
Appendix F – MS4 Compliance and Onsite Drainage Letter
Appendix G – Noise Study
Appendix H – Revised Traffic and Circulation Study
Appendix I – Wet Utility Preliminary Investigation and Domestic Water Supply and Demand Memorandum

Figure 1 Project Location and Planning Area Boundaries



Source: City of Oxnard, 2010.

Figure 2 Project Site and City Land Use Designations



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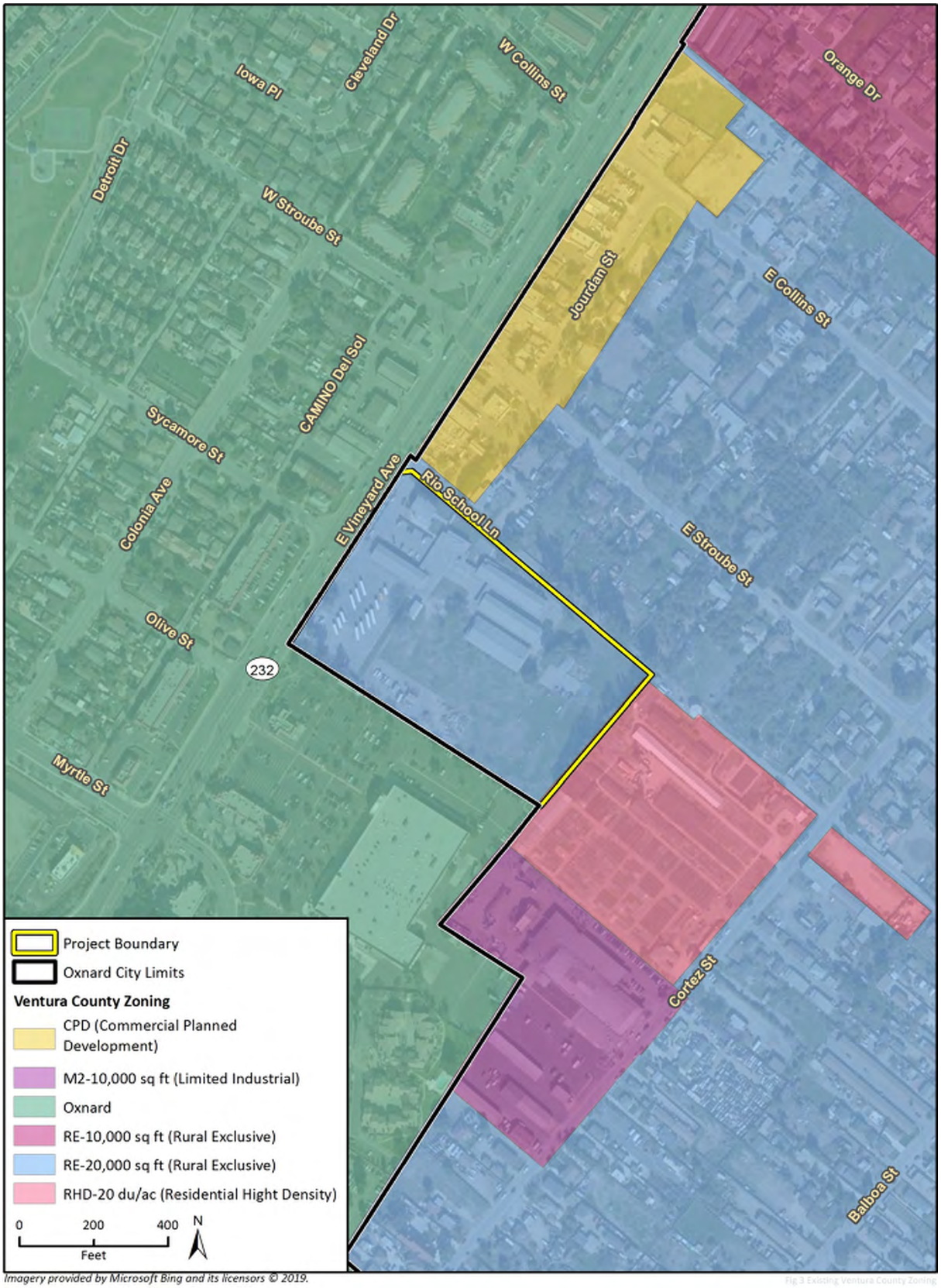
Additional data provided by City of Oxnard, 2011.

Figure 3 Project Site and Existing County Zoning



Imagery provided by Microsoft Bing and its licensors © 2019.
Additional data provided by Ventura County, 2018.

Fig 3 Existing Ventura County Zoning

Figure 4 Proposed Site Plan

Source: ktgy Architecture + Planning 2019

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Environmental Factors Potentially Affected

☐ Aesthetics and Urban Design	☐ Climate Change and Greenhouse Gas Emissions	■ Hydrology and Water Quality	☐ Population, Education, and Housing
☐ Agricultural Resources	■ Cultural Resources and Tribal Cultural Resources	☐ Land Use and Planning	☐ Public Services and Recreation
☐ Air Quality	☐ Geology and Soils	☐ Mineral Resources	☐ Transportation and Circulation
■ Biological Resources	☐ Hazards and Hazardous Materials	■ Noise	■ Utilities and Energy

DETERMINATION:

On the basis of this initial evaluation:

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

■ I find that although the proposed 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 by 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** 7.18.19

Printed Name Isidro Figueroa **For** _____

EVALUATION OF ENVIRONMENTAL IMPACTS

1. When the answer to a checklist question is “yes”, either the “Potentially Significant Impact” or “Less than Significant Impact with Mitigation Incorporated” box will typically be checked. When the answer to a checklist question is “no,” either the “Less than Significant Impact” or “No Impact” box will typically be checked.

2. 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).

3. 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.

4. 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 typically required.

5. "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," as described in (5) below, may be cross-referenced).

6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (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.

7. 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.

8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

9. The explanation of each issue should identify:

   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

Issue Topics

I. Aesthetics and Urban Design	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?	☐	☐	■	☐
2. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?	☐	☐	■	☐
3. Would the project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents?	☐	☐	■	☐
4. Would the project add to or compound an existing negative visual character associated with the project site?	☐	☐	■	☐
5. Would the project create a source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	■	☐

1. The project site is currently developed with Rio School Lane and vacant buildings that were formerly the El Rio Elementary School campus. The existing school development does not constitute the type of urban landscape considered an important aesthetic resource in the City's 2030 General Plan. Therefore, changes to the appearance of the site from surrounding viewpoints due to the project would not result in an adverse effect on a scenic vista. No ocean, mountain, or other identified scenic views are provided from or through the site due to the existing development on the site. Therefore, redevelopment of the project site resulting in greater development density and intensity

than the existing condition would not have a substantial adverse effect on any identified scenic vistas. This impact would be less than significant.

2. According to the California Department of Transportation (Caltrans) Designated Scenic Highway Route Map for Ventura County, the nearest Eligible State Scenic Highway to the project site is United States Highway 101 (U.S. 101). However, U.S. 101 is not officially designated as a State Scenic Highway and does not provide views of the project site due to intervening development and vegetation. According to Section 5.3.2 of the Background Report for the 2030 General Plan, Vineyard Avenue between Los Angeles Avenue and Patterson Road, from which the project site is visible, is included in the City's designated Scenic Highway/Roadway System. According to 2030 General Plan Goal CD-9.4, View Corridor Preservations, a landscaped buffer corridor of at least 30 feet deep is required along designated scenic corridors and other major transportation corridors. Views of the site from Vineyard Avenue are dominated by the existing development of the former El Rio Elementary School campus and current utilization for school bus parking and storage. No scenic resources are prominently visible onsite from Vineyard Avenue. Additionally, in compliance with 2030 General Plan Goal CD-9.4, the project has been designed with a 30-foot landscaped setback from the public right-of-way on Vineyard Avenue. With this design provision, the project would not result in substantial damage to scenic resources within a state or local scenic route. This impact would be less than significant.

3,4. The project site currently possesses a generally urban character due to the existing one- and two-story buildings comprising the former El Rio Elementary School campus onsite. The site is located in a developed portion of the County of Ventura's unincorporated El Rio community along East Vineyard Avenue and adjacent to the City of Oxnard, with surrounding uses consisting of various residential and general commercial uses that are similar in character. The proposed condominium residential units and amenities would be a maximum of three stories or 38 feet in height and would provide front, rear, and side setbacks, consistent with the proposed City of Oxnard C-2 zoning designation and R-3 development standards for residential development in the C-2 zone. The office building would be two stories and 35 feet in height. The proposed buildings would be designed to complement the urban character of surrounding uses. The proposed development would also include open space and landscaping features around new buildings to enhance the visual character, pursuant to 2030 General Plan Goal CD-9.4, and is subject to the City's design review process to ensure consistency with the City's goals, policies, and design guidelines. Therefore, as proposed, the project would be visually compatible with the character and quality of the surrounding urban development and consistent with City visual resource policies. This impact would be less than significant.

5. The project site currently contains facilities of a former elementary school that provide lighting and potential sources of glare on the site. Nighttime lighting sources also exist along East Vineyard Avenue in the vicinity of the site. New sources of lighting associated with the project would include security and street lighting typical of the surrounding residential and commercial development and would comply with Section 16-320 of the Oxnard Municipal Code, which specifies on-site lighting requirements that are applicable in all zones of the City. Exterior building materials would consist of non-reflective, textured surfaces and non-reflective, glazed glass on the building. The project would not include any sources of high-intensity lighting. As a standard condition of approval, all proposed

lighting would be subject to the City's review and approval process, which would include the preparation of a photometric plan for the project. Due to the existing ambient light conditions in the surrounding area as well on the project site, the proposed use of non-reflective building materials, and compliance with the City's lighting requirements and review processes, the project would not create a source of substantial light or glare that would adversely affect day or nighttime views in the area. This impact would be less than significant.

Cumulative Impact Analysis: The project would establish new residential and office uses on a previously developed site in an urban area resulting in no direct or indirect adverse project-level impacts, or contribution to cumulative impacts to aesthetic and visual resources. With incorporation of standard conditions of approval for compliance with City lighting requirements, impacts of the project with respect to glare and lighting would not be cumulatively considerable.

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II. AGRICULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☐	■
2. Would the project conflict with existing zoning for agricultural use or an existing Williamson Act contract?	☐	☐	☐	■
3. Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use?	☐	☐	☐	■

1,2. According to the California Department of Conservation (DOC) Ventura County Important Farmland 2016 and Ventura County Williamson Act FY 2015-2016 maps, the project site and surrounding properties consist entirely of Urban and Built-up Land. The project would not covert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use or conflict with land placed under an existing Williamson Act contract. There would be no impacts associated with conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, or conflicts with existing zoning for agricultural use or an existing Williamson Act contract.

3. The project would result in new urban development on an infill site that is already developed with urban uses. The site and surrounding properties do not contain any farmland or other agricultural uses. The project would not involve changes that could result in the conversion of off-site farmland to non-agricultural use. There would be no impact.

Cumulative Impact Analysis: In 1998, the Save Open Space and Agricultural Resources (SOAR) initiative was adopted establishing the City Urban Restriction Boundary (CURB), which defines the urban development boundary for the City of Oxnard until December 31, 2020, and re-designating all land designated "Agricultural Planning Reserve (AG/PR)" as "Agriculture (AG)". The SOAR initiative also established a City Buffer Boundary (CBB) which lies outside of the CURB line and is coterminous with the Oxnard Area of Interest. Change to the CURB line or an agricultural land use designation within the CBB generally requires majority approval of Oxnard voters, with some exceptions (City of Oxnard 2011). In compliance with 2030 General Plan Policy CD-6.2, which supports the preservation of the SOAR requirements, the project would preserve agricultural land and uses within the City's Planning Area by providing for housing on a previously developed site and relieving development pressure beyond the CURB line or on Agriculture-designated lands. As such, the project would not contribute to cumulative impacts to agricultural resources.

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III. AIR QUALITY	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project conflict with or obstruct implementation of the Ventura County AQMP?	☐	☐	■	☐
2. Would the project violate any federal or state air quality standard or contribute substantially to an existing or projected air quality standard violation?	☐	☐	■	☐
3. Would the project result in a cumulatively considerable net increase of any criteria in excess of quantitative thresholds recommended by the VCAPCD)?	☐	☐	■	☐
4. Would the project expose sensitive receptors to pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants?	☐	☐	■	☐
5. Would the project create objectionable odors affecting a substantial number of people?	☐	☐	■	☐

Setting

An Air Quality Study was completed for the project by Meridian Consultants, LLC in August 2017 and is included as Appendix A. The Air Quality Study assesses and discusses the potential air quality impacts that may occur with the implementation of the project. The analysis estimates future emission levels resulting from construction and operation of the project, and identifies the potential for significant impacts based on adopted thresholds. An evaluation of the project's contribution to potential cumulative air quality impacts is also provided in the study. A Health Risk Assessment (HRA) of Diesel Emissions was also completed by Meridian Consultants, LLC in July 2017 and is included as Appendix B. The HRA assesses potential health risk impacts on future residents at the project site from exposure to diesel emissions generated by vehicles on U.S. 101. The AERMOD dispersion model was used to determine concentrations of diesel particulate matter (DPM) on the project site generated on U.S. 101 located approximately 1,000 feet to the south of the project site. The following discussion of air quality setting and impacts is based on the assessment and findings included in the Air Quality Study and HRA.

Federal and State standards have been established for ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), lead, and particulates less than 10 microns in diameter (PM_{10}) and less than 2.5 microns in diameter ($PM_{2.5}$). California has also set standards for sulfates, hydrogen sulfide, vinyl

chloride, and visibility reducing particles. Local air pollution control districts are required to monitor air pollutant levels to ensure that air quality standards are met and, if they are not met, to develop strategies to meet the standards.

The project site is located in the County of Ventura, adjacent to the City of Oxnard, in the South Central Coast Air Basin (SCCAB). The South Central Coast Air Basin comprises Ventura County, Santa Barbara County, and San Luis Obispo County. The project site is also located in the Ventura County Air Pollution Control District (VCAPCD) boundaries. Air basins in which air pollutant standards are exceeded are referred to as "non-attainment areas." Ventura County is a non-attainment area for federal eight-hour ozone standard. The County is as also a non-attainment area for the State one-hour and eight-hour ozone standards (Final 2016 Ventura County Air Quality Management Plan [2016 AQMP], 2017).

Ventura County Air Pollution Control District is responsible for comprehensive air pollution control in the SCCAB including reducing emissions from stationary, area, and mobile sources. The Ventura County Air Pollution Control Board adopted the 2016 AQMP on February 14, 2017. The 2016 AQMP presents the County's strategy to attain the 2008 federal eight-hour ozone standard by 2020, as required by the federal Clean Air Act Amendments of 1990 and applicable U.S. EPA clean air regulations. Table 1 includes the current federal and State air quality standards and the attainment status of pollutants.

Table 1 Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	Federal Attainment (Y/N)	California Standard	State Attainment (Y/N)
Ozone	8-Hour	0.070 ppm	N	0.070 ppm	N
	1-Hour	-	-	0.09 ppm	N
Carbon Monoxide	8-Hour	9.0 ppm	Y	9.0 ppm	Y
	1-Hour	35.0 ppm	Y	20.0 ppm	Y
Nitrogen Dioxide	Annual	0.053 ppm	Y	0.030 ppm	Y
	1-Hour	0.100 ppm	Y	0.18 ppm	Y
Sulfur Dioxide	Annual	–	–	–	–
	24-Hour	–	–	0.04 ppm	Y
	1-Hour	0.075 ppm	Y	0.25 ppm	Y
PM_{10}	Annual	–	–	20 $\mu g/m^3$	N
	24-Hour	150 $\mu g/m^3$	Y	50 $\mu g/m^3$	N
$PM_{2.5}$	Annual	12 $\mu g/m^3$	Y	12 $\mu g/m^3$	Y
	24-Hour	35 $\mu g/m^3$	Y	–	–
Lead	30-Day Average	–	–	1.5 $\mu g/m^3$	Y
	3-Month Average	0.15 $\mu g/m^3$	Y	–	–

Notes: Y = yes, N = no, ppm = parts per million, $\mu g/m^3$ = micrograms per cubic meter
Source: CARB 2017a and VCAPCD 2017

Ambient Air Quality

To identify ambient concentrations of criteria pollutants, VCAPCD operates eight air quality monitoring stations throughout the County. The monitoring station located closest to the project site and most representative of air quality within the City of Oxnard is the El Rio monitoring station, which is located on the campus of Rio Mesa High School at 545 Central Avenue, approximately 1.75 miles to the north of

the project site. Table 2 summarizes the annual air quality data over the past three years of available data for the local airshed (data from 2018 is not yet available).

Table 2 Ambient Air Quality Data at the El Rio Monitoring Station

Pollutant	2015	2016	2017
Ozone, 8-Hour, ppm			
Number of days of State exceedances (> 0.09 ppm)	0	1	1
Number of days of Federal exceedances (> 0.075 ppm)	0	1	1
Nitrogen Dioxide, ppm – Worst Hour			
Number of days of State exceedances (> 0.18 ppm)	0	0	0
Particulate Matter, < 10 microns, µg/m^3			
Number of samples of State exceedances (> 50 µg/m^3)	6	14	29
Number of samples of federal exceedances (> 150 µg/m^3)	0	0	1
Particulate Matter, < 2.5 microns, µg/m^3			
Number of samples of federal exceedances (> 35 µg/m^3)	0	0	4

Notes: ppm = parts per million, µg/m^3 = micrograms per cubic meter
Source: CARB 2017b

1. According to the Ventura County Air Quality Assessment Guidelines (VCAPCD 2003), a project must conform to the local general plan and must not result in or contribute to an exceedance of the County's projected population growth forecast in order to be consistent with the AQMP. According to the California Department of Finance (DOF) population and housing estimates, the City had a total population of 209,879 people and an average household size of 3.97 persons in January 2019. Using the average household size, the 167 proposed condominiums included in the project would accommodate approximately 663 people. This would result in a total population of 210,542 people in the City upon project implementation. VCAPCD's AQMP considers regional population forecasts developed by the Southern California Association of Governments (SCAG). SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy growth forecast projects a population of 237,300 people in the City in the year 2040. The total population in the City with implementation of the project is within SCAG's most recent growth projections for the City. As such, the growth forecast is also within the population growth parameters considered in the AQMP, which is updated by the VCAPCD to manage air emissions in the County of Ventura in accordance with local, State, and federal standards. Therefore, development of the project would not obstruct implementation of the AQMP or attainment of State or federal air quality standards resulting in a less than significant impact.

2. Construction emissions would be temporary in nature and would occur within the project area. The primary source of reactive organic gases (ROG), nitrogen oxides (NO_X), CO, and sulfur oxides (SOX) emissions is from internal combustion of construction equipment exhaust and on-road haul-truck trips, while the majority of particulate matter emissions would occur as a result of fugitive dust emissions generated during grading and excavation activities. Primary sources of PM_{10} and $PM_{2.5}$ emissions would be clearing activities, excavation and grading operations, construction vehicle traffic on unpaved ground, and wind blowing over exposed earth surfaces. As detailed in the Air Quality Study for the project, VCAPCD's Air Quality Assessment Guidelines recommend significance

thresholds for projects proposed in Ventura County. Under these guidelines, projects that generate more than 25 pounds per day (lb/day) of ROG or NO_X are considered to individually and cumulatively jeopardize attainment of the federal ozone standard and thus have a significant adverse impact on air quality. However, VCAPCD's 25 lb/day threshold for ROG and NO_X do not apply to construction emissions because construction emissions are not permanent. Nevertheless, for construction impacts, the VCAPCD recommends imposition of mitigation if emissions of either pollutant exceed 25 lb/day. The VCAPCD requires minimizing fugitive dust through various dust control measures as documented in Rule 55.

As detailed in the Air Quality Study, project construction would generate up to 80.2 lb/day of ROG and 130.2 lb/day of NO_X. The Air Quality Study assumed development of 182 dwelling units, 15,100 square feet of office space, and 463 parking spaces on the project site. The updated project, as proposed, would result in 15 fewer dwelling units and 32 fewer parking spaces than anticipated in the Air Quality Study. Therefore, the emissions estimates therein are considered a conservative estimate for the project as proposed. The project would be required to implement all applicable standard VCAPCD emissions control measures including dust control measures, such as watering graded areas, covering trucks hauling excavated soil, soil stabilization methods, and street sweeping; and construction equipment controls, such as minimizing idle time, maintaining equipment engines, using alternatively fueled equipment, and minimizing the number of pieces of equipment operated simultaneously. Additionally, all construction activities would be required to adhere to the VCAPCD Rule 50 for Opacity, Rule 51 for Nuisance, and Rule 55 for Fugitive Dust. Compliance with these measures would result in less than significant impacts to air quality associated with project construction emissions.

As detailed in the Air Quality Study, operational emissions associated with the project would be generated by both stationary and mobile sources as a result of normal day-to-day use of the proposed residential units and office facilities. Stationary emissions would be generated by the consumption of natural gas for space and water heating equipment. Mobile emissions would be generated by vehicles traveling to and from the project site. Project-generated operational emissions were estimated based on the proposed land use assumptions and vehicle emissions factors using the California Emissions Estimator Model (CalEEMod). According to the CalEEMod data output for the project (included in Appendix A of the Air Quality Study), project operations would generate up to 12.4 lb/day of ROG and 6.8 lb/day of NO_X. As discussed above, these emissions estimates are conservative as the project would result in development of fewer dwelling units and parking spaces than development assumed in the Air Quality Study for the project. Furthermore, these emissions would not exceed the VCAPCD significance thresholds of 25 lb/day. Therefore, impacts to air quality associated with new stationary sources of emissions and increased vehicle trips in the area as a result of the project would be less than significant.

3. The SCCAB is currently a nonattainment area for both the federal and State standards for ozone and the State standard for PM_{10}. With regard to determining the significance of the project's contribution to air quality violations, the VCAPCD neither recommends quantified analyses of cumulative operational emissions nor provides methodologies or threshold of significance to be used to assess cumulative construction or operational impacts. Instead, the VCAPCD recommends

that a project's contribution to cumulative impacts should be assessed utilizing the same significance criteria as those for project specific impacts. Therefore, if implementation of the project would generate operational emissions that exceed the VCAPCD-recommended daily thresholds for project-specific impacts, then the project would also cause a cumulatively considerable increase in emissions for those pollutants for which SCCAB is in nonattainment. As previously discussed, operational daily emissions associated with the project would not exceed VCAPCD significance thresholds. Therefore, cumulative impacts to air quality would be less than significant.

4. Neither the State of California nor the VCAPCD has developed a quantitative threshold for the purposes of evaluating the health impacts on residential developments from exposure to Toxic Air Contaminants (TAC) emissions associated with a nearby freeway or high-volume roadway. However, in absence of a threshold specific to assessing health impacts from a freeway, the State's significant risk for exposures to carcinogens thresholds of 10 per one million for cancer risk and 1 for hazard index (HI) were determined to be the most appropriate thresholds for use in this HRA analysis for the project. The analysis in the HRA found that the maximum cancer risk at the project site from DPM emissions generated by diesel-vehicle travel along U.S. 101 is 1.06 per 100,000 or 10.6 per one million, exceeding the State significance criteria. Additionally, the maximum non-cancer HI for the project's residents would be 0.18, which would not exceed the State significance criteria.

   Project construction would result in short-term emissions of diesel particulate matter (DPM), which consists of exhaust $PM_{2.5}$ and PM_{10} and is a TAC. The project would be required to comply with the CARB Airborne Toxic Control Measures' anti-idling measure, which limits idling to no more than five minutes at any location for diesel-fueled commercial vehicles, as well as the required and applicable Best Available Control Technology and the In-Use Off-Road Diesel Vehicle Regulation to avoid and/or reduce emissions of DPM associated with project construction to the maximum extent possible.

   During long-term project operations, TACs could be emitted as part of periodic maintenance operations, cleaning, and painting, and from periodic delivery trucks and service vehicles onsite. However, these uses are expected to be occasional and result in minimal exposure to on- and off-site sensitive receptors. Given that the project consists of residential and office uses, the project would not include sources of substantive TAC emissions identified by the VCAPCD- or CARB-siting recommendations.

   Therefore, with implementation of the required CARB DPM control measures and minimal sources of TAC emissions associated with project operations, the project would not expose sensitive receptors to pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for TACs and would not exacerbate existing environmental conditions associated with DPM emissions at the site from U.S. 101. Impacts would be less than significant.

5. Land uses likely to produce objectionable odors include agriculture, chemical plants, composting operations, dairies, fiberglass molding, landfills, refineries, rendering plants, rail yards, and wastewater treatment plants. The project would not involve development or operation of any of these types of uses. Potential activities that may emit odors during project construction activities include the use of architectural coatings and solvents and the combustion of diesel fuel in on- and

off-road equipment. VCAPCD Rule 74.2 would limit the amount of ROGs in architectural coatings and solvents. In addition, project construction activities would be required comply with the applicable provisions of the CARB Air Toxics Control Measure regarding idling limitations for diesel trucks. Through mandatory compliance with VCAPCD rules and CARB idling limitation, construction activities would not create objectionable odors affecting a substantial number of people. This impact would be less than significant.

Cumulative Impact Analysis: The project's contribution to cumulative impacts to air quality is evaluated under issue 3. As previously discussed, air pollutant emissions would be generated by the consumption of natural gas for space and water heating equipment and by vehicles traveling to and from the project site. These emissions would not exceed the VCAPCD significance thresholds of 25 lb/day at the project level and, therefore, were determined to result in a less than significant cumulative impact to air quality.

IV. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
2. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations adopted by the California Department of Wildlife and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	■
3. Would the project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, and coastal wetlands) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
4. Would the project 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?	☐	☐	■	☐
5. Would the project conflict with any local policies or ordinances protecting biological resources?	☐	■	☐	☐

6. Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

The project site is located in a commercial and urban area dominated by ornamental and ruderal vegetation communities. There are no areas with strictly native vegetation and no drainages or waterways are present on the site. The elevation of the site is approximately 90 feet above mean sea level. The entire property had been previously graded and the terrain is flat.

A Biological Assessment Report (BA) was prepared for the project by BioResource Consultants, Inc. in July 2017 and is included as Appendix C. The BA document describes the existing conditions of biological resources on the project site and provides an analysis of biological resources, including the potential occurrence of special-status species and their habitats, on the site.

1. A large portion of the project site is paved and built out with buildings from the former El Rio Elementary School campus. Vegetation on the site consists mainly of ruderal fields. Ornamental shrubs border most fence lines, buildings, and parking lots on the developed portion of the site. The remainder of the site is also bordered by ornamental trees and shrubs. There are three Heritage trees, as defined by the Ventura County Tree Protection Ordinance, in the more central areas of the site. Heritage trees can be a tree of any species that is 90 inches in circumference for a single trunk. Heritage trees on the project area include a single coast live oak (*Quercus agrifolia*) and two velvet ash (*Fraxinus velutina*). All three of these trees are native and provide nesting habitat for birds. During a site visit for the BA, northern mockingbird (*Mimus polyglottos*) fledglings as well as many other adult birds were observed foraging in two of the Heritage trees. Throughout the area of the site with existing school buildings, house sparrows (*Passer domesticus*) were observed nesting. These birds are not protected by the Migratory Bird Act and commonly harass native birds and take over their active nests. Additionally, an inactive American crow (*Corvus brachyrhynchos*) nest was observed in the larger Heritage velvet ash tree. Courting behavior was observed in the field by Anna's hummingbirds (*Calypte anna*) and Cassin's kingbirds (*Tyrannus vociferans*). Although nesting habitat occurs where tall, dense vegetation occurs on the property, high disturbance in this urban area and disconnect of this property from any wildlife corridors results in low likelihood that a special-status bird would be nesting in marginal habitat on site. Nesting raptors could occur adjacent to the property in eucalyptus trees along Rio School Lane on the northeast border.

   The Federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (FGC; §§ 3503, 3503.5, 3511, 3513, and 3800) protect most native birds. In addition, the federal and state endangered species acts protect some bird species listed as threatened or endangered. FGC § 3513 relies on the MBTA by prohibiting any take or possession of birds that are designated by the MBTA as migratory nongame birds, except as allowed by federal rules and regulations promulgated pursuant to the MBTA. In addition, FGC (§§ 3503, 3503.5, 3511, and 3800) further protects nesting birds, including passerine birds, raptors, and state "fully protected" birds. These regulations generally apply during the breeding season, because unlike adult birds, eggs and chicks are unable

to escape impacts. FGC § 3503.5 protects birds of prey, and their nests and eggs against take, possession, or destruction.

According to the BA, the project site is not located within any United States Fish and Wildlife Service (USFWS)-designated critical habitat. A review of the California Natural Diversity Database (CNDDB) and other existing records within the vicinity of the site showed 116 species having previously been reported in the area. Of these 116 species, two species, Davidson's saltscale (*Atriplex serenana var. davidsonii*) and Monarch butterflies (*Danaus plexippus* pop. 1), have marginal habitat on the project site. However, due to the high level of disturbance and existing development, these species are unlikely to occur onsite. Therefore, the project would not 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 Wildlife or USFWS, because no listed species are expected to occur at the project site. Additionally, Heritage trees onsite would be required to be protected in compliance with 2030 General Plan Policy ER-10.2, which is intended to protect certain significant trees on private and public property through replacement or transplantation, as well as the City's Landscape Standards general requirements for the preservation of existing trees. Nevertheless, construction of the project could result in potential impacts to raptors and protected nesting birds located in Heritage trees on the site and in trees near the northeaster boundary of the site. Compliance with mitigation measure BIO-1 would ensure impacts are less than significant.

Mitigation Measure

The following mitigation measures would reduce impacts to a less than significant level.

BIO-1 Nesting Bird and Raptor Survey and Avoidance. In the event that the proposed action is planned to occur within the general bird nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist. The nesting season is generally considered February 1 through August 31, with a peak from March to June; however, these dates vary by year depending on prey availability, weather, and other factors. In the event an active bird is observed in the habitats to be removed or in other habitats within 100 feet for songbirds and 500 feet for raptors of the construction work areas, all construction work in the suitable habitat or within 100 feet/500 feet of the suitable habitat must be delayed until after September 1st, or surveys must be continued in order to locate any nests. If an active nest is found, clearing and construction within 100 feet/500 feet of the nest shall be postponed until the nest is vacated and juveniles have fledged, and until there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area.

2. A large portion of the project site is paved and built out with buildings from the former El Rio Elementary School campus, and the entire property had been previously graded and the terrain is flat. Riparian vegetation or other sensitive natural community types do not occur on the project site or within the project vicinity. There are no sensitive natural communities identified in plans,

regulations, or by regulatory agencies within the project site. The proposed project would have no impact to riparian habitat or other sensitive natural communities.

3. According to the USFWS National Wetlands Inventory Wetlands Mapper database, no wetlands or other surface waters exist on the project site. Therefore, the project would not result in any impacts to State or federally protected waters.

4. The project site would not be expected to support wildlife movement due to the disturbed nature of the project site, adjacent urban development, and disconnect from any wildlife corridors. Additionally, the project would be required to comply with the provisions of the MBTA to avoid potential impacts to migratory birds. Therefore, the project would result in less than significant impacts associated with wildlife migration and use of nursery sites.

5. As previously discussed, the project would be required to ensure that on-site Heritage tree protection occurs in compliance with the requirements of the 2030 General Plan Policy ER-10.2 and the City's Landscape Standards. Therefore, with implementation of the requirements of the Tree Protection Ordinance, the project would result in a less than significant impact associated with conflicts with local policies or ordinances protecting biological resources.

6. According to the Environmental Impact Report for the City of Oxnard 2030 General Plan (2009), no established or planned Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan exists in the City Planning Area, which includes the project site. Therefore, the project would not result in any impact associated with conflict with the provisions of such plan.

Cumulative Impact Analysis: Impacts to biological resources in the Planning Area were analyzed by the 2030 General Plan EIR at a programmatic level, including all development facilitated by the 2030 General Plan, and found to be less than significant with implementation of uniformly applied development policies and regulations. The proposed project would have less than significant impacts with respect to biological resources and would be subject to the City's uniformly applied development policies and regulations. Therefore, the project would not contribute to or result in significant cumulative impacts to biological resources.

V. Climate Change and Greenhouse Gas Emissions	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	■	☐
2. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal or reducing greenhouse gas emissions in California?	☐	☐	■	☐
3. Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?	☐	☐	■	☐

A Climate Change and Greenhouse Gas (GHG) Study was prepared for the project by Meridian Consultants, LLC. in August 2017 and is included as Appendix D. The GHG Study assesses and discusses the potential GHG impacts that may occur with implementation of the project. The analysis in the GHG Study estimates future emission levels at surrounding land uses resulting from construction and operation of the project, and identifies the potential impacts. The findings of the GHG Study are summarized in this section.

Setting

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, Earth's surface would be about 34 degrees Celsius (°C) cooler (CalEPA 2006). However, emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. Carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) are the GHGs that are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion. CH_4 results from fossil fuel combustion as well as off-gassing associated with agricultural practices and landfills. N_2O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes.

Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21st century than were observed during the 20th century. According to the CalEPA 2010 Climate Action Team Biennial Report, potential impacts of climate change

in California may include loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years (CalEPA 2010). While these potential impacts identify the possible effects of climate change at a global and potentially statewide level, current scientific modeling tools are generally unable to predict what impacts would occur locally with a similar degree of accuracy.

In response to an increase in man-made GHG concentrations over the past 150 years, California has implemented Assembly Bill (AB) 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels), and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions.

After completing a comprehensive review and update process, CARB approved a 1990 statewide GHG level and 2020 limit of 427 million metric tons of CO_2 equivalents (MMT CO_2e). The Scoping Plan was approved by CARB on December 11, 2008, and includes GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. The Scoping Plan includes a range of GHG reduction actions that may include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms.

In May 2014, CARB approved the 2013 Scoping Plan, the first update to the AB 32 Scoping Plan. The 2013 Scoping Plan defines CARB's climate change priorities for the next five years and sets the groundwork to reach post-2020 goals set forth in Executive Order (EO) S-3-05. The update highlights California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also illustrates how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB 2014).

Senate Bill (SB) 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in CEQA documents. In March 2010, the California Resources Agency (Resources Agency) adopted amendments to the CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts.

On September 8, 2016, the governor signed SB 32 into law, extending AB 32 by requiring the State to further reduce GHGs to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. As with the 2013 Scoping Plan, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with a statewide per capita goal of six metric tons (MT) CO_2e by 2030 and two MT CO_2e by 2050 (CARB 2017c).

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: www.climatechange.ca.gov and www.arb.ca.gov/cc/cc.htm.

1. According to the GHG Study for the project, CARB, VCAPCD, and the City of Oxnard have not adopted a numerical GHG significance threshold for land use development projects (e.g., residential/commercial projects). Ventura County is adjacent to the South Coast Air Quality Management District (SCAQMD) jurisdiction and is part of the Southern California Association of Governments (SCAG) region. Given the lack of an adopted VCAPCD numerical significance threshold applicable to this project, the significance of the project is evaluated based on the proposed screening level of 3,000 MT CO_2e per year established by the adjacent SCAQMD. The GHG Study for the project found that the total project construction emissions would be approximately 713.5 MT CO_2e per year and construction emissions amortized over 30 years would be approximately 23.8 MT CO_2e per year. The GHG Study also found that the GHG emissions associated with the project operations would result in 2,184.7 MT CO_2e per year. The GHG Study assumed development of 182 dwelling units, 15,100 square feet of office space, and 463 parking spaces on the project site. The updated project, as proposed, would result in 15 fewer dwelling units and 32 fewer parking spaces than anticipated in the GHG Study. Therefore, the emissions estimates therein are considered a conservative estimate for the proposed project. GHG emissions associated with project construction and operations would not exceed the screening threshold of 3,000 MT CO_2e per year and impacts would be less than significant.

2,3. The California Air Pollution Control Officers Association (CAPCOA) suggests making significance determinations on a case-by-case basis when no significance threshold have been formally adopted by a lead agency. This includes evaluating a project's sources of GHG emissions and considering project consistency with applicable emission reduction strategies and goals. As detailed in the GHG Study, the project would be consistent with the policies identified in the City's 2030 General Plan for addressing energy issues of climate change mitigation and adaptation, sea level rise, and energy conservation and generation by incorporating solar panels and implementing features consistent with the latest requirements of the 2016 California Green Building Code. Additionally, as detailed in Table 7 of the GHG Study, the project would be consistent with recommendations presented in the California Climate Action Team Report and the project's post-2020 GHG emissions trajectory is expected to follow a declining trend, consistent with the State's 2030 and 2050 targets. Furthermore, the GHG Study determines that the project would be consistent with the goals of AB 32. The Project would incorporate energy reduction and water conservation measures, identified in the City's 2030 General Plan, that reduce GHG emissions compared to a conventional project of similar size and scope. Additionally, GHG emissions reductions would be achieved through energy-efficient lighting, installation of low-flow appliances, and water conservation.

   In summary, the project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs or otherwise conflict with the state goal or reducing GHGs in California. The GHG reduction strategies incorporated into the project would ensure that the project would not contribute to or be subject to potential secondary effects of climate change. Impacts would be less than significant.

Cumulative Impact Analysis: Development facilitated by the 2030 General Plan would increase overall GHG emissions generated within the City. Analyses of GHG emissions and climate change are cumulative in nature, as they affect the accumulation of GHGs in the atmosphere. Projects that exceed the

thresholds discussed above would have a significant impact on GHG emissions and climate change, both individually and cumulatively. As indicated in issue 1, GHG emissions associated with the project would be less than significant. As a result, the project's contribution to cumulative levels of GHGs would not be cumulatively considerable and cumulative impacts to climate change would be less than significant.

VI. Cultural and Tribal Cultural Resources	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	■	☐
2. Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?	☐	■	☐	☐
3. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	■	☐
4. Would the project disturb any human remains, including those interred outside of formal cemeteries?	☐	■	☐	☐

A Phase I Cultural Resource Assessment (Phase I) report was prepared by Applied Earthworks, Inc. in August 2017 and is included in Appendix E. The assessment consisted of records searches, Native American coordination, a Phase I survey, and documentation and evaluation of the project site, formerly the El Rio Elementary School campus, to identify any cultural resources present. A Paleontological Resource Assessment technical memorandum (memo) was also prepared by Applied Earthworks, Inc. in August 2017 for the site and is also included in Appendix E. The assessment consisted of a museum records search, a literature and geologic map review, and preparation of the memo, to identify any paleontological resources present on the project site.

1. Generally, a cultural resource is considered historically significant if it is 45 years old or older, meets the requirements for listing on the California Register of Historic Resources (CRHR) under any one of the criteria defined in 14 CCR Section 15064.5, and possesses integrity of location, design, setting, materials, workmanship, feeling, and association. According to the Phase I for the project, one potentially historical cultural resource, the former El Rio Elementary School campus, was identified and documented on the project site. However, based on an evaluation of the school site in the Phase I, the El Rio Elementary School campus meets none of the CRHR significance criteria and is not considered a historical resource under CEQA. Therefore, the project would result in less than significant impacts to historical resources because no historic resources are present on the project site.

2, 4.The intensive pedestrian survey conducted for the Phase I failed to identify any prehistoric or historic archaeological resources on the project site. The records search for the Phase I indicated that an isolated, partial prehistoric Native American burial was uncovered while excavating for a storm drain adjacent to Vineyard Avenue less than a quarter mile from the project site. Therefore, there is potential to encounter subsurface cultural deposits during project construction activities and grading and impacts to such resources would be potentially significant. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonable suspected to overlie adjacent remains until the Ventura County Coroner has determined whether or not the remains are subject to the Coroner's authority, pursuant to Section 7050.5 of the California Health and Safety Code. If the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of identification. The NAHC will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods. Under certain circumstances, as stipulated by CEQA Guidelines Section 15064.5, the lead agency or applicant must develop an agreement with the Native Americans for the treatment and disposition of the remains. Additionally, compliance with mitigation measure CUL-2 would be required to ensure impacts are less than significant.

Mitigation Measure

The following mitigation measure would reduce impacts to a less than significant level.

CUL-2 A qualified archaeologist shall monitor all project-related ground-disturbing activities. In the unlikely event that potentially significant archaeological materials are encountered during construction, the applicant must comply with State regulations and City's standard condition of approval for handling such resources.

3. Based on the literature review and museum records search results for the Paleontological Resource Assessment for the project, the paleontological sensitivity of the site was determined in accordance with the Society of Vertebrate Paleontology (SVP; 2010) sensitivity scale. The Quaternary alluvium mapped at the surface of the project site was determined to have a low paleontological resource potential because the deposits are likely too young to contain fossilized material. Project-related ground disturbing activities would primarily disturb surface deposits and, therefore, would not result in impacts to paleontological resources. This impact would be less than significant.

Cumulative Impact Analysis: Impacts to cultural resources in the Planning Area were analyzed by the 2030 General Plan EIR at a programmatic level, including all development facilitated by the 2030 General Plan, and found to be less than significant with implementation of the City's resource protection policies and regulations. With implementation of mitigation measure CUL-2, the project would have less than significant impacts with respect to cultural resources and tribal cultural resources and would be subject to the City's uniformly applied resource protection policies and regulations. Therefore, the project would not contribute to or result in significant cumulative impacts to cultural resources or tribal cultural resources.

VII. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project 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 or based on other substantial evidence of a known fault?	☐	☐	☐	■
b. Strong seismic groundshaking that cannot be addressed through compliance with standard Code requirements?	☐	☐	■	☐
2. Would the project 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 an on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements?	☐	☐	■	☐
3. Would the project be located on expansive soil, creating substantial risks to life or property that cannot be addressed through compliance with standard Code requirements?	☐	☐	■	☐
4. Would the project expose people or structures to inundation by seiche or tsunami?	☐	☐	☐	■
5. Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?	☐	☐	☐	■

1a. The Alquist-Priolo Earthquake Fault Zoning Act (1972) requires the delineation of zones along active faults in California in order to regulate development on or near active fault traces to reduce the hazards associated with fault rupture and to prohibit the location of most structures for human occupancy across these traces. According to the City of Oxnard General Plan Background Report (2006), the General Plan Area, including the project site, is not located within an Alquist-Priolo zone. Therefore, the project would not expose people or structures to potential substantial adverse effects involving the rupture of a known Alquist-Priolo earthquake fault. There would be no impact.

1b.-3. The project site is located in a highly active earthquake region of Southern California and thus is subject to various seismic and geologic hazards, including ground shaking, landslide, lateral spreading, subsidence, liquefaction, or collapse. Seismically induced hazards cover a wide area and are greatly influenced by the distance of a site to the seismic source, soil conditions, and depth to groundwater. As with any location in Southern California, in the event of a strong earthquake (magnitude 6.0 to 7.5) originating near the site or a major earthquake (8.0 magnitude) along the San Andreas Fault, damage to onsite structures associated with these hazards could be severe and loss of life could occur.

According to the City of Oxnard General Plan Background Report (2006), there are no known earthquake faults in the City area. However, active and/or potentially active faults are present in the surrounding region, and some of these may extend into the subsurface beneath the General Plan Planning Area that generally extends from Point Mugu to Wells Road.

As part of the Community Development standard permitting procedure and uniformly applied development conditions, the project applicant and/or their contractors shall submit a site-specific soils investigation prepared by a licensed geotechnical engineer. At a minimum, the study shall include liquefaction and compressible soils characteristics on-site and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts on the proposed project. All recommendations of the report shall be incorporated into the project as conditions of approval. The report shall be submitted concurrently with plans submitted for review by the Building Official. Additionally, the project would be required to comply with local policies and state regulations regarding building standards, hazard mitigation and seismic safety that would minimize risk and exposure to adverse effects of seismic events. Therefore, with compliance with local and State standards and the application of uniformly applied development conditions and standards, the project would have a less than significant impact associated with hazards of existing geological and soil conditions.

3. Expansive soils are generally clayey causing them to swell when wetted and shrink when dried. Wetting can occur naturally in a number of ways (e.g., absorption from the air, rainfall, groundwater fluctuations, lawn watering, and broken water or sewer lines). In hillside areas, as expansive soils expand and contract, gradual downslope creep may occur, eventually causing landslides. Clay soils also retain water and may act as lubricated slippage planes between other soil/rock strata, also producing landslides, often during earthquakes or when caused by unusually moist conditions.

Expansive soils are also often prone to erosion. Foundations of structures placed on expansive soils may rise during the wet season and fall during the succeeding dry season. Expansive soils can act as

a lubricant when between differing soil/rock strata, which can facilitate movement triggered during heavy rains or earthquakes. According to the County of Ventura Expansive Soils Map, the project site is located in a low expansive soil potential area of Oxnard (Ventura County Resource Management Agency 2010). According to Figure 5-12 of the City of Oxnard General Plan Background Report (2006), the project site is located in an area of low susceptibility to erosion. Therefore, the project would not create substantial risks to life or property due to expansive soils that cannot be addressed through compliance with standard Code requirements and this impact would be less than significant.

4. Seiches are seismically induced waves that occur in large bodies of water, such as lakes and reservoirs. According to the City of Oxnard General Plan Background Report (2006), the City's Channel Islands Harbor and Mandalay Bay could be potentially impacted by seiches. The project site is not in proximity to either of these areas and, therefore, new development and residents on the site would not be at risk of exposure to inundation by seiche. There would be no impact.

   A tsunami is a tidal wave produced by off-shore seismic activity. The project site is not located in a tsunami inundation area as shown on the Tsunami Inundation Map of the Oxnard Quadrangle. Therefore, new development and residents on the site would not be at risk of exposure to inundation by tsunami. There would be no impact.

5. As a typical office and residential development on previously developed, flat site, the project would not require dredging or other maintenance activity that is not guaranteed to continue. There would be no impact.

Cumulative Impact Analysis: Impacts associated with geology and soils in the City Planning Area were analyzed by the 2030 General Plan EIR and found to be less than significant after implementation of uniformly applied development policies and regulations. The project would result in less than significant impacts with regards to geology and soils on and in the vicinity of the project site and would be required to comply with the City's uniformly applied development policies and regulations. Therefore, the project would not result in or contribute to cumulative impacts associated with geology and soils.

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VIII. Hazards and Hazardous Materials	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
2. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?	☐	☐	■	☐
3. Would the project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard?	☐	☐	☐	■
4. Would the project be located on a site that 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 substantial hazard to the public or environment?	☐	☐	■	☐
5. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐

1,2. The project would use normal and nominal amounts of hazardous materials during construction of the project as well as using household cleaners in during operation of the development with use of normal amounts of hazardous materials for maintenance of machinery used onsite, such as forklifts and trucks. No routine disposal of hazardous materials is proposed. Therefore, the project would not create a significant hazard to the public or the environment through a foreseeable upset or accident, or the routine transport, use, or disposal of hazardous materials and impacts would be less than significant.

3. The project site currently contains facilities of the former El Rio Elementary School. However, the school has not been in operation for a number of years and these facilities would be demolished as part of the project. The nearest operational school to the project site is Rio del Mar Elementary School, located at 3150 Thames River Drive, approximately one-half mile north of the project site. Therefore, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in one-quarter mile of an existing or proposed school, and there would be no impact.

4. In order to evaluate hazardous materials records located on the project site or adjacent to the project site, the State Water Resources Control Board GeoTracker database, and the Department of Toxic Substances Control EnviroStor database and Cortese List were reviewed in May 2018. Review of these resources indicates that the project site is not located in a site that is considered to contain hazardous materials pursuant to Government Code Section 65962.5. Two leaking underground storage tank (LUST) cleanup sites (T.W. Brown Oil Co [T0611100270] and Rio School Dist-Maintenance Yd [T0611101240]) are identified on East Vineyard Avenue, adjacent to the western boundary of the project site. However, the T.W. Brown Oil Co site has a Completed- Case Closed as of 8/29/1989 status and the Rio School Dist-Maintenance Yd site has a Completed- Case Closed as of 1/16/2001 status. Therefore, these sites would not present a substantial hazard to the public or environment and this impact would be less than significant.

5. The project would not involve the development of structures that could potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The design of new access points would be reviewed and approved by the City of Oxnard Fire Department to ensure that emergency access meets City standards. Therefore, impacts would be less than significant.

Cumulative Impact Analysis: Impacts associated with hazards and hazardous materials in the City Planning Area were analyzed by the 2030 General Plan EIR and found to be less than significant after implementation of uniformly applied development policies and regulations. The project would result in less than significant impacts with regards to hazards and hazardous materials and would be required to comply with the City's uniformly applied development policies and regulations. Therefore, the project would not result in or contribute to cumulative impacts associated with hazards and hazardous materials.

IX. Hydrology and Water Quality	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project cause a violation of any adopted water quality standards or waste discharge requirements?	☐	☐	■	☐
2. Would the project 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 pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	■	☐	☐
3. Would the project 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 that would result in on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?	☐	☐	■	☐
4. Would the project place new structures 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?	☐	☐	■	☐
5. Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?	☐	☐	■	☐
6. Would the project 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?	☐	☐	■	☐
7. Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	■

1. The Ventura County Watershed Protection District, County of Ventura, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks have joined together to form the Ventura Countywide Stormwater Quality Management Program and are named as co-permittees under a revised countywide municipal NPDES permit for stormwater discharges issued by the Regional Water Quality Control Board in 2010 (Order R4-2010-0108). Under Order R4-2010-0108, the co-permittees are required to administer, implement, and enforce a Stormwater Quality Management Program to reduce pollutants in urban runoff to the maximum extent practicable. Accordingly, the project would be required by uniformly applied regulations and conditions of approval to comply with Clean Water Act National Pollutant Discharge Elimination System (NPDES) requirements. Compliance with the Oxnard building permit would require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated Best Management Practices (BMP). The BMPs would include measures that would be implemented to prevent discharge of eroded soils from the construction site and sedimentation of surface waters offsite. The BMPs would also include measures to quickly contain and clean up any minor spills or leaks of fluids from construction equipment. Given the relatively flat topography of the site, distance from surface waters, the minimal grading and excavation required for construction, and implementation of the required SWPPP, construction of the project would not violate any water quality standards or waste discharge requirements. This impact would be less than significant.

2. As with the existing school district facilities on the site, the proposed development would include a connection to the municipal water supply system to provide potable water to the residential and office uses within the project. The following paragraphs provide a brief summary of groundwater resources and their regulation in the area. More detail regarding the planning and regulation of water service, is provided below in Section XVI Utilities and Energy.

   Groundwater within the Oxnard Plain and throughout the region is under the management of the Fox Canyon Groundwater Management Agency (FCGWMA). The FCGWMA was created in 1982 by the California Legislature via the Fox Canyon Groundwater Management Agency Act [AB-2995] for the express purposes of regulating, conserving, managing, and controlling the use and extraction of groundwater to help preserve resources, and to counter seawater intrusion beneath the Oxnard Plain. The regulations of FCGWMA, which restrict groundwater withdrawals, apply to all groundwater users within its jurisdiction. These users include agricultural activities, industrial users, and municipal governments such as the City of Oxnard. The City will provide water to the proposed Rio Urbana development, and approval of the project will be subject to the provisions of the City of Oxnard Municipal Code Chapter 22: Water, as well as to the FCGWMA and other requirements. The City has a “net-zero” policy with respect to new development, which requires a proposed development to provide and transfer any necessary groundwater allocation to the City (subject to FCGMA approval) or contribute to City programs designed to offset potable water use. This policy was confirmed in a report to the City Council on October 19, 2009, and is incorporated into the City’s Urban Water Management Plan (UWMP; Oxnard 2016:Section 8.4.1), and other plans. Section XVI Utilities and Energy provides more detail regarding the provision of water service; and the key conclusion from that discussion is that the identified mitigation measures, which would implement

these existing requirements, would serve to mitigate the potential effects of the project on regional groundwater supplies.

With respect to potential localized effects on groundwater, Section 22-100 of the Oxnard Municipal Code requires that any existing water rights; groundwater pumping allocations from FCGWMA; and all wells, mains, easements and water production equipment or facilities, be assigned and transferred to the City of Oxnard. In addition, provisions of Article VII of the Municipal Code (starting at Section 22-110) regulate all well operations and require the destruction of any abandoned wells (Section 22-123). Because of these requirements, any wells that exist on the property and which may have been used in the past to serve the school facilities could not be used to serve the proposed development directly. For this reason, the project would not have any localized effects on groundwater withdrawals and would not adversely affect any other wells in the vicinity.

3. During operations of the project, surface water discharge would include minimal amounts of stormwater runoff generated during precipitation events. However, according to a letter prepared by Jensen Design & Survey, Inc. in January 2017 assessing required Ventura County Municipal Separate Storm Sewer Systems (MS4) permit compliance and on-site drainage, the project would increase stormwater flows on the project site. The MS4 compliance and drainage letter was revised in March 25, 2019, and is included in Appendix F of this Initial Study.

   Given the nearly flat topography of the site, and landscaped and open space areas incorporated into the project design, precipitation would be expected to infiltrate or evaporate onsite more so than sheet flow over land and discharge offsite at substantial rates or volumes. The project would continue to use the existing stormwater system that is connected to the city's storm sewer system and consistent with applicable development standards and permits. The project would be subject to the requirements of a Ventura County MS4 permit. Site-specific BMPs would be designed by the contractor in compliance with all applicable regulations and conditions of the MS4 permit. More specifically, stormwater runoff would be directed to multiple inlets throughout the project site that connect to the onsite drainage system. The two proposed parcels (residential and office) would have individual drainage systems, a pollutant trap and separation unit, and an infiltration basin. Low flows entering the inlets would be routed through the separation unit before entering an infiltration basin. High flows that exceed the required volume of infiltration would be routed through the infiltration basin and released to the 54-inch City storm drain located in Vineyard Avenue. According to the MS4 compliance and drainage letter prepared for the project, this drain currently possesses excess capacity that would be sufficient to accommodate increased stormwater flows as a result of the project. The project would not include any unique components that would impact stormwater runoff quality. The project would also be required to comply with all standards ~~requirements~~ for a watercourse permit for potential project drainage effects on flows in the El Rio Drain, as implemented by the Ventura County Watershed Protection District, County of Ventura, and the City.

   The County standard would require that the project not increase peak flows from 10-year, 25-year, and 100-year storms in the El Rio Drain. Section 202 of County Ordinance WP-2 requires County review and permit approval for any alteration in the characteristics of flow in channels under the County jurisdiction. Evidence of County review and issuance of written permission in compliance

with County Ordinance WP-2 will be required by the City prior to final approval of the project. Operation of the project would not be expected to violate any water quality standards or waste discharge requirements. The project would have less than significant impacts on water quality standards and discharge requirements.

4,5. The project site is located in an area mapped by the Federal Emergency Management Agency (FEMA) as Zone X, Area of Minimal Flood Hazard. The project site is not located in a 100-year flood hazard area. Additionally, the project site is an already developed site with existing structures. Redevelopment of the site for the project would not introduce any features or components that would impede or redirect flood flows such that it would increase on- or off-site flood potential. Impacts would be less than significant.

6. According to the Safety and Hazards chapter of the City of Oxnard General Plan Background Report (2006):

   "Several dams are located at least 35 miles to the east and northeast of the city of Oxnard within Ventura and Los Angeles Counties. These include the Santa Felicia Dam at Lake Piru, the Castaic Lake Dam and the Pyramid Lake Dam. The major threat to Oxnard is upstream along the Santa Clara River corridor. Although the potential for a dam failure is considered low, should one or more of these dams fail, the entire city is located within the Dam Inundation Zone, also called Dam Failure Hazard Area. Damage to the city could be in the form of a wall of fast-moving water, mud, and debris."

   While potential failure of any of these dams could cause inundation of the City, including the project site, the Ventura County Hazard Mitigation Plan (2010) states that the probability of dam failure inundation is unknown, but would be the result of certain types of extreme storm events. The project would not exacerbate the potential for levee or dam failure and project-related impacts in relation to levee or dam failure would be less than significant.

7. Seiches are seismically induced waves that occur in large bodies of water, such as lakes and reservoirs. According to the City of Oxnard General Plan Background Report, the City's Channel Islands Harbor and Mandalay Bay could be potentially impacted by seiches. The project site is not in proximity to a large body of water. Therefore, seiches are a not a risk to the project site. No impacts would occur.

   A tsunami is a tidal wave produced by off-shore seismic activity. The project site is not located in a tsunami inundation area as shown on the Ventura County Multi-Jurisdictional Hazard Mitigation Plan Update, and would not be subject to inundation by tsunami (County of Ventura 2010). No impacts would occur.

   The project site is not located in an earthquake-induced landslide zone (California Geological Survey 2002). Landslides and mud flows are most likely to occur on or near a slope or hillside area, rather than in generally level areas, such as the project site. Mud flows would not be a risk to the project. No impacts would occur.

Cumulative Impact Analysis: Impacts to hydrology and water quality as a result of development in the City Planning Area facilitated by the 2030 General Plan were analyzed by the 2030 General Plan EIR and found to be less than significant after implementation of uniformly applied development policies and

regulations. The project would result in less than significant impacts with regards to hydrology and water quality and would be required to comply with the City's uniformly applied development policies and regulations. Therefore, the project would not result in or contribute to cumulative impacts associated with hydrology and water quality.

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X. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect?	☐	☐	■	☐
2. Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?	☐	☐	☐	■
3. Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	■
4. Would the project physically divide an established community?	☐	☐	■	☐

1. The project would involve demolition of the existing campus for the former El Rio Elementary School and the construction of 167 condominium residential units and a 15,100-square-foot office building. The project site lies within the County of Ventura's unincorporated community of El Rio, which is in the City of Oxnard's~~Ventura's~~ Sphere of Influence (SOI). The City currently designates the project site its former for school use. The entitlements requested by the project applicants include:

    1. Annexation to the City of Oxnard (PZ 17-610-01)
    2. Oxnard General Plan Amendment (PZ 17-620-01) to change the land use designation from School to Commercial General
    3. Pre-Zoning to C-2-PD (PZ 17-560-01)
    4. Tentative Subdivision Map that creates two parcels (Parcel 1 on 1.12 acres and Parcel 2 on 9.12 acres; PZ 17-300-03) and 167 condominium parcels
    5. Special Use Permit (PZ 17-500-13) for development of an office building on Parcel 1;
    6. Special Use Permit (PZ 17-500-05) for residential use on Parcel 2
    7. Issuance of a Density Bonus for provision of three additional units and reduction in interior yard space from 30 percent to 24 percent

    The City's Commercial General land use designation allows retail centers and free-standing commercial uses along arterials, and residential uses up to 18 dwelling units per acre and office use not to exceed a floor area ratio (FAR) of 0.35 to 1. The C-2 General Commercial zoning allows for professional and business offices, with the Planned Development (PD) designation permitting the development of multifamily residential uses in conformance with the City's 2030 General Plan. Based on the area of the parcel for the residential uses (approximately 9.12 acres), the Commercial

General land use designation would permit up to 164 dwelling units. With the approval of Density Bonus for providing 17 (10 percent of units) low income deed-restricted households, the project would be permitted to construct up an additional 20% or 30 units. Only 3 additional units are requested, however, for a total of 167 residential units. One additional concession, allowed by state and local codes would reduce the interior yard space from 30 percent to 24 percent on the project site. Construction of 167 residential units and a 15,100-square-foot office building as proposed by the project both would be consistent with the City's land use designation for the site if changes from SCH to Commercial General as proposed.

The project would be designed in accordance with the City's Zoning Code development standards to ensure massing and scale compatibility with surrounding uses. The office building would be two stories and consistent with the maximum building height of 35 feet, as well as with the minimum front, rear, and side setbacks permitted by the C-2 zoning designation. The residential buildings would be three stories (38 feet) in height, with review and approval of the requested Special Use Permit. The project incorporates a 30-foot landscaped setback along East Vineyard Avenue, in accordance with 2030 General Plan Policy CD-9.4, to provide a landscaped buffer along this City-designated scenic corridor. As such, implementation of the project would not conflict with the City's 2030 General Plan or zoning code. The project would introduce multifamily residential and commercial office uses that have been designed for visual compatibility and consistency with the surrounding land uses. Impacts would be less than significant.

2. The nearest airport to the project site is the Oxnard Airport, located approximately three miles southwest of the site. The Oxnard Airport Sphere of Influence (SOI) is a designated area for the coordination and review of land use proposals which may affect or be affected by the operations of the Oxnard Airport. The project site is outside of the Airport SOI. Therefore, the project would not result in any impact associated with land uses that are not allowed under an applicable airport land use compatibility plan.

3. According to the City's 2030 General Plan (2009), there is no established or planned Habitat Conservation Plan or Natural Communities Conservation Plan in or near the City's Planning Area, which includes the project site. Therefore, the project would have no impact associated with conflict with such a plan.

4. The proposed residential and office development would occur on a site developed with a former school and surrounded by residential and commercial uses. Therefore, the project would serve to extend similar surrounding uses and would not divide an established community. This impact would be less than significant.

Cumulative Impact Analysis: Impacts associated with land use and planning in the City Planning Area were analyzed by the 2030 General Plan EIR and found to be less than significant with implementation of uniformly applied development policies and regulations. The project would result in less than significant impacts with regard to land use and planning and would be required to comply with the City's uniformly applied development policies and regulations. Therefore, the project would not result in or contribute to cumulative impacts associated with land use and planning.

XI. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project result in the loss of availability of a known mineral resource of value to the region or state?	☐	☐	■	☐
2. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated in the 2030 General Plan, specific plan or other land use plan?	☐	☐	■	☐

1,2. According to the Background Report for the 2030 General Plan, important mineral/sand/gravel deposits are primarily located along the Santa Clara River channel, along the U.S. 101 corridor, and along the eastern edge of the City. The project site is located in the City's Non-designated Mineral Resource Zone-2 (MRZ-2), indicating that mineral deposits may be present in the area. However, policies in the Ventura County Mineral Resource Management Plan establishing land use controls that allow for flexibility for mineral extraction do not apply because the site is not in an officially designated MRZ-2 area. Therefore, the project would not result in the loss of availability of a known mineral resource that is of known value to the region or the State, or loss of a designated locally important mineral resource recovery site. Impacts would be less than significant.

Cumulative Impact Analysis: Impacts to mineral resources in the City Planning Area were analyzed by the 2030 General Plan EIR and found to be less than significant with implementation of uniformly applied development policies and regulations. The project would result in less than significant impacts to mineral resources and would be required to comply with the City's uniformly applied development policies and regulations. Therefore, the project would not result in or contribute to cumulative impacts to mineral resources.

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XII. NOISE	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project generate or expose persons to noise levels in excess of standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?	☐	■	☐	☐
2. Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
3. Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?	☐	■	☐	☐
4. Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?	☐	☐	■	☐
5. For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	■
6. Would the project expose non-human species to excessive noise?	☐	☐	■	☐

1. The Noise Study for the Rio Urbana Project (Noise Study), prepared by Meridian Consultants in May 2018, is included as Appendix G of this Initial Study. This study provides background information on noise and how it is measured and described. The Noise Study also provides quantitative estimates of potential noise effects of the proposed project based on criteria in use by the City of Oxnard. Material from the Noise Study, as well as additional information from other City documents is summarized in the following paragraphs.

   The proposed multi-family residences within the project and existing detached single family homes and mobile homes to the northeast in the Rio neighborhood are noise-sensitive land uses. The Oxnard 2030 General Plan Goals & Policies (Oxnard December 2016:Goals SH-5 and SH-6) include

the City's noise goals and policies for maintaining appropriate noise levels in residential and other land uses within the City. Two different specific standards or criteria are described in the City of Oxnard CEQA Guidelines related to acceptable noise levels in various land use types (Oxnard May 2017:Section 12.3). These noise criteria are found (1) in the Oxnard General Plan Draft Background Report and (2) in the City's noise ordinance, Section 7-185 Exterior Noise Standards.

From the General Plan Draft Background Report, the maximum Community Noise Equivalent Level (CNEL) considered "normally acceptable" for single family and mobile home land uses is 60 decibels (dBA), and for multi-family land uses the CNEL limit is 65 dBA (Oxnard April 2006:Table 6-4). CNEL is a 24-hour average noise level, and is often used interchangeably with the Day-Night Average Noise Level (Ldn). The City's use of the CNEL standards in this manner is consistent with many other agencies and local governments (see Figure 6 in the Noise Study for the Rio Urbana Project.) These limits or criteria are intended to be applied to the evaluation of noise from all sources and how it affects the various land uses. Thus, these criteria are commonly used in evaluating noise from roadways, airports and aircraft overflights, rail operations, and similar sources.

In assessing the significance of noise level increases caused by a project – such as long-term increases in noise due to project-generated traffic, the Oxnard CEQA Guidelines reference criteria used by the Federal Transit Administration. For typical urban areas where existing noise levels range from 55 to 65 dBA (measured either as Ldn or Leq), a project-generated increase of from 2-3 dBA would be considered allowable. If existing noise levels are already excessive, then a more stringent increase of 1 dBA is applied up to 74 dBA. And if existing noise levels already exceed 75 dBA, then any increase is considered a significant impact (Oxnard May 2017:Table 5).

The City's noise ordinance uses a different approach to setting noise standards for various land uses. The ordinance is part of the City's process for regulating nuisances, and applies to the generation of noise from specific activities. For residential uses, the maximum allowable exterior sound level during daytime hours (7:00 a.m. to 10:00 p.m.) is 55 dBA, and for nighttime hours (10:00 p.m. to 7:00 a.m.), the limit is 50 dBA. In this context, the stated noise levels are One-hour Equivalent Noise Levels (Leq), not 24-hour averages. The noise ordinance itself has more details, including various adjustments for the presence of impulse sound and for various short-term exceedances. The ordinance also includes several exemptions, one of which applies to construction activities as long as specific days and hours are followed. For this reason, the City of Oxnard CEQA Guidelines suggests, "…construction related noise be considered 'substantial' only in unusual circumstances…" (Oxnard May 2017:page 57).

<u>The Noise Study also reviews California State building code requirements applicable to multi-family residential dwellings, which require that interior living spaces meet a standard of 45 dBA CNEL or less.</u> The Noise Study for the Rio Urbana Project describes the project, addressing both construction related noise and increases in traffic noise levels after the project is completed. Construction related effects are addressed in issues 2 and 3 below.

Traffic noise levels are computed in Table 5 (existing) and Table 9 (existing plus project) of the Noise Study for the Rio Urbana Project, which is Appendix G of this Initial Study. Aspects of the presentation in Tables 5 and 9 of the Noise Study may be confusing because it lists CNEL values for "AM" and "PM" time periods. As noted above, CNEL is a 24-hour noise descriptor so it does not

apply to morning or afternoon periods – it represents the average for an entire day. The "AM" and PM" periods are identified in Table 9 because the morning and afternoon peak hour traffic volumes were used, in turn, to estimate the Average Daily Traffic (ADT) volumes for the noise model work. Thus, slightly different results of CNEL were obtained reflecting the use of either morning or afternoon peak hour volumes to estimate the ADT values used in the model work. Additionally, the noise estimates in the Noise Study are based on traffic generated by development of 182 dwelling units and 15,100 square feet of office space. The updated project, as proposed, would result in 15 fewer dwelling units, and thus fewer vehicle trips, than anticipated in the traffic and noise analyses for the project. Therefore, noise estimates herein are considered conservative estimates for the project as proposed. Excerpts from Table 9 in the Noise Study for the Rio Urbana Project are summarized here in-Table 3. All of the noise levels shown in Table 3 are CNEL values computed for a distance of 75 feet from the center of the identified roadway.

Table 3 Summary of Existing Plus Project Traffic Noise Levels

Street	Intersection No. – Location of segment	Existing Noise Level	Existing Plus Project Noise Level	Change
Vineyard Ave.	1 North of E. Stroube St.	65.3 dBA	65.4 dBA	0.1 dBA
Vineyard Ave.	1 South of E. Stroube St.	65.2 dBA	65.3 dBA	0.1 dBA
Vineyard Ave	2 North of Rio School Lane	65.6 dBA	65.6 dBA	0.0 dBA
Vineyard Ave.	3 South of Rio School Lane	65.6 dBA	65.7 dBA	0.1 dBA
Stroube St.	1 East of Vineyard Ave.	49.6 dBA	49.8 dBA	0.2 dBA
Stroube St.	1 West of Vineyard Ave.	47.0 dBA	47.0 dBA	0.0 dBA
Rio School Lane	2 East of Vineyard Ave	39.9 dBA	44.4 dBA	4.5 dBA

Source: Meridian Consultants, Inc. Noise Study for the Rio Urbana Project, Table 9, May 2018. Noise levels recorded on July 6, 2017
Note from Meridian Consultants, Inc. Noise Study: Roadway noise levels are modeled 75 feet from the center of the roadway.

Most of the intersections and roadway segments analyzed in the Noise Study for the Rio Urbana Project are located at some distance from the project site itself and are not representative of the residential neighborhood generally between Rio School Lane and Stroube Street. Table 3 above includes only those intersections potentially impacted by project traffic that are located generally near existing residential neighborhoods.

For the intersections where the existing CNEL value exceeds 65 dBA, the increase due to project traffic would be much less than 1 dBA. The only substantial increase in roadway noise levels caused by the project would be along what is now Rio School Lane that would serve as the primary access to the proposed development. Although the increase in traffic noise here would be about 4.5 dBA at 75 feet, the resulting CNEL values would still be relatively low (less than 45 dBA) in areas removed from Vineyard Avenue. The actual distance from the centerline of Rio School Lane and the nearest existing house is about 30 feet. At this distance the CNEL would be about 50.4 dBA, still well below the impact threshold of 65 dBA. T~~For example, t~~he existing residences on the north side of Rio School Lane closest to Vineyard Avenue are about 200 feet from the center of Vineyard Avenue. At this distance, the "Existing Plus Project" CNEL value would be reduced from 65.6 dBA to approximately 60 dBA. Areas closer to Vineyard Avenue would experience higher noise levels, but the added effect of project traffic would be much less in these areas. The primary concern in this respect would be the residences proposed within the project itself, specifically those in residential

Building 2 (south of Rio School Lane)~~ 65.6~~ that would be about 86 feet from the center of Vineyard Avenue. At this distance, the existing CNEL from Vineyard Avenue would be about 64.7 dBA, and the existing plus project CNEL would be 64.8 dBA. This result is right at the limit considered acceptable for multi-family residential uses, and exterior living areas would exceed 65 dBA. Although the increases in noise would be relatively minor, the proposed development would lead to small increases in traffic related noise levels in areas where existing noise levels already exceed and mitigation would be required to reduce potential impacts to nearby sensitive receptors to a less than significant level.

Mitigation Measure

The following mitigation measures would reduce potential impacts related to the exposure of people to excessive noise levels to a less than significant level. Equivalent design measures may be substituted as long as the identified performance standard is met.

N-1(a) **Building Material Guidelines.** The living areas for all residences in the project, including those adjacent to Vineyard Avenue, ~~located within 75 feet of the Vineyard Avenue~~ shall be constructed to include sufficient noise attenuation to reduce interior noise levels to a CNEL of 45 dBA, as required by California building standards. For the estimated exterior CNEL values of 65 dBA, ~~t~~This performance standard requires an exterior-to interior noise reduction of approximately 20 dBA~~ or more~~. This noise reduction is routinely achieved in residential construction that is consistent with current California energy conservation standards, and involves measures such as exterior stucco walls with a Sound Transmission Class (STC) rating of 45, double-paned windows with an STC of 37, solid core exterior doors. Building permit applications shall include documentation that the interior standard of 45 dBA CNEL will be achieved through a combination of these or other measures. ~~This would typically require the use of double-paned windows on all windows that are exposed to traffic noise. Such windows should have a minimum laboratory standard transmission class (STC) of 37. The glass shall be sealed into the frame in an airtight manner with a non-hardening sealant or a soft elastomer gasket, or gasket tape. The window frames shall be correctly installed into the wall and insulated to avoid any air gaps. The tital area of glazing facing Vineyard Avenue in rooms used for sleeping on the upper floors shall not exceed 20 percent of the wall area. Solid core doors shall be used for those doorways facing Vineyard Avenue and walls should be insulated in conformance with California Title 24 requirements. Exterior wall maerial shall be stucco, or other surface with an STC rating of at least 45.~~

N-1(b) **Building Design.** The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to Vineyard Avenue. Upper level patio/deck areas shall not be positioned facing the Vineyard Avenue for residences along the western site boundary without additional mitigation or verification that exterior CNEL values would meet the City noise standard of 65 dBA as shown in a Noise Study reviewed and approved by the Planning Manager or designee.

2. Ground vibration is discussed in the *Noise Study for the Rio Urbana Project*. The study focused on three existing residences near the project site that are representative of residences in the vicinity.

Due to the relatively short distances separating these residences from the project site, construction noise levels from the proposed development would cause increases ranging from about 9 dBA to 21 dBA over short periods of time. As described above, the City of Oxnard Noise Ordinance includes an exemption for construction activities during normal working hours. Even with this exemption, the construction noise from the proposed development is considered a potential significant impact that warrants mitigation. Specific mitigation measures to reduce construction noise levels are listed below.

No mitigation measures are necessary related to ground vibration, since the Noise Study for the Rio Urbana Project concludes that ground vibration from construction activities would remain well below the criteria used. Specifically, the construction activities are estimated to cause peak particle velocities (PPV) of 0.021 inches per second at the nearest residences, which is well below the criterion of 0.5 inches per second for PPV.

Mitigation Measure

To reduce the effects of construction activity noise to a less than significant level, the following mitigation measure would be required:

N-2 Construction Noise Levels. For all construction-related activities, noise-attenuation techniques shall be employed as needed to ensure that noise remains as low as possible during construction, specifically at REC-1 through REC-3. The following noise-attenuation techniques shall be incorporated into contract specifications to reduce the impact of construction noise:

- Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
- Place noise-generating construction equipment and locate construction-staging areas away from sensitive uses, where feasible.
- Schedule high noise-producing activities between the hours of 7:00 AM and 5:00 PM to minimize disruption on sensitive uses.
- Implement noise attenuation measures to the extent feasible, which may include but are not limited to temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- All stationary construction equipment (e.g., air compressors, generators, impact wrenches, etc.) shall be operated as far away from residential uses as possible and shall be shielded with temporary sound barriers, sound aprons, or sound skins.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- Clearly post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow for surrounding owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

3. Temporary increases in noise levels caused by the project would occur due to construction activities. This potential impact is discussed above in issue 2.

4. The project is not expected to cause any significant permanent increases in noise levels. Increases in traffic noise levels due to the project are discussed in issue 1 above, and are considered to be a less than significant impact.

5. As discussed in the Land Use and Planning section, the project site is located outside of the Oxnard Airport Sphere of Influence. The project site is located approximately two miles from the nearest points of the 60 dBA CNEL contours associated with the Oxnard Airport (to the southwest) and about three miles from the nearest extent of the 60 dBA CNEL contour from the Camarillo Airport (to the east-southeast) (Ventura County Department of Airports August 2004:Exhibit D-4, and Ventura County Airports Land Use Commission July 2007:Exhibit E-3). This project site is also located more than five miles from Naval Base, Ventura County at Point Mugu. Therefore, the project would not result in exposure of people residing or working in the project area to excessive noise levels associated with nearby airports. There would be no impact.

6. There are no listed endangered or threatened species within the project site, and the proposed development would not subject any sensitive biological species to noise levels beyond those common in urban neighborhoods. Additionally, the project would be required to implement mitigation measure BIO-1 to reduce and/or avoid potential impacts to nesting birds and raptors. For this reason, potential effects related to this issue would be less than significant.

Cumulative Impact Analysis: Impacts associated with noise generated by all development facilitated by the 2030 General Plan were analyzed by the 2030 General Plan EIR and found to be significant for which an overriding consideration was adopted. The project would have less than significant impacts with respect to noise with implementation of mitigation measure N-2, and would be subject to the City's uniformly applied resource protection policies and regulations. Therefore, the project would not contribute to or result in significant cumulative impacts to noise.

XIII. Population, Education, and Housing	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project involve a General Plan amendment that could result in an increase in population over that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?	☐	☐	■	☐
2. Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?	☐	☐	■	☐
3. Would the project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?	☐	☐	☐	■
4. Would the project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing?	☐	☐	☐	■
5. Would the project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?	☐	☐	■	☐
6. Would the project directly or indirect interfere with the operation of an existing or planned school?	☐	☐	■	☐

1,2. The project consists of the development of 167 condominium residential units and a 15,100-square-foot office building on an approximately 10.5-acre site containing the former El Rio Elementary School campus. In January 2019, the City had a total population of 209,879 people and an average household size of 3.97 persons (DOF 2019). Based on the 2019 population and household size, the

project would result in an increase of approximately 663 residents in the City, representing an increase of 0.32 percent from the January 2019 population. The proposed office uses are not likely to generate an additional population within the City because the majority of these new employees would be relocated from existing Rio School District facilities located nearby at 2500 East Vineyard Avenue.

The 2030 General Plan projects a City population within a range of 238,000 to 286,000 people, with the Southern California Association of Governments (SCAG) projecting a population of 237,300 people by 2040. The population growth facilitated by the project would represent less than one percent of these growth forecasts and would be within the predicted growth projections previously evaluated by the City's 2030 General Plan and SCAG. While the project applicant is requesting an amendment to the 2030 General Plan to annex the project site into the City limits and to change the land use designation from School to Commercial General, the project site is in a developed area of the County surrounded by various low density residential and general commercial uses. Therefore, the proposed residential and office uses would be compatible with the uses designated by the City's General Plan for the project area. Impacts would be less than significant.

3,4. The project site does not contain any existing dwelling units. Therefore, the project would not result in any loss of housing units, including affordable to very low- or low-income households, through demolition, conversion, or other means that may necessitate the development of replacement housing. There would be no impacts.

5,6. According to the DOF population and housing estimates, the City had a total population of 209,879 people and an average household size of 3.97 persons in January 2019. Using the average household size, the 167 proposed condominiums included in the project would result in an increase in the City's population of 663 people. A portion of this new population would likely be school-age and would attend local public schools including those operated by Rio School District, and Oxnard Union High School District.

At the elementary school level (grades k-5), the Rio Elementary School District is over capacity. At the time the *Facilities Master Plan* was prepared in 2014, it was predicted that only one elementary school would be under capacity by 2016 and that two schools would be over 100% utilization (Rio School District September 2014:page 5). By 2018, in the *Developer Fee Justification Study & School Facilities Needs Analysis*, the District determined that for the elementary grades K-5 it was 207 students over capacity, but for the middle school grades 6-8 is was 201 students under capacity (Rio School District October 2018:Table 2).

The projections of future development and student generation in the 2018 study included the assumption that the Rio Urbana development project would be completed (along with other projects in the City). Based on generation rates used in the 2018 study, the Rio Urbana project would generate about 29 K-5 students and 10 grade 6-8 students, or about 10% of the projected growth at the time (Rio School District 2018:Tables 4 and 5).

Oxnard Union High School District has seven existing high schools, plus an independent study school and a continuation school. Nearest to the project site are: Oxnard High School, Pacifica High School,

and Rio Mesa High School. All three of these high schools have student enrollment in excess of their original facility capacity and all three use portable classrooms to accommodate part of their current enrollment. The Oxnard Union High School District has acquired land and is planning a new eighth high school southeast of N. Rose Avenue and Caesar Chavez Drive, with construction to start in 2020 (Oxnard Union High School District, October 2017 and January 2019.

To offset a project's potential impact on schools, Government Code 65995(b) establishes the base amount of allowable developer fees a school district can collect from development projects located within its boundaries. The fees obtained by the local districts are used to maintain the desired school capacity and the maintenance and/or development of new school facilities. The project proponents would be required to pay the State-mandated school impact fees. Pursuant to Section 65995(3)(h) of the California Government Code (SB 50, chaptered August 27, 1998), the payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Additionally, the project would provide new administrative office space for the Rio School District, assisting in the operation of the schools in this district. Therefore, impacts to local public schools as a result of the project would be less than significant.

Cumulative Impact Analysis: Population and housing were analyzed by the 2030 General Plan EIR and found to be less than significant after implementation of uniformly applied development policies and regulations. The project would result in less than significant impacts to population, education, and housing and would be required to implement the City's uniformly applied development policies and regulations. Therefore, the project would not contribute to or result in cumulative impacts to population, housing, and education.

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XIV. Public Services and Recreation	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	☐	☐	■	☐
2. Would the project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	☐	☐	■	☐
3. Would the project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels?	☐	☐	■	☐
4. Would the project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	■	☐

1. Upon annexation to the City of Oxnard, the project site and proposed development would be under the jurisdiction of the Oxnard Fire Department (OFD). The OFD fire station nearest to the project site is Station 7, located approximately 0.6 mile northeast of the site at 3300 Turnout Park Circle. The project would increase development density on the project site and result in new population in the City of Oxnard resulting in a potential increase in demand for OFD services. However, the population growth facilitated by the project would not substantially affect provision of fire protection given the location of the project in an urbanized area adjacent to the City and in close proximity to existing fire stations. The proposed development would be required to meet all fire and building code provisions to the satisfaction of the City and OFD. As such, the increase in demand for OFD services would not result in the need for new or expanded facilities to maintain acceptable service levels, the construction of which may have significant environmental effects. This impact would be less than significant.

2. Upon annexation to the City of Oxnard, the project site and proposed development would be under the jurisdiction of the Oxnard Police Department (OPD) for law enforcement protection services. OPD operates from its police station located at 251 South C Street, approximately 2.5 miles south of the project site. OPD also operates a police substation located within the Collection RiverPark center at 2751 Park View Court, less than one mile west of the project site. The City is divided into four police districts, each of which is further divided into smaller response beats. The project site is located in Beat 12, which is part of the North District. The project would increase development density on the project site and result in new population in the City of Oxnard resulting in a potential increase in demand for OPD services. However, the population growth facilitated by the project would not substantially affect provision of police protection given the location of the project in an urbanized area adjacent to the City and in close proximity to existing police stations. Additionally, construction of the project would incorporate various security features, such as fencing, surveillance cameras, and security lighting, to minimize trespassing, vandalism, and other uses that could place an additional demand on OPD. As such, the increase in demand for OPD services would not result in the need for new or expanded facilities to maintain acceptable service levels, the construction of which may have significant environmental effects. This impact would be less than significant.

3. Under the Quimby Act (California Government Code Section 66477), cities and counties in California may require that developers set aside land, donate conservation easements, or pay fees for park improvements in order to achieve a minimum of three acres per 1,000 residents. The goal of the Quimby Act is to require developers to assist in the mitigation of impacts associated with property improvements and development. According to Section 4.5.1 of the Background Report for the 2030 General Plan, the City of Oxnard operates 50 existing park facilities located in the City Planning Area. In total, the City Planning Area contains approximately 828 acres of parkland, including a 362-acre public golf course. Based on the City's January 2019 population of 209,879, the City currently possesses 3.9 acres of parkland per 1,000 residents. The project would generate approximately 663 new residents in the City of Oxnard, increasing demand on City park and recreational facilities. However, the project would provide various on-site recreational amenities, including a recreation center and activity room, tot lot, and small dog park, as well as open space areas. Therefore, the new residents generated by the project would likely use these areas for recreation before going elsewhere in the City alleviating some of the potential demand of the project on existing City park or recreational facilities. Additionally, the increase in City residents as a result of the project would not decrease the parkland to resident ratio below the requirement of three acres per 1,000 residents of the Quimby Act. The employees associated with the proposed office uses are likely to be relocated from existing Rio School District facilities and, therefore, would not result in a substantial increase in demand on existing park or recreational facilities. In accordance with the City's 2030 General Plan, the project applicant would meet any additional demand on parks and recreational facilities through payment of applicable developer fees to finance public facilities. These developer fees would be assessed and determined by the City's Community Development Department through the plan check and permitting process prior to the issuance of building permits. This impact would be less than significant.

4. The nearest library to the project site is the Albert H. Soliz Library. This library is owned and operated by the County of Ventura, but located in the City of Oxnard at 2820 Jourdan Street,

approximately 350 feet north of the project site. Due to the close proximity to the project site, future residents on the site are likely to use this facility for their library needs. However, with other accessible library facilities throughout the City and County, the project would not create a substantial increase in demand for library services such that new facilities are needed. In accordance with the City's 2030 General Plan, the project applicant would meet any additional demand on library facilities through payment of applicable developer fees to finance public facilities. These developer fees would be assessed and determined by the Community Development Department through the plan check and permitting process prior to the issuance of building permits. This impact would be less than significant.

Cumulative Impact Analysis: Impacts to public services were analyzed in the 2030 General Plan EIR and found to be less than significant with implementation of uniformly applied development policies and regulations. The project would result in less than significant impacts to public services and recreation and would be required to implement the City's uniformly applied development policies and regulations. Therefore, the project would not result in or contribute to cumulative impacts to public services and recreation.

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XV. TRANSPORTATION AND CIRCULATION	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would the project cause an increase in traffic that 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) based on adopted City of Oxnard level of service (LOS) standards?	☐	☐	■	☐
2. Would the project exceed, either individually or cumulatively, and LOS standard established by the Ventura County Congestion Management Program (CMP) for designated roads or highways?	☐	☐	■	☐
3. Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	■	☐
4. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
5. Would the project result in inadequate emergency access?	☐	☐	■	☐
6. Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	■	☐

1. **CONSTRUCTION**

Equipment and materials associated with project demolition and construction activities would be imported and exported from the project site and stored onsite for the duration of construction, where possible. Construction delivery and demolished materials export trips would be infrequent and short-term. The project demolition and construction workforce would likely commute to the project site in personal vehicles. The additional daily vehicle trips generated from the demolition and construction workforce would have localized impacts on Vineyard Avenue, Oxnard Boulevard, and Channel Islands Boulevard. However, the number of daily trips would be minimal in comparison

of the average daily vehicle trips on these arterial roadways of the city. All additional trips generated from the demolition and construction workforce would be temporary and short term.

OPERATION

A Revised Traffic and Circulation Study (Traffic Study) was completed for the project by Associated Transportation Engineers (ATE) on April 27, 2018 (refer to Appendix H). The Traffic Study describes the existing conditions, project trip generation rates, and the impact of the project on existing conditions. The Traffic Study also includes an analysis of the proposed and developing projects in the vicinity and the project's related impacts to traffic and circulation in a future setting.

The project site is served by a circulation system comprising arterial and collector streets. Traffic flow on urban arterials is most constrained at intersections. Therefore, a detailed analysis of traffic flows must examine the operating conditions of critical intersections during peak travel periods. Levels of Service (LOS) A through F are used to rate intersection operations, with LOS A indicating free flow operations and LOS F indicating congested operations. In the City of Oxnard LOS C is the acceptable operating standard for intersections.

Existing Conditions

The existing a.m. and p.m. peak hour traffic volumes at the study area intersections were collected by ATE in March of 2016, and March and June of 2017. Existing LOS for the study area intersections were calculated using the Intersection Capacity Utilization (ICU) methodology as required by the City of Oxnard. Table 4 below lists the existing LOS for study area intersections during the a.m. and p.m. peak hour periods.

Table 4 Existing Peak Hour Levels of Service

Intersection	Control Type	A.M. Peak Hour		P.M. Peak Hour	
		ICU	LOS	ICU	LOS
Vineyard Avenue/Stroube Street	Signal	0.56	A	0.55	A
Vineyard Avenue/Rio School Lane	STOP-Sign	1.0 sec.	A	1.0 sec.	A
Vineyard Avenue/Sycamore Street	STOP-Sign	1.0 sec.	A	1.0 sec.	A
Vineyard Avenue/Riverpark Boulevard	Signal	0.55	A	0.56	A
U.S. Highway 101 NB ramps/Vineyard Avenue	Signal	0.50	A	0.52	A
U.S. Highway 101 SB ramps/Vineyard Avenue	Signal	0.53	A	0.55	A
Vineyard Avenue/Esplanade Drive	Signal	0.56	A	0.63	B
Rose Avenue/Stroube Street	STOP-Sign	15.3 sec.	C	12.3 sec.	B
Rose Avenue/Auto Center Drive	Signal	0.55	A	0.77	C
U.S. Highway 101 NB ramps/Rose Avenue	Signal	0.42	A	0.47	A
U.S. Highway 101 SB ramps/Rose Avenue	Signal	0.61	B	0.69	B

Source: ATE Revised Traffic and Circulation Study, Table 1, April 2018.

As shown in Table 4, the study area intersections currently operate at LOS C or better during the a.m. and p.m. peak hour periods, which meets the City's LOS C standard.

Project Trip Generation

Trip generation estimates were calculated for the project based on Residential Condominiums (Land-Use Code #230) and Single Tenant Office Buildings (Land Use Code #715) rates presented in the Institute of Transportation Engineers (ITE) Trip Generation, 9th Edition. The trip generation estimates in the Traffic Study are based on development of 182 dwelling units and 15,000 square feet of office space. The updated project, as proposed, would result in 15 fewer dwelling units, and thus fewer trips, than anticipated in the Traffic Study. Therefore, trip generation estimates herein are considered conservative estimates for the project as proposed. Table 5 summarizes the average daily, a.m., and p.m. peak hour trip generation estimates for the project.

Table 5 Project Trip Generation

Intersection	Size	ADT		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Condominium	182 units	5.81	1,057	0.44	80 (14/66)	0.52	95 (64/31)
Office	15,000 sq.ft.	11.65	175	1.80	27 (24/3)	1.74	26 (4/22)
	Total Project Trip Generation:		**1,232**		**107 (38/69)**		**121 (68/53)**

Source: ATE Revised Traffic and Circulation Study, Table 2, April 2018.

The data presented in Table 5 show that the project would generate a total of 1,232 average daily trips (ADT), 107 a.m. peak hour trips, and 121 p.m. peak hour trips.

Project Trip Distribution and Assignment

The project-generated a.m. and p.m. peak hour traffic volumes were distributed and assigned to the study area intersection based on travel data derived from the existing traffic volumes as well as general knowledge of the population, employment, and commercial centers in the Oxnard/Ventura area.

Project-Specific Impacts

LOS were calculated for the study area intersection assuming the Existing + Project traffic volumes. Table 6 shows the results of the calculations and identifies the project's impacts based on City of Oxnard thresholds.

Table 6 Existing plus Project Peak Hour Levels of Service

Intersection	Existing		Existing plus Project		Change	Impact?
	ICU/Delay	LOS	ICU/Delay	LOS		
A.M. Peak Hour						
Vineyard Avenue/Stroube Street	0.56	A	0.57	A	0.01	No
Vineyard Avenue/Rio School Lane	1.0 sec.	A	1.0 sec.	A	~~8.9~~0.0 sec.	No
Vineyard Avenue/Sycamore Street	1.0 sec.	A	1.5 sec.	A	0.5 sec.	No
Vineyard Avenue/Riverpark Boulevard	0.55	A	0.55	A	0.00	No
U.S. Highway 101 NB ramps/Vineyard Avenue	0.50	A	0.51	A	0.01	No
U.S. Highway 101 SB ramps/Vineyard Avenue	0.53	A	0.54	A	0.01	No
Vineyard Avenue/Esplanade Drive	0.56	A	0.56	A	0.00	No
Rose Avenue/Stroube Street	15.3 sec.	C	17.1 sec.	C	1.8 sec.	No

Intersection	Existing		Existing plus Project		Change	Impact?
	ICU/Delay	LOS	ICU/Delay	LOS		
Rose Avenue/Auto Center Drive	0.55	A	0.55	A	0.00	No
U.S. Highway 101 NB ramps/Rose Avenue	0.42	A	0.42	A	0.00	No
U.S. Highway 101 SB ramps/Rose Avenue	0.58	A	0.58	A	0.00	No
P.M. Peak Hour						
Vineyard Avenue/Stroube Street	0.55	A	0.56	A	0.01	No
Vineyard Avenue/Rio School Lane	1.0 sec.	A	1.0 sec.	A	0.0 sec.	No
Vineyard Avenue/Sycamore Street	1.0 sec.	A	1.6 sec.	A	0.6 sec.	No
Vineyard Avenue/Riverpark Boulevard	0.56	A	0.57	A	0.01	No
U.S. Highway 101 NB ramps/Vineyard Avenue	0.52	A	0.54	A	0.02	No
U.S. Highway 101 SB ramps/Vineyard Avenue	0.55	A	0.56	A	0.01	No
Vineyard Avenue/Esplanade Drive	0.63	B	0.63	B	0.00	No
Rose Avenue/Stroube Street	12.3 sec.	B	13.0 sec.	B	0.7 sec.	No
Rose Avenue/Auto Center Drive	0.77	C	0.77	C	0.00	No
U.S. Highway 101 NB ramps/Rose Avenue	0.47	A	0.47	A	0.00	No
U.S. Highway 101 SB ramps/Rose Avenue	0.69	B	0.69	B	0.00	No

Source: ATE Revised Traffic and Circulation Study, Tables 3 and 4, April 2018.

As shown in Table 6, the project would not generate traffic level impacts of a significant level to the study area intersections, based on the City of Oxnard's traffic impact thresholds during the a.m. or p.m. peak hour periods.

Cumulative (Existing + Approved/Pending Project) Conditions

The City of Oxnard requires that intersection operations be analyzed with the addition of traffic generated by projects that have been approved or are pending in the project study area. Trip generation estimates were used for the developments that are approved or pending near the project study area using the rates presented in the ITE, Trip Generation, 9th Edition. Table 7 summarizes the average daily, a.m., and p.m. peak hour trip generation estimates for the approved and pending projects, buildout of Riverpark Specific Plan, and third tower at Esplanade.

Table 7 Approved and Pending Projects (Cumulative Development) Trip Generation

No.	Project	Land Use	Size	ADT	A.M. Peak Hour	P.M. Peak Hour
1	Oakmont Senior Living	Assisted Living	85 units	172	5	14
2	The Village	Multi-Family Res.	88 units	580	40	51
3	The Village	Multi-Family Res.	78 units	514	36	45
4	The Village	Multi-Family Res.	144 units	949	66	84
5	Ventura/Vineyard Homes	Single Family Res.	152 units	1,447	114	152
6	River Park Senior	Senior Residential	136 units	275	8	23
7	Wagon Wheel The Village	Multi-Family Res. Retail Commercial	219 units 16,303 sq.ft.	1,443 722	101 22	127 44
8	Veranda	Single-Family Res.	95 units	904	71	95
9	Westerly River Park	Single-Family Res.	69 units	657	52	69

No.	Project	Land Use	Size	ADT	A.M. Peak Hour	P.M. Peak Hour
10	V.C. Credit Union	Bank	3,391 sq.ft.	230	0	41
11	Shoe City	Retail Commercial	17,513 sq.ft.	776	23	47
12	The Point	Retail Commercial	45,000 sq.ft.	1,922	43	167
13	Esplanade Gateway	Coffee Shop Retail Commercial	1,836 sq.ft. 5,000 sq.ft.	762	97	37
14	The Collection – River Park	Retail Commercial	40,000 sq.ft.	1,708	38	148
15	Campus at Topa Towers	Restaurant Retail Commercial	8,350 sq.ft. 15,240 sq.ft.	1,062 675	90 22	82 41
16	Third Tower	Office	300,000 sq.ft.	3,308	468	447
17	Gold Coast Transit	Trip Generation from Penfield & Smith TIA		2,263	153	78
18	Audi of Oxnard	Auto Dealership	35,064 sq.ft.	939	76	97
19	Food 4 Less Center	Retail Commercial Gas Station	75,776 sq.ft. 14 pumps	3,236 2,360	73 170	281 194
			Total Trips	**21,965**	**1,427**	**2,066**

Source: ATE Revised Traffic and Circulation Study, Table 5, April 2018.

The data presented in Table 7 indicate that the approved and pending projects would generate a total of 21,965 average daily trips, 1,427 a.m. peak hour trips and 2,066 p.m. peak hour trips. The traffic generated by the approved and pending projects was distributed and assigned to the study area intersections based on the location of each project, recent traffic studies, existing traffic patterns observed in the study area as well as a general knowledge of the population, employment and commercial centers in Oxnard and surrounding Ventura County area. The Cumulative LOS for the study area intersections are shown in Table 8.

Table 8 Cumulative Peak Hour Levels of Service

Intersection	Control Type	A.M. Peak Hour		P.M. Peak Hour	
		ICU	LOS	ICU	LOS
Vineyard Avenue/Stroube Street	Signal	0.58	A	0.55	A
Vineyard Avenue/Rio School Lane	STOP-Sign	1.0 sec.	A	1.0 sec.	A
Vineyard Avenue/Sycamore Street	STOP-Sign	1.0 sec.	A	1.0 sec.	A
Vineyard Avenue/Riverpark Boulevard	Signal	0.55	A	0.58	A
U.S. Highway 101 NB ramps/Vineyard Avenue	Signal	0.54	A	0.53	A
U.S. Highway 101 SB ramps/Vineyard Avenue	Signal	0.61	B	0.67	B
Vineyard Avenue/Esplanade Drive	Signal	0.52	A	0.66	B
Rose Avenue/Stroube Street	STOP-Sign	16.7 sec.	B	12.6 sec.	B
Rose Avenue/Auto Center Drive	Signal	0.61	B	0.83	D
U.S. Highway 101 NB ramps/Rose Avenue	Signal	0.45	A	0.53	A
U.S. Highway 101 SB ramps/Rose Avenue	Signal	0.61	B	0.74	C

Source: ATE Revised Traffic and Circulation Study, Table 6, April 2018.

The date presented in Table 8 indicate that the Rose Avenue/Auto Center Drive intersection would operate at LOS D during the p.m. peak hour period with the addition of Cumulative traffic volumes, which does not meet the City's LOS C standard. The Rose Avenue/Auto Center Drive intersection

would operate at LOS B during the a.m. peak hour period and all other study intersections would operation at LOS C or better during the a.m. and p.m. peak hour periods with the addition of cumulative traffic volumes, meeting the City's LOS C standard.

Cumulative Plus Project Impacts

LOS was calculated for the study area intersections, assuming the Cumulative plus Project volumes. Table 9 shows the results of the calculations and identifies the impacts of the project, based on City of Oxnard thresholds.

Table 9 Cumulative plus Project Peak Hour Levels of Service

Intersection	Cumulative		Cumulative plus Project		Change	Project Impact Alone?
	ICU/Delay	LOS	ICU/Delay	LOS		
A.M. Peak Hour						
Vineyard Avenue/Stroube Street	0.58	A	0.59	A	0.01	No
Vineyard Avenue/Rio School Lane	1.0 sec.	A	1.0 sec.	A	0.00 sec.	No
Vineyard Avenue/Sycamore Street	1.0 sec.	A	1.6 sec.	A	0.6 sec.	No
Vineyard Avenue/Riverpark Boulevard	0.55	A	0.56	A	0.01	No
U.S. Highway 101 NB ramps/Vineyard Avenue	0.54	A	0.55	A	0.01	No
U.S. Highway 101 SB ramps/Vineyard Avenue	0.61	B	0.62	B	0.00	No
Vineyard Avenue/Esplanade Drive	0.52	A	0.52	A	0.00	No
Rose Avenue/Stroube Street	16.7 sec.	C	19.1 sec.	C	2.4 sec.	No
Rose Avenue/Auto Center Drive	0.61	B	0.61	B	0.00	No
U.S. Highway 101 NB ramps/Rose Avenue	0.45	A	0.45	A	0.00	No
U.S. Highway 101 SB ramps/Rose Avenue	0.61	B	0.61	B	0.00	No
P.M. Peak Hour						
Vineyard Avenue/Stroube Street	0.55	A	0.57	A	0.02	No
Vineyard Avenue/Rio School Lane	1.0 sec.	A	1.0 sec.	A	0.0 sec.	No
Vineyard Avenue/Sycamore Street	1.0 sec.	A	1.3	A	0.3	No
Vineyard Avenue/Riverpark Boulevard	0.58	A	0.59	A	0.01	No
U.S. Highway 101 NB ramps/Vineyard Avenue	0.53	A	0.55	A	0.02	No
U.S. Highway 101 SB ramps/Vineyard Avenue	0.67	B	0.68	B	0.01	No
Vineyard Avenue/Esplanade Drive	0.66	B	0.67	B	0.01	No
Rose Avenue/Stroube Street	12.6 sec.	B	13.5 sec.	B	0.9 sec.	No
Rose Avenue/Auto Center Drive	0.83	D	0.83	D	0.00	No
U.S. Highway 101 NB ramps/Rose Avenue	0.53	A	0.53	A	0.00	No
U.S. Highway 101 SB ramps/Rose Avenue	0.74	C	0.74	C	0.00	No

Source: ATE Revised Traffic and Circulation Study, Tables 7 and 8, April 2018.

The data presented in Table 9 indicate that the project contribution to traffic would not result in significant cumulative impacts to the study area intersections based on the City's traffic impact thresholds during the a.m. or the p.m. peak hour periods. Additionally, the project applicant would

be required to pay the City's standard traffic mitigation fees to off-set any project contribution to cumulative traffic increases in the City.

2. According the County's Congestion Management Program (CMP; 2009), the minimum acceptable standard for traffic operations is LOS E. However, to avoid unfair penalization to local jurisdictions for existing congestion, CMP locations that currently operate in the LOS F range are considered acceptable.

   The study area intersections along Vineyard Avenue and Rose Avenue are included in the County's CMP. These intersections would operate at LOS D or better with the addition of Cumulative plus Project peak hour volumes and, thus, would not exceed the CMP LOS E standard.

3. The project would not result in a change in air traffic patterns including either an increase in traffic levels or a change in location that results in a substantial safety risk. The project represents an infill project on a parcel that has been utilized for public school uses for a number of decades. Also, as discussed in the Land Use and Planning section, the project site is located outside of the Oxnard Airport SOI. Therefore, development on the project site would not result in substantial safety risks associated with the airport. This impact would be less than significant.

4,5. Rio School Lane would be vacated by the County of Ventura for the project, with current access and parking for adjoining properties, maintained. Access to the project site would be provided by three driveways from Vineyard Avenue. The project would also be designed to incorporate fire/emergency access and circulation throughout the proposed development. Turning radius within the proposed development would accommodate maneuverability on the site of large trucks and vehicles, including fire and solid waste collection trucks. The entrances and internal circulation routes would be designed and constructed to City of Oxnard design standards and include driveway aprons.

   Construction of the project would involve typical construction equipment and project materials that would be delivered via trucks. Large flatbed trucks, dump trucks, and water trucks would travel on Vineyard Avenue, Rio Lane, and other roads in the area while delivering supplies and equipment. Streets used to access the project site are public streets designed for use by large trucks. Therefore, the project would not substantially increase hazards due to a design feature or incompatible uses. This impact would be less than significant.

6. According to the City's Bicycle and Pedestrian Master Plan (2011) and the Ventura County Regional Bikeway Wayfinding Plan (Ventura County Transportation Commission 2017), there are no existing bicycle routes adjacent to the project site. However, according to both plans, Class II Bicycle Lanes are proposed along Vineyard Avenue adjacent to the project site. Gold Coast Transit District provides bus and paratransit services in the City of Oxnard, with Route 15 transit stops along Vineyard Avenue in close proximity to the project site. Route 15 includes eastbound stops at Vineyard Avenue/Ventura Boulevard, approximately 600 feet south of the site, and Vineyard Avenue/Collins Street, approximately 1,000 feet north of the site, and a westbound stop at Vineyard Avenue/Olive Street, approximately 230 south of the site. The project would not preclude future implementation of the City's planned bicycle facilities along Vineyard Avenue or use of existing transit services. Additionally, the project would preserve the existing public sidewalk along Vineyard Avenue and would include various new pedestrian connectivity routes throughout the project site.

Therefore, the project would not conflict with adopted policies, plans, or programs supporting alternative transportation. This impact would be less than significant.

Cumulative Impact Analysis: The project's contribution to cumulative impacts to transportation and circulation is evaluated under issue 1 and would be less than significant.

XVI. Utilities and Energy	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
With respect to Utilities:				
1. Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?	☐	■	☐	☐
2. Would additional wastewater conveyance or treatment capacity be required to serve project demand and existing commitments?	☐	☐	■	☐
3. Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?	☐	☐	■	☐
4. Would the project conflict with federal, state, or local statutes or regulations related to solid waste?	☐	☐	■	☐
With respect to Energy:				
5. Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal?	☐	☐	■	☐
6. Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?	☐	☐	■	☐
7. Would the project be inconsistent with existing energy standards?	☐	☐	■	☐
8. Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?	☐	☐	■	☐

A Wet Utility Preliminary Investigation was prepared by Jensen Design & Survey, Inc. in August 2017 and revised through August 6, 2018 to assess existing and proposed water usage and sewer loading associated with the project. A Domestic Water Supply and Demand memorandum was also prepared by Jensen Design & Survey, Inc. in April 2019 to provide an updated analysis of projected water demand for the project, and the proposed transfer of pumping rights to the City of Oxnard from active Rio School District groundwater wells. These reports are included in Appendix I of this Initial Study. The Wet Utility Preliminary Investigation determined that operation of the former El Rio Elementary School on the project site resulted in a historical sewer loading of 12,470 gallons per day (GPD). Past water consumption for the former El Rio Elementary School is documented by allocations by the Fox Canyon Groundwater Management Agency (FCGWMA) to three separate wells that were operated by the Rio School District. This allocation was assigned to the well onsite (Well No. 02N22W22Q05S). According to the Wet Utility Preliminary Investigation, the FCGWMA existing allocation for this well is 42.676 acre-feet per year (AFY). This allocation is based on the historic allocation dating back to 1990, as adjusted by subsequent restrictions imposed by the FCGWMA – reviewed and explained in Section 3.0 of the Wet Utility Preliminary Investigation. According to the Domestic Water Supply and Demand memorandum, FCGWMA is in process of conducting hearings to adopt an Ordinance which will require well owners to reduce groundwater pumping and reduce transferable allocation and pumping rights. Based on well pumping information provided by Rio School District and review by FCGWMA, pumping a maximum of 52.074 AFY will be allowed for development on the project site once the Ordinance is adopted. Currently, the well on Rio Urbana project site would have an allocation of 10.483 AFY per the proposed future Ordinance with the remaining amount of 41.591 AFY allocated to the other two wells to be held by the Rio School District.

The Wet Utility Preliminary Investigation determined that the proposed development would result in sewer loading of 45,717 GPD. The Domestic Water Supply and Demand memorandum determined that the proposed development would result in water demand of 40.399 AFY. This equates to a net difference, or increase of 33,247 GPD of sewer loading demand and decrease of 2.277 AFY in water demand, from existing to proposed conditions.

1. Impacts to water supply

a. Water System and Sources

The discussion below provides a brief summary of the current sources of water used in the City of Oxnard and the various government agencies and regulatory systems that control those sources. Much of the information in this discussion is based on the City of Oxnard UWMP (prepared in July 2016 and updated January 19, 2018). Documents or codes and ordinance adopted by other agencies are cited as necessary. With respect to the water demands of the proposed project itself, a Wet Utility Preliminary Investigation was prepared by Jensen Design & Survey, Inc. in August 2017, and then updated in August 6, 2018, to assess existing and proposed water usage and sewer loading associated with the project. The updated version of the report is included in Appendix I of this document. That investigation identifies the existing allocation of groundwater to the Rio School site, as well as a projection of the water demand of the proposed development and the potential for reclaimed water use in the development. The earlier version of the report also provided estimates

of actual past water use on the property. The Wet Utility Preliminary Investigation also discusses sewer service, which is the topic in Issue 2 below.

The City of Oxnard provides potable water service to the existing El Rio School District facilities on the project site, even though the land is within the unincorporated area of Ventura County, outside of the existing City limits. This water service is limited to the existing storage and maintenance uses at the school district facilities, and the property will have to be annexed to the City in order for the City to provide water for the proposed development. The following paragraphs describe the water supply of the City of Oxnard.

As of 2015, the total volume of potable water distributed by the City of Oxnard to its service area was approximately 25,806 acre-feet per year (AFY).The City uses three sources of water to make up it system supply, as described in the Oxnard UWMP (Oxnard January 19, 2018:Sections 4 and 6) and summarized as follows:

- **Imported water purchased from the Calleguas Municipal Water District (CMWD)**. Surface water imported from CMWD constitutes about 36 percent of the City water supply or 8,059 AFY in 2016. CMWD obtains the vast majority of its water (about 90,000 AFY) from the Metropolitan Water District of Southern California (MWD or Metropolitan). CMWD also participates in aquifer storage and recovery projects and other projects to recover and reclaim water, but these comprise less than 5,000 AFY (CMWD UWMP June 2016:Sections 4 and 6). The larger MWD system and the CMWD system on the regional level provide a reliable water source and an administrative structure for the management of surface water. There are, however, several constraints to this system (CMWD UWMP June 2016:Section 7.1). These include:
    - Increasing demands throughout California
    - Potential for damage to SWP system and interruption of supply due to earthquake
    - Increased demands for water to support environmental resources in San Joaquin Delta
    - Drought
    - Climate Change leading to increased variability in supply
    - Need to offset historic overdraft of groundwater

  For these reasons, an increase in water supply directly from CMWD is not likely in the future without an increase in water resources available from the larger State Water Project, through MWD.

- **Groundwater purchased from the United Water Conservation District (UWCD)**, The UWCD provides about 32 percent of the City supply (7,329 AFY in 2016). UWCD obtains water from the Santa Clara River, and diverts it to spreading basins to help replenish groundwater within the Oxnard Plain. UWCD is within, and subject to the regulations of, FCGWMA, introduced in Section IX above, Hydrology and Groundwater.

- **Groundwater pumped from a system of City-owned wells** The City of Oxnard owns 10 groundwater wells throughout the Oxnard Plain, and operates six blending stations within the City. Groundwater from City-owned wells is blended at six of these stations. These City-owned wells supply about 32 percent of the potable water distributed by the City (7,186 AFY in 2016).

As with the UWCD and all other groundwater users, the City of Oxnard is subject to the monitoring and allocation requirements of the FCGWMA to help achieve and maintain sustainable use of the groundwater resources in the region.

Other programs within the City provide additional, although smaller, volumes of water. These include the Advanced Water Purification Facility (AWPF), which is part of the City's wastewater treatment system and uses Reverse Osmosis technology to produce treated wastewater that can be recycled for irrigation and other uses to offset the demand for potable water. The Calleguas Municipal Water District (discussed above) participates in this program by conveying treated wastewater from the City of Oxnard AWPF to agricultural customers for irrigation in lieu of groundwater pumping (CMWD UWMP, June 2016:Section 6.5). As of 2015 the AWPF has the capability to produce about 7,000 AFY. This effort is part of the City's Groundwater Recovery Enhancement and Treatment (GREAT) program. In coordination with other service providers in the region (including Pleasant Valley County Water District, Port Hueneme Water Agency, and UWCD, the GREAT program is a regional effort that will assist in aquifer restoration and in achieving the groundwater allocation restrictions imposed by the FCGWMA.

Another component of the City's GREAT program is its desalinization plant, or Desalter #1. This plant treats brackish groundwater, and works in conjunction with the AWPF described above and the City's groundwater injection well as part of the larger aquifer or groundwater management system. At the present time, expansion of the desalinization program to treat seawater is not considered financially feasible.

b. Applicable Regulations and Policies

The complex water supply and delivery network summarized above is regulated through a hierarchy of codes, ordinances, plans, and agreements adopted at the state, regional, and local level. The following paragraphs summarize the applicable requirements and procedures that apply to the proposed development.

California Requirements. The California Sustainable Groundwater Management Act in 2014 resulted in the designation of the Oxnard Plain as a "high priority" groundwater basin, within which local governments and agencies are required to prepare Groundwater Sustainability Plans. Any General Plan amendments or similar actions must consider compliance with applicable Groundwater Sustainability Plan (Government Code Section 65350.5). In this region, the FCGWMA was designated as the Groundwater Management Agency.

FCGWMA Requirements. Since 1982, FCGWMA has overseen monitoring and allocation of groundwater resources in the region as part of its original responsibility and authority. These actions include the development of strict groundwater monitoring requirements, preparation of a *Groundwater Management Plan* updated in 2007 (FCGWMA May 2007), several ordinances that were consolidated and updated into a single Ordinance Code in January 2015, various annual reports, and Emergency Ordinance E. The latter ordinance was in response to the state declaration of drought in 2014, and established a Temporary Extraction Allowance for Municipal and Industrial users, such as the City of Oxnard, limited to 80 percent of their annual average use between 2003

and 2012. Ordinance E also imposes additional efficiency requirements for agricultural users. Since its designation as the Groundwater Management Agency, FCGWMA has released a draft *Sustainable Groundwater Plan for the Oxnard Plain* (FCGWMA November 2017). This draft plan describes the coordinated plans and programs in the City of Oxnard (FCGWMA November 2017:Section 1.2.6.2, pages 1-28 and 1-29)—including the City's "net-zero" policy regarding water use by new development--and would further reduce groundwater allocations to 50 percent compared to the historical averages. The goals of the plan are to restore the groundwater resources in the region, and specifically to maintain groundwater elevations near the coast for the management of seawater intrusion (page 1-30).

CMWD Requirements. The Calleguas Municipal Water District also operates under an UWMP, and also has a district Code that defines its service area and annexation requirements. All groundwater use and any reclamation and recharge programs within CMWD also occur under the umbrella of the FCGWMA plans and requirements described above~~.~~ The project site is not within the CMWD but would join the CMWD through annexation to the City of Oxnard. For this reason, CMWD is listed in among other agencies that must review and approve annexation (page iv of this IS-MND). The following paragraphs, provided by CMWD, describe the district and their requirements.

Land on which the proposed projects will be built is not presently within the boundaries of Calleguas Municipal Water District or Metropolitan Water District of Southern California. The Administrative Codes of both agencies state that water delivered by their systems may be used only within their respective service area boundaries. Calleguas purchases all of its potable water from Metropolitan. Metropolitan supplies water from the Colorado River and the State Water Project for municipal, industrial and agricultural uses within its service area. Annexation to Calleguas and Metropolitan of the land under consideration is necessary to allow annexation to and water service by the City of Oxnard.

Annexation procedures for Metropolitan are defined in Section 3500 of the Metropolitan Water District Act, which are also observed by Calleguas. In addition, annexations to Calleguas are subject to Part 8 of Calleguas' Administrative Code. Annexation is also subject to approval by the Ventura Local Agency Formation Commission and any terms and conditions the Commission may apply. Pursuant to Section 56017 of Part 1, Chapter 2, of the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, annexation means the annexation, inclusion, attachment, or addition of territory to a city or district. This action will require amendment of the Spheres of Influence of Calleguas and Metropolitan.

Calleguas and Metropolitan have in place Water Standby Charges. In the course of annexation, such charges will be fixed for the subject property. Water Standby Charges are assessed to pay for the benefits that properties receive from the projects and facilities provided by Calleguas and Metropolitan, whether or not they receive water from Calleguas and Metropolitan.

This administrative change in water service areas will have a less than significant impact.

City of Oxnard Requirements. The City of Oxnard Municipal Code Chapter 22 addresses water resources in all respects. As a general summary, all applicants are responsible for making

arrangements for any allocation adjustments or transfers of water rights to the City, as set forth in Article VI, Section 22-100 Water Rights and Groundwater Pumping Allocations:

> …the land owner …shall transfer or assign to the city any water rights, water wells, mains, easements, and water production equipment or facilities which may be appurtenant to such property or which may be used exclusively thereon as follows:
>
> …Any and all applicable groundwater pumping allocations and/or credits attributable to the property to be served by the city and available from the Fox Canyon Groundwater Management Agency, shall be transferred to the city by the property owner. The property owner shall be responsible for all fees and charges necessary to obtain the approval of the transfer of pumping allocations and/or credits from the Fox Canyon Groundwater Management Agency to the city;

The Rio Urbana development would be subject to other municipal code provisions that identify and prohibit wasteful use of water (Article VIII, beginning at Section 22-135)) and require conformance with water conservation measures that exist or may be declared by the City in the Future (Article IX, beginning at Section 22-150). These measures would reduce water consumption internally, but would not eliminate or necessarily guarantee a complete offset any new water use caused by the project. Therefore, additional measures would be necessary to mitigate the impact of increased water use by the project. These are discussed below under mitigation.

c. Project Effects and Mitigation

The Domestic Water Supply and Demand memorandum determined that the water demand for all proposed uses in the Rio Urbana project would amount to 40.399 acre-feet per year (AFY). As noted above, this memorandum also estimated that the maximum pumping allowed for the three active Rio School District wells under the current FCGWMA requirements is 52.074~~50.074~~ AFY. Therefore, without any offsets, or other mitigation measures, this estimated demand would be consistent with the City of Oxnard "net-zero" policy for water use by new development and would not be considered a significant impact.

In order to provide the necessary water supply to the City for the project, the Rio School District must arrange for an allocation and transfer of sufficient water rights to the City, consistent with the requirements and procedures of the FCGWMA.

Mitigation W-1. The applicant shall provide for the allocation of groundwater pumping rights sufficient to serve the development (40.399 acre feet per year) from the Fox Canyon Groundwater Management Agency to the City of Oxnard, consistent with the ordinances and requirements of the two agencies, prior to recording the final map for the project.

Implementation of this mitigation will ensure that the project complies with the "net-zero" water service policy in the City. Thus the potential impact on water service would be less than significant.

2. The project site is located in County Service Area (CSA) No. 34, in an area informally referred to as the El Rio community. On August 12, 1999, the Regional Water Quality Control Board (RWQCB) amended the Water Quality Control Basin Plan for the Los Angeles Region and prohibited the use of septic systems in the Oxnard Forebay, including the El Rio area. CSA No. 34 was formed in December

2005 to provide administration, operations, and maintenance of a new sewer system in the area to bring the area in compliance with the State septic system prohibition. CSA No. 34 planned and constructed a sewer collection system in phases as funding was secured. All phases of the project were completed in April 2011. Phases 1 and 5D of the Sewer System Project established sewer lines adjacent to the project sites southern, western, and northern boundaries. Waste water discharged into these lines is sent to the City's Wastewater Treatment Plant for treatment and disposal. The project site is also included in the boundary area of the City of Oxnard's Wastewater Master Plan Update (September 2008). Land use projections used for creating the Wastewater Master Plan were based on the City's adopted 2020 General Plan in which the project site was identified as a Redevelopment Area.

Existing development on the project site currently disposes of wastewater into the existing sewer line in Rio School Lane via pump and force main. This sewer line in Rio School Lane enters the 10-inch trunk sewer line in Vineyard Avenue at a manhole near the intersection of the two roadways. There is inconclusive data in the City's Wastewater Master Plan (2008) and the City's Integrated Waste Master Plan (2015) to determine the sewer capacity of the 10-inch trunk sewer line in Vineyard Avenue at this time. The proposed development on the site would connect to the existing sewer system line in Rio School Lane. Although the project would increase the load on the sewer system, the applicant would be required to pay the City-required and CSA No. 34-required Sewer Connection Fees (SCF) and service charges that finance the operation and maintenance of the sewer system for all properties in the El Rio area. With payment of these fees, the project would not result in a significant adverse effect on the system and this impact would be less than significant.

3, 4. According to the City's 2017 CEQA Guidelines, the City's Environmental Resources Division oversees solid waste programs in the City, including residential waste collection and recycling programs. Commercial facilities in the City contract with private waste haulers. The City operates the Del Norte Regional Recycling and Transfer Station (also referred to as the Materials Recovery Facility [MRF]), which serves as the hub of the City's solid waste management system and serves as a resource for rest of the County. Solid waste that is incapable of being recycled is hauled to other landfill sites in Ventura County, primarily the Toland Road Landfill. As of 2017, the City meets or exceeds state mandated rates for diversion of solid waste from landfills via waste reduction, reuse, and recycling.

Solid waste generated from project demolition and construction activities would be segregated for recycling, where possible. Non-recyclable wastes would be placed in covered dumpsters and removed on a regular basis by a certified waste-handling contractor for disposal at the Toland Road Landfill. According to the CalEEMod output generated for the Air Quality Study for the project (Appendix A), the project would generate approximately 49.1 metric tons of solid waste per year, or 0.13 tons of waste per day. In January 2016, the total remaining capacity of the Toland Road Landfill was approximately 10.6 million cubic yards and the facility is permitted to accept up to 1,500 tons of solid waste per day (CalRecycle 2018). Using a conservative assumption that all project waste would be diverted to the landfill rather than recycled, the project would contribute less than 0.01 percent of the daily permitted capacity to the landfill. With the recycling programs in place in the City and required compliance with all federal, state, and local regulations regarding solid waste disposal, the

projects contribution to the landfill would be even less. Therefore, solid waste generated by the project would have a less than significant impact on the permitted remaining capacity of the landfill.

5-8. The City's standard conditions of approval and application of uniformly applied development standards require compliance with the California Green Building Code which includes energy efficiency standards. The project would involve typical to low consumption of energy during project construction, operation, and maintenance. As descried in the GHG Study (Appendix D) for the project, the project would incorporate solar panels on the proposed office building and would implement various features consistent with the latest requirements of the 2016 California Green Building Code including, energy-efficient lighting, installation of low-flow appliances, and water conservation. Therefore, the project would not require additional energy facilities, would be consistent with existing energy standards, and would not inhibit the future use of renewable energy or energy storage. Impacts would be less than significant.

Cumulative Impact Analysis: Utilities and services were analyzed by the 2030 General Plan EIR and found to be less than significant with implementation of uniformly applied development policies and regulations.

XVII. CUMULATIVE IMPACTS	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Would cumulative impact of the project in combination with the impacts of past, present, and reasonably foreseeable future projects exceed a City significance threshold?	☐	■	☐	☐
2. If so, would the project's contribution to the significant cumulative impact be cumulatively considerable?	☐	■	☐	☐

1, 2. The proposed project would result in less than significant impacts with implementation of mitigation measures BIO-1, CUL-2, N-1(a), N-1(b), and N-2 provided herein. The proposed project is an urban infill project in an area planned for development under the 2030 General Plan. Most of the surrounding properties are currently developed, and it is therefore expected that project implementation would result in less than significant cumulative impacts. Cumulative citywide significant impacts were documented in the 2030 General Plan Program EIR and overriding considerations were adopted in 2011.

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Attachment 1

Response to Comments on the Initial Study

RESPONSES TO COMMENTS ON THE INITIAL STUDY

This section includes comments received during the circulation of the Draft Initial Study-Mitigated Negative Declaration prepared for the Rio Urbana project.

The Draft IS-MND was circulated for a 30-day public review period that began on July 19, 2019 and ended on August 197, 2019. The City of Oxnard received nine comment letters, plus a letter from the State Clearinghouse, California Office of Planning and Research (OPR), regarding the Draft IS-MND public review. This letter from OPR confirmed that no additional comment letters were received from state agencies through the State Clearinghouse distribution and review process. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter		Page No.
1	Scott Morgan, Director, State Clearinghouse	2
2	Kathleen Riedel, Groundwater Specialist, Fox Canyon Groundwater Management Agency	4
3	Andrea Ozdy, Deputy Executive Officer, Ventura Local Agency Formation Commission	9
4	Dan Drugan, Resources Program Coordinator, Calleguas Municipal Water District	18
5	Nathaniel Summerville, Engineer III, County of Ventura, Public Works	21
6	Anitha Balan, Engineering Manager II, County of Ventura, Public Works Agency, Transportation Department	24
7	Frances Duong, Acting IGR/CEQA Branch Chief, Department of Transportation	27
8	Henry Macias, Neighbor	30
9	Vicente Macias, Neighbor	36
10	Manuel Vaca, Neighbor	39

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

Any changes made to the text of the Draft IS-MND correcting information, data, or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Draft SEIR. Where a comment results in a change to the Draft SEIR text, a notation is made in the response indicating that the text is revised. Changes in text are signified by strikeouts (~~strikeouts~~) where text is removed and by underlined font (<u>underlined font</u>) where text is added.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Gavin Newsom
Governor

Kate Gordon
Director

Letter 1

August 20, 2019

Chris Williamson
Oxnard, City of
214 S. C Street
2019079068
Oxnard, CA 93030

Subject: Rio Urbana Project (Tentative Subdivision Map No. 5998)
SCH#: 2019079068

Dear Chris Williamson

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 8/19/2019, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act, https://ceqanet.opr.ca.gov/2019079068/2. 1.1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 state.clearinghouse@opr.ca.gov www.opr.ca.gov

Letter 1

COMMENTER: Scott Morgan, Director, State Clearinghouse

DATE: August 20, 2019

Response 1.1

The commenter notes that the state public review period was completed, and that no state agencies submitted separate comment letters through this procedure.

Caltrans, a state agency, submitted a separate letter that is addressed below.

FOX CANYON GROUNDWATER MANAGEMENT AGENCY

A STATE OF CALIFORNIA WATER AGENCY

BOARD OF DIRECTORS
Eugene F. West, Chair, *Camrosa Water District*
David Borchard, Vice Chair, *Farmer, Agricultural Representative*
Steve Bennett, *Supervisor, County of Ventura*
Charlotte Craven, *Councilperson, City of Camarillo*
Robert Eranio, *Director, United Water Conservation District*

EXECUTIVE OFFICER
Jeff Pratt, P.E.

Letter 2

August 16, 2019

City of Oxnard, Planning Division
Attn: Mr. Chris Williamson
214 South C Street
Oxnard, CA 93030

SUBJECT: Comments Regarding Notice of Intent to Adopt Mitigated Negative Declaration No. 2017-04

Dear Mr. Williamson:

Thank you for the opportunity to comment on *City of Oxnard Rio Urbana Project (Tentative Subdivision Map No. 5998) Draft Initial Study- Mitigated Negative Declaration PZ#17-610-01, 17-620-01, 17-560-01, 17-300-03, 17-500-13, 17-500-05,* Section XVI and Appendix I – *Wet Utility Preliminary Investigation and Domestic Water Supply and Demand Memorandum.* Some of the information presented in the documents are incorrect and/ or misleading. This comment letter was prepared to provide clarification. 2.1

The Rio Urbana Project Site (Project Site) is located within the jurisdictional boundaries of the Fox Canyon Groundwater Management Agency (FCGMA/ Agency). The Agency serves as both the Groundwater Management Agency (GMA) and Groundwater Sustainability Agency (GSA). The Agency in both capacities manages groundwater and thus extraction allocations. It does not establish or modify water rights. 2.2

The Rio School District account is associated with five groundwater wells of which three wells are active and two have been destroyed. All wells associated with the account are located in the Forebay Management Area of the Oxnard Subbasin (Subbasin). There is one active well associated with each of three properties located on Vineyard Avenue (the Project Site), Rose Avenue, and Cortez Street. Reported groundwater extractions associated with each of the properties is listed in the table below. 2.3

The Rio School District is associated with an initial historical allocation of 124.124 AF/yr, however 26.700 AF/yr was transferred from the account in 1996 to the United Water Conservation District (UWCD) Oxnard-Hueneme (OH) account, and in 1999, 2.000 AF/yr to the City of Oxnard. The Rio School District account is not associated with a Baseline Allocation. Under Emergency Ordinance E currently in effect, the Rio School District is operating with a

800 South Victoria Avenue, Ventura, CA 93009-1610
(805) 654-2014 FAX: (805) 654-3350
Website: *www.fcgma.org*

Temporary Extraction Allocation (TEA) of 53.344 AF/yr (full amount) which is currently reduced by 20% to 42.676 AF/yr. A new allocation ordinance is currently being developed. The FCGMA Board directed that extraction allocations at each well under the new ordinance be based on the average annual extractions from 2005 through 2014. Furthermore, it is known that historical extractions from the Subbasin have exceeded the sustainable yield. It is anticipated that groundwater extraction allocations will be decreased over the next twenty years. The FCGMA Board directed that it would determine the allocation reductions required following completion of the Groundwater Sustainability Plan (GSP), planned to be adopted by the Board at a December 13, 2019, special meeting.

Rio School District Reported Groundwater Extractions (in acre-feet), 2004 to 2018

Calendar Year	Extractions by Property Location			Annual Extractions
	Vineyard Ave.	Rose Ave.	Cortez St.	
2005	11.129	30.208	16.986	58.323
2006	14.029	22.625	15.598	52.252
2007	25.170	35.446	23.724	84.340
2008	8.846	24.720	17.520	51.086
2009	8.846	24.720	17.520	51.086
2010	8.886	25.099	8.464	42.449
2011	8.094	34.075	7.941	50.110
2012	6.257	8.330	12.542	27.129
2013	8.306	37.725	7.325	53.356
2014	5.262	30.394	14.954	50.610
2015	0.639	24.174	16.535	41.348
2016	0.393	18.771	19.092	38.256
2017	0.645	10.346	7.432	18.423
2018	2.011	22.540	13.126	37.677
Average extraction 2005 to 2014	10.483	27.334	14.257	52.074

2.3 (cont'd)

Per the Jensen Design & Survey, Inc., Technical Memorandum dated April 4, 2019, which is included in Appendix I, the Rio School District proposes to transfer 40.399 acre-feet per year (AF/yr) allocation to the City of Oxnard for the Rio Urbana project site which includes 6.089 AF/yr to the Rio School District commercial office building, and maintain 11.675 AF/yr to provide water for the Rose Avenue and Cortez Street properties. The document does not explain how the groundwater demand of the two remaining properties (school campuses) will be satisfied with an allocation of 11.675 AF/yr when the groundwater demand (extractions) during the period 2005 to 2014 averaged 41.592 AF/yr, and extractions in 2018 were 35.666 AF. Rio School District has the ability to extract groundwater in excess of groundwater extraction allocation, however extractions in excess of allocation will incur surcharge rates. 2.4

It is important to recognize that the numbers presented are based on an allocation system that has not yet been adopted and that past groundwater extractions from the Subbasin exceeded the sustainable yield. Per the Sustainable Groundwater Management Act, groundwater extractions must be brought within the sustainable yield of the Subbasin by 2040 through 2.5

implementation of water-supply projects and reduction of groundwater extractions. Future groundwater extraction allocations are anticipated to be reduced over the next 20 year.

Please contact me at (805) 654-2954 if you have any questions.

Sincerely,

Kathleen Riedel

Kathleen Riedel, PG, CEG
Groundwater Specialist

KR/kr/F:\gma\Business Administration\Correspondence\2019\190815 ltr to City of Oxnard RE Rio Urbana Development.docx

Letter 2

COMMENTER: Kathleen Riedel, PG, CEG, Groundwater Specialist, Fox Canyon Groundwater Management Agency

DATE: August 16, 2019

Response 2.1

The commenter provides initial information to clarify the role of the Fox Canyon Groundwater Management Agency.

The description of FCGWMA is on page 30 of the IS-MND (Section IX Hydrology and Water Quality, issue 2), and is consistent with the information provided by the commenter.

Response 2.2

The commenter clarifies that the FCGWMA does not establish or modify groundwater rights.

Page v of the IS-MND has been revised to describe the FCGWMA action more accurately. Mention of water rights in the body of the IS-MND occurs on page 31 in the discussion of the Oxnard Municipal Code Section 22-100. That code section applies to the provision of City water service through a new connection, such as to lands annexed to the City, and requires that water rights associated with the land be transferred to the City.

Response 2.3

The commenter provides background information, data, and recent determinations by FCGWMA regarding the Temporary Extraction Allocation by the FCGWMA to the El Rio School District, which may be applied to this property. The updated Wet Utilities Study and April 2019 memo addressing domestic water supply and demand prepared by Jensen Design and Survey, Inc., (Appendix I) are consistent with this information.

Response 2.4

The commenter notes that if a substantial portion of the current Rio School District groundwater extraction allocation of 52.074 acre feet per year (AFY) is transferred to the City of Oxnard and assigned to this development project, the water demand at the remaining school district properties may not be met by the district wells on those properties without incurring substantial surcharges for excess groundwater withdrawals in the future.

Current groundwater extractions by the Rio School district at the two offsite properties (Rio del Valle Middle School on Rose Avenue and Rio Real Elementary School on Cortez Street) are limited to landscape irrigation purposes. Both properties have potable water service from the United Water Conservation District (UWCD) that provides for the needs of students and staff at each location.

If the wells at the two offsite locations continue to be used for landscape irrigation purposes, then the district will be required to pay groundwater extraction surcharge rates to FCGWMA for any amounts above its remaining allocation, .as indicated in the comment.

As an alternative, the school district would have to reduce groundwater pumping in order to stay within the small remaining extraction allocation to these wells, and/or use potable water supplied

by the UWCD for landscape irrigation. Additional water service fees (surcharges) and water conservation measures would be applicable since UWCD is also subject to the same groundwater allocation restrictions by FCGWMA as the City and other agencies.

To avoid surcharges, the district could also fund other programs in the City or UWCD to conserve water at industrial sites within the City, offset agricultural water use by providing improved treated wastewater, or extend reclaimed water distribution lines within the City to increase use of this source. These programs in the City are briefly summarized in Section XVI Utilities and Energy (paragraphs 1.a.., on page 60). In addition, the Rio School has several other schools in the region, all served by municipal water providers. Water conservation programs undertaken at these other schools could also be used to balance any increase in the use of municipal water. The precise combination of these measures to be pursued by the school district is not known at the present time, but the ordinances and other requirements of the FCGWMA, the City of Oxnard, and other water suppliers would remain in effect and continue to apply to the other school district properties.

Response 2.5

The discussions, analysis, and conclusions in the IS-MND are based on the most recent information available with the expectation that the FCGWMA will proceed with its new allocation ordinance as currently proposed. It is not possible to predict how additional regulation or restrictions may apply to the school district in the future, or how those future events might affect this project.

VENTURA LOCAL AGENCY FORMATION COMMISSION
COUNTY GOVERNMENT CENTER ● HALL OF ADMINISTRATION
800 S. VICTORIA AVENUE, L #1850 ● VENTURA, CA 93009
TEL (805) 654-2576 ● FAX (805) 477-7101
WWW.VENTURA.LAFCO.CA.GOV

August 19, 2019

Letter 3

SENT VIA E-MAIL

Chris Williamson
City of Oxnard Planning Division
214 S. C Street
Oxnard, CA 93030

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Rio Urbana Project (2714 E. Vineyard Avenue and Rio School Lane, Assessor's Parcel Number 145-0-232-01)

Dear Dr. Williamson:

Thank you for providing the Ventura Local Agency Formation Commission (LAFCo) with the opportunity to review the draft Initial Study/MND for the Rio Urbana Project. As a responsible agency under the California Environmental Quality Act (CEQA), LAFCo is charged with ensuring that environmental documents prepared by lead agencies address the issues that relate to LAFCo's scope of authority. Please note that the Commission has not reviewed the draft Initial Study/MND, and these comments are solely those of LAFCo staff. 3.1

LAFCo's purposes are to (1) discourage urban sprawl, (2) preserve open space and prime agricultural land, (3) ensure efficient provision of government services, and (4) encourage the orderly formation and development of local agencies, such as cities (Government Code § 56301). The Ventura LAFCo has adopted local policies that it must consider when making decisions on reorganization proposals. Specifically, the policies found in Division 3 of the Ventura LAFCo Commissioner's Handbook (available on the Ventura LAFCo website) apply to the proposed project.

Project Description

The City of Oxnard is the lead agency for the subject project. If approved, the project would involve the demolition of existing buildings, subdivision of the approximately 10.5-acre parcel into two parcels, and development of 167 condominium units in eight three-story buildings on the resulting 9+ acre parcel and a 15,100-square-foot office building on the resulting 1+ acre parcel for use as the Rio School District (District) administrative offices. The project would involve widening of E. Vineyard Avenue, and the installation of parking areas, landscaping, and various amenities including a fitness center, tot lot, and dog park.

The proposed development site is located immediately south of the intersection of E. Vineyard Avenue and Rio School Lane, contiguous to the City of Oxnard to the west and south, and

within the City of Oxnard's sphere of influence[1] and city urban restriction boundary (CURB)[2]. The project site was used as El Rio Elementary School until 2008. As part of the proposal, the County would vacate Rio School Lane, and this portion of the development site would be used for vehicular access and parking. The subject property is surrounded by restaurants and single-family residential development to the north, a plant nursery to the east, restaurants and other commercial development to the south, and E. Vineyard Avenue and commercial development to the west. The property has a County General Plan land use designation of *Existing Community – Urban Reserve* and a zoning designation of *Rural Exclusive, 20,000 square foot minimum parcel size.* The proposal includes an amendment to change the City's land use designation from *School* to *Commercial General*, and to pre-zone the site as *C-2-PD (General Commercial Planned Development).* 3.1 (cont'd)

Reorganization Request

In order for the project site to be developed as proposed, the project area must be annexed to the City. The City would provide municipal services to the proposal area upon annexation of the territory to the City. Annexation of the proposal area to the City requires LAFCo approval of several changes of organization, collectively called a reorganization. The project description should include the following LAFCo actions that would be necessary components of the reorganization: 3.2

- Annexation to the City of Oxnard
- Annexation to the Calleguas Municipal Water District
- Detachment from the Ventura County Resource Conservation District
- Detachment from the Ventura County Fire Protection District
- Detachment from Ventura County Service Area No. 32

The draft Initial Study/MND states that LAFCo approval is required for annexation to the City and detachment from the County of Ventura. The Initial Study/MND should remove the reference to detachment from the County, as the territory will remain in the County.

LAFCo Law and Additional Ventura LAFCo Policies

In the Initial Study/MND, the City discussed a variety of issue areas, and identified several potentially significant impacts requiring mitigation in order for those impacts to be reduced to less than significant levels.

[1] A sphere of influence is defined in Government Code § 56076 as the probable physical boundary and service area of a local agency, as determined by the Commission.
[2] Subject to the City's Save Open Space and Agricultural Resources (SOAR) ordinance, the CURB establishes a boundary within which voter approval is generally required prior to the extension of City services or a change in general plan designation.

Fire Protection/Law Enforcement/Emergency Services

The Oxnard Fire Department and Oxnard Police Department are proposed to provide fire protection and law enforcement services, respectively, to the project site and its anticipated approximately 663 residents. While the Initial Study/MND states that the project would not result in substantial impacts to provision of fire protection and law enforcement services, it does not provide any existing or anticipated response statistics to support those assertions. The Initial Study/MND should provide additional information to justify the conclusion that impacts to services provided by the Oxnard Fire Department and Oxnard Police Department would be less than significant. 3.3

Hydrology and Water Quality

The checklist for the Hydrology and Water Quality section of the Initial Study/MND indicates that impacts related to depletion of groundwater supplies or interference with groundwater recharge would be less than significant, if mitigated. However, the discussion contained in the same section concludes that adverse impacts related to groundwater withdrawals and wells in the vicinity would not exist. The Initial Study/MND should clarify the level of impact, and adjust the documentation accordingly. 3.4

Transportation/Circulation

The site plan depicts nine structures, separated by landscaping and surrounded by three main driveways (and parking areas) accessed from E. Vineyard Avenue. The site plan and traffic circulation discussion do not show any left turn options from the development south onto E. Vineyard Avenue toward the 101 Freeway (located less than ¼ mile south of the project site). Given the proximity of the project site to the freeway, a left turn option from the site onto E. Vineyard Avenue would likely reduce the number of vehicles that would otherwise need to turn right and, as a result, contribute to traffic volume on arterial and collector streets surrounding the development. Therefore, the circulation section of the Initial Study/MND should evaluate the feasibility and impacts of a left turn option exiting the development. 3.5

Water Service

Development of the project is anticipated to result in a total water demand of 40.399 acre-feet per year (AFY) from the City of Oxnard. The discussion in the Initial Study/MND suggests that the proposed development would be consistent with the City's "net-zero" policy (which requires a proposed development to provide and transfer groundwater allocation to the City or contribute to City programs to offset potable water use), because the District's anticipated total groundwater extraction allocation of 52.074 AFY through its three groundwater wells exceeds the anticipated water demand for the project. However, the Fox Canyon Groundwater Management Agency has not yet adopted an ordinance that would establish 52.074 AFY as the District's extraction allocation. Furthermore, it is not clear if the difference between the anticipated extraction allocation of 52.074 AFY and expected project demand of 40.399 AFY (i.e., 11.675 AFY) is sufficient to meet the water demand of the District's other facilities. The 3.6 3.7

Initial Study/MND should demonstrate that the project is consistent with the City's net-zero policy based on known water supply availability and expected water demand. Furthermore, the Initial Study/MND should clarify whether sufficient water supply is available to support the project and continue to support the other properties that rely on the District's three groundwater wells. 3.7 (cont'd)

The April 4, 2019, letter included as part of Appendix I to the Initial Study/MND includes an estimated water demand based on 543 anticipated residents of the development using 55 gallons per day, multiplied by a 20% contingency, which equates to a maximum of 652 residents. In various sections of the Initial Study/MND, the increase in population is estimated to be 663. It therefore appears that the actual water demand may exceed that discussed in the Initial Study/MND. While information provided in the document suggests that the City would have the ability to provide additional water to the site, the Initial Study/MND should specifically state whether or not this is the case. 3.8

Sewer Service

The project site is located within the boundaries of Ventura County Service Area No. 34 (CSA 34), which provides wastewater collection and conveyance services within the El Rio community. Wastewater is then transferred to the City of Oxnard's wastewater collection infrastructure for conveyance to the City's treatment facility. The proposed development is anticipated to generate 33,247 gallons per day of wastewater, to be disposed through the public sewer system. The Initial Study/MND states: "There is inconclusive data on the City's Wastewater Master Plan (2008) and the City's Integrated Waste Master Plan (2015) to determine the sewer capacity of the 10-inch trunk sewer line in Vineyard Avenue at this time." The evaluation further states that sewer connection fees and service fees would finance the operation and maintenance of the sewer system within the El Rio area. Based on the information provided, it is unknown whether the existing sewer system would be able to accommodate the increase in system load, and whether the required fees would be sufficient to upgrade the system (if necessary) to handle anticipated demand. The Initial Study/MND should include an assessment of the existing sewer system, and provide a determination regarding whether anticipated sewer-related fees would be sufficient to handle the anticipated increase in the volume of wastewater. 3.9

Schools

The Rio Elementary School District and Oxnard Union High School District would serve the subject territory. The MND/Initial Study acknowledges that residents of the proposed development would include students who would attend local public schools, but states that Government Code § 65996 considers development fees authorized by Senate Bill 50 to be "full and complete mitigation of the impacts" related to schools. The environmental analysis should include an evaluation of the ability of local school facilities to accommodate the expected increase in the number of students that would occur as a result of the proposed development, even if school fees qualify as financial mitigation for the deficiency in school facilities. 3.10

Additional Comments

Pursuant to Revenue and Taxation Code § 99, a property tax sharing agreement must be in place to establish the exchange of property tax revenues among local agencies to occur as a result of a reorganization. At this time, a valid tax sharing agreement does not exist between the County of Ventura and the City of Oxnard (the pre-existing master tax sharing agreement was terminated effective December 31, 2018); therefore, any future boundary change request involving the City of Oxnard must include a property tax sharing agreement. 3.11

We identified two typographical errors within the Initial Study/MND: (1) In Section X (Land Use Planning) on page 33, the discussion states that the project site is located within the City of Ventura's sphere of influence; however, the city name should be corrected to reflect that the site is within the City of Oxnard's sphere of influence; and (2) In Section XVI (Utilities and Energy) on page 61, the maximum groundwater pumping figure is provided as 50.074 AFY, but is referenced elsewhere in the document and within Appendix I as 52.074 AFY. 3.12

The Ventura LAFCo encourages prospective applicants to meet with LAFCo staff early in the planning process (see the letter from the Commission to prospective applicants available on the Ventura LAFCo website). We find that such consultation and ongoing communication is helpful to clarify the nuances of LAFCo requirements and to avoid delays later in the process. Additionally, please be aware that any requested information that is not included in the environmental document will be required as part of the application to LAFCo. 3.13

Thank you again for the opportunity to comment on the draft Initial Study/MND. Please contact me if you have any questions or wish to discuss our comments.

Sincerely,

Andrea Ozdy

Andrea Ozdy
Deputy Executive Officer

c: Dave Ward, Ventura County Planning Division

Letter 3

COMMENTER: Andrea Ozdy, Deputy Executive Officer, Ventura Local Agency Formation Commission (LAFCO)

DATE: August 19, 2019

Response 3.1

The commenter describes the role of LAFCO, and reiterates the project description and reorganization request. No response is necessary.

Response 3.2

The commenter provides clarifications regarding the governmental reorganizations to be approved by LAFCO, and corrects the statement in the draft IS-MND that implied the project site would be detached from the County.

Revisions have been made in the introductory portion of the IS-MND to clarify these aspects of the project description.

Response 3.3

The commenter requests additional information to support the conclusion that the project effects on Police and Fire Department services would be less than significant.

The project site is within the planning boundary used in the City of Oxnard 2030 General Plan. Although the site itself remains shown as a school, the residential population increase represented by the project is well within the population projections in the City used for planning City services.

In the 2018 Municipal Services Review for the City of Oxnard, LAFCO indicated that the City employed 0.67 firefighters for every 1,000 residents (up from a ratio of 0.48 in 2000). The Police Department employed one officer for each 831 residents (LAFCO 2018:pages 11-12).

With respect to fire service, the project site is less than one mile from the City of Oxnard Fire Station No. 7, located at 3300 Turnout Park Circle. The City Fire Department sets a goal of a 240 second (4 minute) travel time. Station No. 7 achieves this goal about 42% of the time. Station No. 7 is located approximately 0.7 miles to the northeast, just off of E. Vineyard Avenue. This proximity would allow a travel time well within the goal of 4 minutes. This City Fire Station No. 7 is located adjacent to the Ventura County Fire Station No. 51, located at 3302 Turnout Park Circle, which currently serves the unincorporated El Rio community (including the project site).

The City provides police services directly, including community patrol, criminal investigation, emergency communications, animal safety, and support services. The project site is located within Police Beat 14, Riverpark District. According to the LAFCO Municipal Services Review, the City of Oxnard 2017-2018 budget allowed for increased spending both for new vehicles and staffing to help maintain the police staffing ratio (Ventura LAFCO 2018:12).

Both the City Police and Fire Departments reviewed the project through the City's Development Advisory Committee. Over the course of the project submittal, review, and revisions process, both Departments provided comments and requested specific features within the project to improve security, visibility, and access for emergency services.

In addition to the access and security designs within the project, which were developed with input from the City, the project applicant would pay applicable developer fees that would offset costs for Police and Fire Department reviews, tests, and inspections of the project as it is developed. Finally, growth development fees, applicable to all residential and commercial projects, contribute towards funding capital projects within the City, while other taxes provide revenue of ongoing City services. In this respect, the project would be typical of new development and would not represent any unique or substantial adverse effects with respect to fire and police service, and the conclusions in the IS-MND remain valid.

Response 3.4

In the Hydrology and Water Quality section, the commenter notes the apparent confusion caused by the identified level of potential impact, and the lack of a specific mitigation measure. This discussion in the IS-MND reflects the direction and position of the City. There would be a potential impact if the onsite well continued to operate. The "mitigation" involves decommissioning and removal of the well, as required in the City Municipal Code Section 22.123. Since this action is a matter of compliance with uniformly applied existing code requirement, a separate "mitigation measure" was not presented. No change in the text of the IS-MND is necessary.

Response 3.5

The commenter states that the “Transportation/Circulation” section of the document should include an additional evaluation of the feasibility and impacts of a left turn option onto East Vineyard Avenue, because a left turn option onto East Vineyard Avenue would likely reduce traffic on East Vineyard and nearby streets.

The traffic study was prepared under the direction and review of the City Public Works Department. The potential for left turn movements into and out of the project on E. Vineyard Avenue was considered, and was rejected by the City in order to maintain smoother traffic flow. A raised median is planned along E. Vineyard Avenue to restrict left turns into and out of all adjacent properties. No changes are necessary in the IS-MND.

Response 3.6

The commenter repeats information from the IS-MND, and notes that the FCGWMA is in the process of adopting a new ordinance that may modify groundwater allocations. The IS-MND is based on the most recent information available at the time of its preparation. Response 2.5 above, addressing the FCGWMA letter, also relates to this issue.

Response 3.7

The commenter raises additional concerns regarding the ability of the project to meet the City of Oxnard “net zero” policy, and what effect the transfer of groundwater allocation from offsite wells owned by the Rio School District would have on those properties.

These issues are addressed in the response to the FCGWMA letter above, and are discussed in responses 2.4.

Response 3.8

The commenter also notes a small difference in the number of estimated residents in the updated water supply study (in Appendix I) and the number estimated in the IS-MND and used in other topics.

The Air Quality Section (III.1., page 9) cites an average household size of 3.97 persons from Department of Finance data published in January 2019), which yielded the estimate of 663 new residences for the project that is used generally throughout the report.

As explained in the April 4, 2019 Technical Memorandum to update the estimated water demand (Appendix I), the City does not have a specific water demand calculation method applicable to the project. Therefore, the Technical Memorandum describes the method developed, based in part on household size defined in the California Plumbing Code with other adjustments.

All projections of the numbers of residences expected in the project, and effects related to the number of people, are estimates. Variation in such estimates is expected. Based on the most recent information available, the City has determined that it would have the capability to supply water for the project.

The City's long-term ability to continue providing water is dependent on continuing efforts at water conservation, re-use of treated wastewater, and other measures that are briefly summarized in in Section XVI Utilities and Energy (paragraphs 1.a.., on page 60). More detail on this topic is also available in the City's Urban Water Management Plan (Oxnard, January 2018).

No changes are necessary in the IS-MND.

Response 3.9

The commenter states that the information provided in the Initial Study-MND related to sewer services are not sufficient to determine whether the existing sewer system would be able to accommodate the increase in system load, and whether the required fees would be sufficient to upgrade the system (if necessary) to handle anticipated demand.

The discussion cited by the commenter occurs in Section XVI.2 (page 62) of the IS-MND, and is based on the August 27, 2017 Wet Utility Preliminary Investigation prepared by Jensen Design and Survey, Inc. (The 2018 revised version of this memo has been included in Appendix I).

As noted in the revised 2018 study, and repeated in the IS-MND, at the time the preliminary study was prepared the City's Wastewater Master Plan presumed that the Rio Urbana project site would be redeveloped. This indicated that the sewer transmission design would be adequate to serve future development, but was not conclusive. The 2019 update to the Wet Utility study did not alter the discussion related to sewer service.

A separate memo, however, from the City of Oxnard to the applicant' representative, dated May 30, 2018, states that the Public Works Department completed analysis based on the revised 2018 Wet Utility Memo and determined that sewer transmission capacity was adequate to serve the proposed project.

No changes are necessary in the IS-MND.

Response 3.10

The commenter requests that the environmental analysis include an evaluation of the ability of local school facilities to accommodate the expected increase in students that would occur as a result of the proposed project.

Information related to both school districts has been added to Section XIII.5. The conclusions with respect to school impacts and mitigation are not affected.

Response 3.11

The commenter states that, due to the fact that the County of Ventura and the City of Oxnard do not currently possess an agreement for tax sharing agreement, as pursuant to Revenue and Taxation Code § 99 , any future boundary change request involving the City of Oxnard must include a property tax sharing agreement. This additional information describes requirements applicable to all annexations. No changes are necessary in the IS-MND.

Response 3.12

The commenter notes two typographical errors in the draft IS-MND. Both have been corrected in the final document.

Response 3.13

The commenter states that LAFCO encourages prospective applicants meet with LAFCO staff early in the planning process in order to prioritize consultation and ongoing communication throughout the planning process. No response is necessary.

THOMAS L. SLOSSON, PRESIDENT
DIVISION 1

ANDY WATERS, SECRETARY
DIVISION 3

STEVE BLOIS, DIRECTOR
DIVISION 5

ANDRES SANTAMARIA, VICE PRESIDENT
DIVISION 4

SCOTT H. QUADY, TREASURER
DIVISION 2

ERIC BERGH
INTERIM GENERAL MANAGER

web site: www.calleguas.com

2100 OLSEN ROAD • THOUSAND OAKS, CALIFORNIA 91360-6800 805/526-9323 • FAX: 805/522-5730

July 23, 2019

Via email and USPS

Letter 4

Chris Williamson
Consultant Planner
City of Oxnard
Planning Division
214 South C Street
Oxnard, CA 93030

RE: DRAFT MITIGATED NEGATIVE DECLARATION No. 2017-04 (RIO URBANA PROJECT)

Dear Mr. Williamson:

Thank you for sending Calleguas Municipal Water District a copy of the Notice of Intent to Adopt a Mitigated Negative Declaration for the Rio Urbana Project. The purpose of this letter is to advise the City of Oxnard that the territory under consideration, 2714 E. Vineyard Avenue (APN: 145-0-232-010), is not within the service area of Calleguas. 4.1

The Draft MND notes that annexation of the subject parcel to Calleguas, a Responsible Agency for the proposed development, is necessary to allow annexation to and water service by the City of Oxnard.

Calleguas requests that the following technical language be included in the Final MND:

> *Land on which the proposed projects will be built is not presently within the boundaries of Calleguas Municipal Water District or Metropolitan Water District of Southern California. The Administrative Codes of both agencies state that water delivered by their systems may be used only within their respective service area boundaries. Calleguas purchases all of its potable water from Metropolitan. Metropolitan supplies water from the Colorado River and the State Water Project for municipal, industrial and agricultural uses within its service area. Annexation to Calleguas and Metropolitan of the land under consideration is necessary to allow annexation to and water service by the City of Oxnard.*

Annexation procedures for Metropolitan are defined in Section 3500 of the Metropolitan Water District Act, which are also observed by Calleguas. In addition, annexations to Calleguas are subject to Part 8 of Calleguas' Administrative Code. Annexation is also subject to approval by the Ventura Local Agency Formation Commission and any terms and conditions the Commission may apply. Pursuant to Section 56017 of Part 1, Chapter 2, of the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, annexation means the annexation, inclusion, attachment, or addition of territory to a city or district. This action will require amendment of the Spheres of Influence of Calleguas and Metropolitan.

4.1 (cont'd)

Calleguas and Metropolitan have in place Water Standby Charges. In the course of annexation, such charges will be fixed for the subject property. Water Standby Charges are assessed to pay for the benefits that properties receive from the projects and facilities provided by Calleguas and Metropolitan, whether or not they receive water from Calleguas and Metropolitan.

This administrative change in water service areas will have a less than significant impact.

As always, you are welcome to call me directly with questions at 805-579-7185.

Sincerely,

Dan Drugan
Resources Program Administrator

cc: Eric Bergh, CMWD

Letter 4

COMMENTER: Dan Drugan, Resources Program Administrator, Calleguas Municipal Water District

DATE: July 23, 2019

Response 4.1

The commenter states that the site is not within the jurisdiction serviced by Calleguas Municipal Water District, and requests specific language be added to the IS-MND.

Clarifying language to repeat that the project site is not currently within the CMWD, but would annex to CMWS as part of its annexation to the City of Oxnard, has been added to Section XIV - along with the specific technical language requested by the CWMD comment.

Letter 5

WATERSHED PROTECTION

WATERSHED PLANNING AND PERMITS DIVISION
800 South Victoria Avenue, Ventura, California 93009
Sergio Vargas, Deputy Director – (805) 650-4077

M E M O R A N D U M

DATE: August 16, 2019

TO: Anthony Ciuffetelli, EDR Coordinator
County of Ventura

FROM: Nathaniel Summerville, Engineer III-Advanced Planning Section

SUBJECT: RMA19-010 Rio Urbana
APN(s) 145023201
Zone 2
Watershed Protection Project Number: WC2019-0060

Pursuant to your request dated July 24, 2019, this office has reviewed the submitted materials and provides the following comments.

PROJECT LOCATION:

2714 E. Vineyard Ave and Rio School Lane, Oxnard, CA

PROJECT DESCRIPTION:

The proposed project includes demolition of the existing school buildings onsite (formerly El Rio Elementary School) and subdivision of the approximately 10.5-acre parcel into two parcels. The project would develop 167 condominium units in eight, three-story buildings that include a fitness center and 17 low income deed-restricted units on the 9.12-acre parcel, as well as a two-story, 15,100 square foot office building on the 1.12-acre parcel. This office development is intended for use as relocated Rio School District administrative offices. The project would also include widening of Vineyard Avenue, associated parking, open space, landscaping, and amenities for on-site residents. The residential units would be made up of one- to three-bedroom attached units. The residential and office structures would have a maximum height of 38 feet. The residential portion of the project would include 431 parking spaces consisting of 169 resident garages, 163 parking spaces, and 99 guest parking spaces. 5.1

The office portion of the project would include 61 standard parking spaces. Resident amenities include a 1,068 square foot recreation pavilion, four refuse structures, seven play areas and a tot lot, and a dog run.

WATERSHED PROTECTION DISTRICT COMMENTS:

1. The project is located immediately about 4,000 feet north of El Rio Drain, which is a Ventura County Watershed Protection District (District) Jurisdictional redline channel. The project proponent is hereby informed that it is the District's standard that a project cannot impair, divert, impede, or alter the characteristics of the flow of water running in any District jurisdictional red line channel under the requirements of Ordinance WP-2. Please be aware that El Rio Drain has been identified as having limited flood carrying capacity and no increase in peak runoff will be allowed. The Project must provide adequate mitigation measures to comply with the District's standard for peak attenuation, which is that the runoff after development shall not exceed the peak flow under existing conditions for any frequency of event or, alternatively, apply the city standard; whichever is most restrictive shall apply. Analysis should consider the 100-year, 50-year, 25-year, and 10-year design storm frequencies. 5.2

2. The drainage letter in Appendix F indicates no detention will be provided since the local storm drain has available capacity to carry the 10-year flow. This does not meet the District's requirement for peak flow mitigation The calculations show there would be an increase in peak flow in the 10-year, 25-year, and 100-year flow. 5.3

   The proposed development must incorporate mitigation measures to address cumulative impacts due to the proposed increase in imperviousness. Project shall not increase peak storm runoff in any frequency of storm events consistent with District policy and WP-2 Ordinance or, alternatively, apply the city standard; whichever is most restrictive shall apply.

END OF TEXT

Letter 5

COMMENTER: Nathaniel Summerville, Engineer III-Advanced Planning Section, County of Ventura, Public Works, Watershed Planning and Permits Division

DATE: August 16, 2019

Response 5.1

The commenter reiterated the project description and listed the regional facilities within the jurisdiction for the Ventura County Public Works department which are adjacent to the project, for clarification. No response is necessary for this comment

Response 5.2

The commenter describes the project as being about 4,000 feet north of the El Rio Drain, which is under the jurisdiction of the Ventura County Watershed Protection District, and notes that under County Ordinance WP-2 the project would not be allowed to alter the characteristics of flow within the channel. This issue is discussed in Section IX of the IS-MND, including reference to the El Rio Drain and the authority of the Ventura County Watershed Protection District (issue IX.3, on page 31). The commenter provides additional detail explaining that the County standard would require that the peak flow in the El Rio Drain under 10-year, 25-year, and 100-year storm flow conditions may not be increased by project development.

Response 5.3

The commenter makes reference to the hydrology memo (Appendix F), and notes that it shows increases in the peak flow values for the 10-year, 25-year and 100-year storm flows. This comment again references the need to comply with County policy and the requirements of County Ordinance WP-2.

As noted in the hydrology memo in Appendix F, the project is expected to result in an increase in the peak flow from a 100-year storm from 32.8 cubic feet per second (cfs) under the current condition to 43.3 cfs after development is completed. This increase, however, is estimated at the point along E. Vineyard Avenue adjacent to the project site, where the drainage from the property discharges into a 54-inch diameter storm drain controlled by the City of Oxnard. The memo in Appendix F notes that it is a preliminary study and was intended only to address current City of Oxnard requirements and to form the basis for final design and analysis. Additional hydraulic analysis is necessary to determine what, if any, affect this increase would have on the peak flow in the El Rio Drain several thousand feet downstream from the project site. If the project would adversely affect the peak flow in the El Rio Drain, then its design would have to be modified to incorporate additional detention of runoff.

The City will require compliance with the County policy prior to approval of the final map for the project. The text of the IS-MND has been revised to state the County requirement more clearly. No change in the conclusions with respect to the project impact is necessary.

Letter 6

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

DATE: 8/19/2019

TO: RMA Planning Division
Attention: Anthony Ciuffetelli

FROM: Anitha Balan, Engineering Manager II

SUBJECT: **REVIEW OF DOCUMENT 19-010** IS-MND
Project: **Rio Urban Project**
Lead Agency: **City of Oxnard, Community Development Department**
Demo the closed down El Rio Elementary School. Construct 167 condo units and 15,100 sq. ft. of office space.
APN# 1450232010

Pursuant to your request, the Public Works Agency - Transportation Department has reviewed the IS-MND for the Rio Urban Project.

The proposed project includes demolition of the existing school buildings onsite (formerly El Rio Elementary School) and subdivision of the approximately 10.5 acre parcel into two parcels. The project would develop 167 condominium units in eight, three-story buildings that include a fitness center and 17 low income deed-restricted units on the 9.12-acre parcel, as well as a two-story, 15,100 square foot office building on the 1.12-acre parcel. This office development is intended for use as relocated Rio School District administrative offices. The project would also include widening of Vineyard Avenue, associated parking, open space, landscaping, and amenities for on-site residents. The residential units would be made up of one- to three-bedroom attached units. The residential and office structures would have a maximum height of 38 feet. The residential portion of the project would include 431 parking spaces consisting of 169 resident garages, 163 parking spaces, and 99 guest parking spaces. The office portion of the project would include 61 standard parking spaces. Resident amenities include a 1,068 square foot recreation pavilion, four refuse structures, seven play areas and a tot lot, and a dog run. 6.1

Rio School Lane would be vacated by the County of Ventura with current access and parking for adjoining properties, maintained. The project site would be accessed by three driveways from Vineyard Avenue. Internal circulation would accommodate fire and emergency access, and solid waste collection vehicles.

We offer the following comment(s):

1. Rio School Lane is a public roadway maintained by the County of Ventura, Public Works Agency, Transportation Department (PWATD). When the City of Oxnard Annexes Parcel 145-0-232-010, PWATD will require the City of Oxnard to annex Rio School Lane, from Vineyard Avenue to the end of county maintained roadway; County Road Number 54191. 6.1 (cont'd)

2. The applicant should provide a safe path for pedestrians to cross East Vineyard Avenue. In providing a safe path to cross East Vineyard Avenue, the applicant should evaluate the safe route to school for the children that will live in the condominiums. 6.2

3. The sidewalk along the west side of the parcel, along East Vineyard Avenue, should be brought up to current codes. The portion of the sidewalk that has been uplifted shall be corrected and there shall be a curb along the entire sidewalk protecting the pedestrians from motorist. 6.3

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

Letter 6

COMMENTER: Anitha Balan, Engineering Manager II, County of Ventura, Public Works Agency, Transportation Department (PWATD), Traffic, Advance Planning and Permits Division

DATE: August 19, 2019

Response 6.1

After repeating descriptive information about the project, the commenter states that PWATD will require the City to annex Rio School Lane from Vineyard Avenue to the end of County-maintained roadway (County Road Number 54191), when the City of Oxnard annexes the project site (APN 145-0-232-010).

Earlier correspondence about this project had used the term "abandon" to describe actions related to the County right-of-way for Rio School Lane. The correct terminology "vacate prior to annexation to the City of Oxnard" has been used in the IS-MND and all recent reports for the project.

Response 6.2

The commenter recommends that the applicant provide a safe path for pedestrians to cross East Vineyard Avenue in order to establish a safe route to school for the children living in the condominiums.

As shown in the project plans (Figure 4 in the IS-ND/MND) as well as Sheet 1 of the Tentative Tract Map, the proposed Rio School Lane would include sidewalks for pedestrian access along the northeastern side of the project to the existing and new sidewalk on East Vineyard Street. A signalized intersection, with pedestrian crossings, is located on East Vineyard Avenue at Stroube Street, one block northeast of the project site. Rio Vista Middle School and Rio Del Mar Elementary School are located two and three blocks farther northeast on the west side of East Vineyard Avenue.

Response 6.3

The commenter states that the sidewalk along the west side of the parcel, along East Vineyard Avenue, should be brought up to current codes.

Project improvements include widening East Vineyard Avenue and installing a full 7-foot width sidewalk along the frontage of the project site. No changes are necessary in the IS-MND.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7 – Office of Regional Planning
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-0475
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Letter 7

Making Conservation a California Way of Life.

August 15, 2019

Mr. Chris Williamson, AICP, Contract Planner
City of Oxnard
Community Development Department
Planning Division
214 S. C Street
Oxnard, CA 93030

RE: Rio Urbana Project (Tentative Subdivision Map No. 5998) – Mitigated Negative Declaration (MND)
SCH # 2019079068
GTS # 07-VEN-2019-00315
Vic. VEN-232/PM: 0.821
VEN-101/PM: 21.817

Dear Mr. Chris Williamson:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced MND. The proposed project includes the demolition of the existing school buildings onsite (formerly El Rio Elementary School) and subdivision of the approximately 10.5 acre parcel into two parcels. The project would develop 167 condominium units in eight, three-story buildings that include a fitness center and 17 low income deed-restricted units on the 9.12-acre parcel, as well as a two-story, 15,100 square foot office building on the 1.12-acre parcel. This office development is intended for use as relocated Rio School District administrative offices. The project would also include widening of Vineyard Avenue, and providing associated parking, open space, landscaping, and amenities for on-site residents. The residential units would be made up of one- to three-bedroom attached units. Rio School Lane would be vacated by the County of Ventura, while current access and parking for adjoining properties will be maintained. The City of Oxnard is considered the Lead Agency under the California Environmental Quality Act (CEQA). 7.1

The nearest State facilities to the proposed project are State Route (SR) 232 (also known as Vineyard Avenue) and United States (US) 101. Since the project involves widening SR-232 and this facility falls under Caltrans' jurisdiction, please submit any detailed plans for widening that facility to Caltrans for its review and approval.

Caltrans also recommends implementing measures to minimize the localized transportation impacts on Vineyard Avenue during construction, including providing signage and notices informing the public that construction will be occurring. In addition, Caltrans suggests that construction and large size truck trips on State facilities be limited to off-peak commute periods. Any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. 7.2

The following information is included for your consideration.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. Therefore, Caltrans encourages the Lead Agency to integrate transportation and land use in a way that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions, as well as facilitates a high level of non-motorized travel and transit use. We encourage the Lead Agency to evaluate the potential of Transportation Demand Management (TDM) strategies and Intelligent Transportation System (ITS) applications to meet these goals. Potential strategies for this project include:

- Constructing wide sidewalks with Americans with Disabilities Act (ADA) compliant ramps that are not obstructed by utility poles
- Planting shade trees and bioswales to reduce storm-water runoff, which is a sensitive issue for Ventura county and needs to be considered during project design
- Installing high-visibility crosswalks with Continental or Ladder designs
- Offering bus stops with shelters in the bulb-out style
- Providing bicycle facilities, including Class II buffered or Class IV bike lanes, as well as bicycle parking facilities at both the residential and office buildings 7.3
- Designing multiple access points or paths to the adjacent shopping center with the Vallarta Supermarket to facilitate walking to purchase groceries and limit Vehicle Miles Traveled (VMT)
- Implementing leading pedestrian intervals at intersections with crosswalks to offer a 7 second head-start to pedestrians
- Installing flashing yellow left and right-turn signals to prevent pedestrian or cyclist collisions
- Creating sidewalk extensions or bulb-outs to narrow the right-turn radius at the intersection of Riverpark Boulevard & Vineyard Avenue

For additional TDM options, please refer to *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8) by the Federal Highway Administration (FHWA). The reference is available online at: https://ops.fhwa.dot.gov/publications/fhwahop12035/index.htm.

As a reminder, Senate Bill 743 (2013) mandates that VMT be used as the primary metric in identifying transportation impacts of all future development projects under CEQA, starting July 1, 2020. For information on determining transportation impacts in terms of VMT on the State Highway System, see the Technical Advisory on Evaluating Transportation Impacts in CEQA by the California Governor's Office of Planning and Research, dated December 2018: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. 7.4

If you have any questions about these comments, please contact Emily Gibson, the project coordinator, at Emily.Gibson@dot.ca.gov, and refer to GTS # 07-VEN-2019-00315.

Sincerely,

FRANCES DUONG
ACTING IGR/CEQA Branch Chief
cc: Scott Morgan, State Clearinghouse

Letter 7

COMMENTER: Frances Duong, Acting IGR/CEQA Branch Chief, Department of Transportation

DATE: August 15, 2019

Response 7.1

The commenter reiterated the project description and neighboring state facilities (i.e. streets and highways) within the jurisdiction for the Department of Transportation (Caltrans), for clarification. The commenter requests that detailed plans related to the widening of SR-232 be provided to Caltrans because the state facility is within the agency's jurisdiction for approval.

The City will require the project developer to provide the necessary right-of-way and to widen East Vineyard Avenue in a manner consistent with City and Caltrans standards. Caltrans is identified in the IS-MND on page v) as an approving agency and will have the opportunity to review plans. At a minimum Caltrans must approve an encroachment permit in order to allow work within the Caltrans right-of-way. No changes are necessary in the IS-MND.

Response 7.2

The commenter recommends implementing measures to minimize localized transportation impacts on Vineyard Avenue during construction, including providing signage and notices informing the public that construction will be occurring. The commenter also recommends that construction and large size truck trips on State facilities be limited to off-peak commute periods. The commenter also requires that any transportation of heavy construction equipment and/or materials which requires use of oversized-transportation vehicles on State highways will need a Caltrans transportation permit. These comments identify aspects of existing requirements. As part of an encroachment permit application to Caltrans, the contractor responsible for construction of the project will have to provide a plan for managing existing traffic, through signage, temporary detours, flagmen, and other measures. Identifying construction truck routes and obtaining any permits for oversized loads are also routine requirements. No changes are necessary in the IS-MND.

Response 7.3

The commenter lists a variety of measures that are used to help encourage non-vehicle traffic, and encourages the City to integrate transportation and land use in a manner that reduces Vehicle Miles Traveled (VMT) and Greenhouse Gas (GHG) emissions. Several of the measures listed are already incorporated into the Rio Urbana project design. These include full 7-foot wide sidewalks, landscaping strips, bicycle facilities, and access to the adjacent market. Additional measures may be identified in subsequent review and approval steps for the project. No changes are necessary in the IS-MND.

Response 7.4

The commenter states, as a reminder, that Senate Bill 743 (2017) mandates that VMT be used as the primary metric in identifying transportation impacts of all future development projects under CEQA, starting July 1, 2020. The commenter provides resources in the letter in order to meet this State mandate. Since the CEQA process will be completed before the new VMT procedures become mandatory, no changes are necessary in the IS-MND.

August 14, 2019

City of Oxnard Planning Division

Attn: Chris Williamson,

Consultant Planner

214 South C Street

Oxnard, CA. 93030

Letter 8

Dear Mr. Williamson:

Thank you for meeting with my wife, Patricia and me in your office on Thursday, August 8 regarding our questions and concerns regarding the "Rio Urbana" development as well as City of Oxnard Planning Division's July 16, 2019 "Notice of Intent to Adopt Negative Declaration No. 2017-04.

The following are the questions, concerns, and suggestions that we shared at our 8/8/19 meeting which I am again asking you and the Planning Division, as well as members of the Oxnard City Council, CAL TRANS, and LAFCO to consider when the Rio Urbana plans come before each entity's review.

The following are my comments and concerns for consideration.

I stated that I was concerned that the widening of Vineyard Ave. might result in right-of way or easement actions by the City of Oxnard or CAL TRANS on my property at 2703 Vineyard Ave. In response to my inquiry, you clarified that the proposal for widening of Vineyard Avenue by 23 feet would not have any effect or impact on my property located just across the Street (at the corner of Vineyard Ave. and Sycamore Streets, from the Rio Urbana project. You pointed out that the 23 additional feet for widening would be on the Rio Urbana side of Vineyard Ave. 8.1

I inquired what route City Traffic engineers expected Rio Urbana residents/office staff to use to get to the 101 freeway, and "The Collection", etc. Based on your response, the two expected routes would be: a U-turn at the intersection of on Vineyard and Stroube Sts.; or via Stroube St. to Rose Ave. I expressed my concern that the residents of the neighborhood closest to the Rio Urbana project (Colonia Ave., Myrtle, Sycamore, Olive Streets) were not formally notified of the project plans, or given an opportunity to comment, make suggestions, or express concerns. The primary exit for residents and office staff from Rio Urbana is via Rio School Lane onto Vineyard Ave going east. Adding another traffic signal on Vineyard Ave. would only exacerbate existing traffic. Specifically, I expressed concerns that Rio Urbana traffic would use Colonia Ave. as an alternative, faster route to "The Collection" rather than use the City Planner's designated route (make a U-turn at on Vineyard and Stroube Sts. Intersection, or take 8.2

Stroube to Rose Ave. then north onto the 101 freeway. Using the Vineyard option already often-times results in bumper-to-bumper traffic on Vineyard Ave, (particularly between 4:30-530 p.m. weekdays) Traffic will instead be redirected through the the Colonia Ave residential neighborhood. Making a left-turn on Stroube St. and driving on Colonia Ave., traffic can reach The Collection more quickly via River Park Blvd. Oxnard City planners should consider the safety of the residents of Colonia Ave. Colonia Ave. a neighborhood of single-family homes; a school bus route; no street lamps; and no pedestrian walkways. In the interest of the safety of citizens residing in this neighborhood, the City of Oxnard should consider installing speed-bumps along the length of Colonia Ave, as currently exist on the entire length of length of Stroube St. to Rose Avenue (where the auto dealerships, Coscto, Fry's, etc. are located). Speed bumps along Colonia Ave. should be installed if Rio Urbana is approved, to reduce safety risks, before a fatality involving a resident of Colonia Ave. occurs. 8.2 (cont'd)

Currently the traffic signal at the intersections of Vineyard, Stroube, and Colonia Ave. included a left-turn designated signal towards Colonia Ave. If this is the route that residents of Rio Urbana are expected to use, then a combination-U-turn and left–turn option should be added to this traffic signal. 8.3

Currently, a left or right turn is allowed on Sycamore onto Vineyard West. If Vineyard is widened as planned, in the interest of traffic safety, only a right-turn should be allowed from Sycamore onto Vineyard Ave. 8.4

The City's Draft Environmental document concluded that there would be "less than significant impact with mitigation incorporated" in the areas "transportation and circulation". The impact on traffic and traffic circulation that I have outlined should be addressed. 8.5

I also expressed our concern about whether 431) parking spaces for resident and guests of the 163 one-to-three tree bedroom condo units) within the Rio Urban development were sufficient so that streets and residents nearby are not negatively impacted by overflow parking from Rio Urban. This already occurs with overflow parking from the strip mall the located on Vineyard Ave. and Sycamore St, as well as in other similar high-density housing in Oxnard. 8.6

I expressed our concern about the noise and air quality during construction of Rio Urbana for the residents living just across the street. 8.7

Finally I also question the Draft Environmental Document's conclusion that the Rio Urbana project would "introduce multi-family residents and commercial office space that are designed for visual compatibility and consistency with surrounding land uses." In reality, the majority of nearby land use is single-story homes. Rio Urbana introduces a 2-story, 15,000 sq. foot office building, and 165condo residences within eight three-story condo units. There are currently no multi-story buildings or high-density residential units in the neighborhoods in closest proximity to the planned Rio Urbana project. 8.8

Thank you for the opportunity to comment.

Henry Macias

805-484-8263

henry.macias@roadrunner.com

Letter 8

COMMENTER: Henry Macias, Neighbor

DATE: August 14, 2019

Response 8.1

The commenter states a concern regarding the widening Vineyard Avenue and its potential effects on the properties along the north side of this roadway. As noted in the comment, and in the IS-MND, the proposed widening would occur adjacent to the Rio Urbana project site – on the south side of East Vineyard Avenue, and would not directly affect properties across the street.

Response 8.2

Second, the commenter inquires the circulation routes expected to be used by residents, customers, and employees associated with the Rio Urbana to/from U.S. Highway 101. The commenter states a concern of increased traffic surrounding Rio Urbana, including, but not limited to, "The Collection," Vineyard Avenue, Stroube Street, Rose Avenue, Colonia Avenue, Myrtle Street, Sycamore Street, and Olive Street, and recommends installing speed bumps along Colonia Avenue as a safety measure to reduce these potential risks.

The revised Traffic Study completed by Associated Transportation Engineers (ATE) accounts for convenience of travel, based on the distance and time required per trip. This detailed analysis of traffic flows includes an examination of operating conditions of critical intersections during peak travel periods. Approximately half of the peak hour traffic to and from the project would affect Vineyard Avenue west of the project site. No left turns would be allowed onto Vineyard Avenue, so project-generated traffic would either make a "U" turn at the intersection of Vineyard Avenue and Sycamore Street, a "U" turn at Stroube Street, or use surface streets as suggested by the commenter. The critical intersection movements in this general direction were determined to continue operating at Level of Service "A" or "B" under all conditions.

The traffic report evaluated the possibility of adding a new traffic signal at the intersection of Vineyard Avenue and Sycamore Street, but determined that applicable signal warrants were not met to justify that improvement. The project would include construction of a raised median at this intersection to reinforce the right turn only movement from Sycamore Street to Vineyard Avenue.

The traffic report was reviewed by the City of Oxnard Public Works Department, and reflects the City's current recommendations regarding traffic improvements that will be required as a condition of project approval. These include widening Vineyard Avenue, constructing a full sidewalk and landscaping strip adjacent to the project, and installing raised medians at specific locations on Vineyard Avenue to restrict left turns. As a general policy, speed bumps or other traffic calming measures designed to slow or retard traffic are not installed unless warranted by specific conditions. At the present time, speed bumps or other improvements beyond those described are not expected to be required for the project. Therefore, no changes in the IS-MND are warranted.

Response 8.3

The commenter suggests addition of a second left turn lane at the traffic signal on Vineyard Avenue at Stroube Street. This intersection currently has a dual left-turn "U" turn. The traffic report

analyzed the operation of this signalized intersection under all conditions. These included both morning and afternoon peak hour traffic in the existing conditions, existing+approved/pending projects, cumulative conditions, and cumulative+project. Under all scenarios, this intersection would operate at Level of Service "A." Thus, no substantial alteration at this intersection is expected to be required for the project, and no changes are necessary in the IS=MND.

Response 8.4

The commenter suggests that from Sycamore Street onto Vineyard Avenue, only a right turn should be allowed. The City agrees with this conclusion, and the project will include construction of a raised median to prevent such left turns.

Response 8.5

The commenter notes that the IS-MND concludes that transportation and circulation impacts would be less than significant with the mitigation measures identified, but believes that that the traffic concerns outlined should be addressed. The concerns are addressed in these responses, which are included in the Final IS-MND, and will be part of the information provided to the Planning Commission and City Council in considering the project.

Response 8.6

The commenter states that the 431 parking spaces for residents and guests of the 163 one- to three-bedroom condo units may not be adequate and may lead to overflow parking on neighboring streets.

The parking included in the project adequately meets the City of Oxnard's standards for a property consisting of residential and commercial uses, as set forth in the Article X of the City Municipal Code. The project design, including parking, was reviewed by City departments as part of the process to identify conditions of approval, and will be reviewed by the Planning Commission.

Response 8.7

The commenter states a concern regarding noise and air quality impacts on neighbors across the street during the construction process for the proposed project.

The topics of Noise and Air Quality are discussed in Sections XII and III, respectively. Both sections explain the thresholds used to evaluate impacts and the analyses performed to reach conclusions regarding the significance of impacts. Since the commenter does not raise any specific issues relative to these discussions, no changes are necessary in the IS-MND.

Response 8.8

The commenter questions the conclusion that the project is designed for visual compatibility and consistency with surrounding land uses." Specifically, the commenter claims that introducing two-story 15,000 square foot office building and eight three-story condominium structures is incompatible with the current neighborhood density and land uses.

The issue relates specifically to items 3 and 4 in Section I Aesthetics and Urban Design. The City of Oxnard has acknowledged the architectural style, height and density features of the site are not identical to the existing neighborhood. The project underwent extensive review and revision, and incorporates several features discussed in the IS-MND to improve its compatibility with nearby land

uses. The City decision makers (Planning Commission and City Council) will evaluate these concerns as part of their consideration of the project. No changes related to this issue are necessary in the IS=MND.

Letter 9

MANUEL VACA

PO BOX 6471 OXNARD, CALIFORNIA 93031 PHONE (805) 402-8999 mividavaca@aol.com

Chris Williamson
214 S. "C" Street
Oxnard, CA 93030

RE: El Rio School site proposed development

Dear Sir;

I am a property owner of a couple of parcels adjoining the property proposed for development.

I have a couple of concerns regarding the development as it is presently proposed.

First:
Another high-density project which does not have secure perimeters leaves the development open to higher crime activity by not limiting residents and invited guests to within the areas. I have seen this in past developments, and eventually (within ten years), lead to higher non owner-occupied units which causes degradation of the project. We have enough high-density problems locally already, such as exist in some areas in El Rio Southeast of this project. 9.1
I would recommend for this multi-story high density project that it be secured by limited access in the form of secure gating. This will reduce non-residents or guests from entering uninvited.

Second: I find it very disturbing that El Rio Lane would be incorporated as part of the project in the form that it becomes part of the annexation. As it is laid out in the preliminary proposal, a Lane which historically has been used for foot traffic and bike traffic from Vineyard Avenue areas, leading to Wright Road and Rio Real School would disappear. 9.2
Additionally, the buffer currently created by Rio School Lane and use of adjoining property on the opposite side of the Lane gets removed. In this rural area where we have large lots, separation and protection from high use and noise is paramount.
How could the developer think it is OK to take a public lane, and incorporate it in their project in a manner that would imply specific use by hundreds of vehicles daily for the Condo Associations' use? 9.3
Just leaving us access from their approach roadway to their extensive parking areas is not enough!
Simply, the high traffic use will make it unsafe for pedestrians and cyclists which have historically used that access point.
I totally understand that we need more housing, and ideally incorporate affordability in Ventura County, but as the project is laid out, it severely impacts the rurality of our lots by bringing the project right up to our rear fence lines. 9.4
I urge you to maintain the Rio School Lane separate from this project, so its current use is retained, and the buffer which it creates is left. 9.5

Thank You for your attention.

Sincerely,
Manuel Vaca

Letter 9

COMMENTER: Manuel Vaca, Neighbor

DATE: August 13, 2019

Response 9.1

The commenter states that they are concerned about safety and degradation of the project due to the high-density structure and lack of protective fencing along the perimeter.

As part of the landscaping plan, referenced in the project description, protective fencing, in the form of a six-foot, vertical iron rail fencing and a landscaped strip, will be located on the northern property line, in order to separate the project (including Rio Lane) from the adjacent residential areas, while maintaining existing access to those areas. In addition, six-foot, graffiti-resistant walls as well as a section short fencing and a gate will be located on the southern and eastern boundary lines in order to allow access to and from the adjacent market area.

Response 9.2

The commenter states that they have concerns regarding the annexation of El Rio Lane and its impact on traffic, density, aesthetics, and noise. The concern is that removing El Rio Lane and use of the adjoining property, as suggested in the proposal, would remove a buffer used for separating larger lots and reducing noise impacts between Vineyard Avenue, Wright Road, and Rio Real School. The commenter prefers that Rio School Lane remain public property, separate from the proposed project.

Annexation of Rio School Lane, as part of this project, is intended by the City of Oxnard as a mechanism to ensure the design and improvements, as approved, are completed without expense or liability to the City. As described in the IS-MND (page iv and Figure 4), Rio School Lane will be constructed as a private lane and will maintain access for the existing residential areas, as well as the project, with Vineyard Avenue and its sidewalk. Therefore, the inclusion of Rio School Lane within the project is a City requirement, which would retain the buffer feature provided by the existing County road as well as maintain vehicle and pedestrian access for the existing residences.

Response 9.3

The commenter raises concerns about maintaining the buffer function of Rio School Lane, including separation distance, noise, and traffic issues. As shown in the project plans (Figure 4 in the IS-ND/MND) as well as Sheet 1 of the Tentative Tract Map, the proposed Rio School Lane right-of-way would include landscaped strips, parking, a twenty-six-foot-wide private drive, seven-foot-wide sidewalk, and perimeter fencing. This design will provide a forty-eight-foot-wide buffer between the proposed residences and the nearest existing residences. Though the additional vehicle traffic from the traffic along Rio School Lane would cause an increase in noise levels near the existing residences (as displayed in Table 3 and discussed on page 39 of the IS-ND/MND), the noise modeling performed articulates less than significant noise impacts. Specifically, the noise modeling performed a reference distance of seventy-five feet between the centerline of the road and the receiver that was used. The resulting Community Noise Equivalent Level was estimated to be 44.4 decibels (dBA). The nearest existing residence is about 30 feet from the future centerline of the travel lanes on Rio

School Lane. Allowing for this smaller distance from the roadway would increase the estimate of the CNEL to approximately 50.4 dBA, which is still far below the 65 dBA threshold for a noise impact.

The revised Traffic Study completed by Associated Transportation Engineers (ATE) accounts for convenience of travel, based on the distance and time required per trip. This detailed analysis of traffic flows includes an examination of operating conditions of critical intersections during peak travel periods. Therefore, no changes are warranted.

Response 9.4

The commenter raises concerns about the differences in land use type and the separation distance between the project and the existing rural lots in the unincorporated area. The IS-MND acknowledges that the project would involve a land use change and develop multi-family apartments which are a higher density and different land use from the mixed rural land use in the unincorporated area. The project design would retain Rio School Lane as a private drive, in order to maintain access to the existing land uses and to provide a safe pedestrian route to and from Vineyard Avenue.

The project design also includes parking and landscaping that would increase the distance from the proposed residences to the nearest existing residences. The nearest existing buildings northeast of Rio School Lane in the unincorporated area are commercial in use, and there are some low density residential buildings in the general neighborhood at greater distances. The project design would provide a minimum distance in excess of 70 feet between the new apartments and existing buildings northeast of Rio School Lane. The IS-MND concludes that these design features will serve to reduce aesthetic and urban design effects to less than significant levels. No changes are necessary in the IS-MND.

Response 9.5

The commenter recommends that Rio School Lane be maintained in its current condition, separate from the project, in order to serve as a buffer between the proposed project and existing uses in the unincorporated area.

The disposition of Rio School Lane has been proposed in a manner that would bring it into the City jurisdiction as part of the project, without creating a street right-of-way for which the City would be responsible. The design, however, would maintain the width of the existing street and would provide additional landscaping and other features to separate the project from the existing uses. No changes are necessary in the IS-MND.

Letter 10

Comments on Rio Urbana

Inbox

Vicente Macias <vm3469@gmail.com> 9:48 AM (1 hour ago)

to me

Dear Mr Willamson,

I am writing to you in regards to the 30-day public review for the Rio Urbana project. (Negative Declaration No. 2017-04)

My principal concern is a total absence of realistic traffic routes to the 101 freeway from this development, Rio Urbana. Without an additional traffic light, traffic will be diverted into the surrounding neighborhoods. Neighborhoods that are totally devoid of crosswalks, sidewalks and street lights. 10.1

Parallel to this development is Colonia Ave. (Where I live) It seems no notice was given to any residents of this neighborhood. Colonia Ave. also has received no consideration in the accompanying environmental impact report. Even though it would be one of the main routes used by Rio Urbana residents and Rio School District employees to the 101 freeway and to Riverpark amenities. I cannot stress enough that this neighborhood route will be essential to the flow of traffic from the Rio Urbana development under this current plan. Which makes it strange that it was not considered in the environmental impact report. I am also curious if the increased traffic from the soon-to-be opened Wagon Wheel development was factored into the report. 10.2

Colonia Ave., also hosts a school bus route making multiple stops each weekday during rush hour. A likely consequence of Rio Urbana's impact to rush hour traffic will be an increased risk for children waiting for the school bus. This increased risk is amplified by the non-existent basic infrastructure on Colonia Ave. The end-result is the increased vulnerability of children and the increased liability for schools. 10.3

I hope you consider these issues when you make your decision / recommendation

Respectfully,

Vicente Macias
2759 ½ Colonia Ave.
Oxnard CA, 93036

Letter 10

COMMENTER: Vicente Macias, Neighbor

DATE: August 16, 2019

Response 10.1

The commenter states that the proposed circulation routes between the Rio Urbana project and U.S. Highway 101 would be unsafe without the introduction of a new traffic signal.

The revised Traffic Study completed by Associated Transportation Engineers (ATE) accounts for convenience of travel, based on the distance and time required per trip. This detailed analysis of traffic flows includes an examination of operating conditions of critical intersections during peak travel periods. By referencing the need for a new traffic signal, the commenter implies that there should be left turns out of the project onto Vineyard Avenue, in order to reduce the potential for traffic routing through the surface streets northwest of the project site. The City considered the potential for left turns onto Vineyard Avenue, and this was rejected due to the traffic flow and safety issues. Therefore, no changes are warranted.

Response 10.2

The commenter states that noticing was not properly provided to residents on Colonia Avenue.

Noticing for the Initial Study-ND/MND was completed in accordance with the California Environmental Quality Act (CEQA). There will also be additional opportunities for public participation throughout the permitting process conducted by the City of Oxnard and the County of Ventura. These will include noticed public hearings at the City Planning Commission, City Council, and County Board of Supervisors and LAFCO.

Response 10.3

The commenter states that there is an existing school bus route on Colonia Avenue which may be negatively impacted by traffic associated with the Rio Urbana project. The commenter claims that the safety of children would be at risk due to increased traffic on a street that currently lacks basic infrastructure.

The revised Traffic Study completed by Associated Transportation Engineers (ATE) accounts for convenience of travel, based on the distance and time required per trip. This detailed analysis of traffic flows includes an examination of operating conditions of critical intersections during peak travel periods. Approximately half of the project-generated traffic would involve travel directed to or from Vineyard Avenue towards the southwest. There are several routes that would be available for this movement, including a “U” turn at Sycamore Street (considered the most likely in the traffic study), a “U” turn at Stroube Street, and a left turn to circulate around the block via Colonia Avenue or other streets as suggested by the commenter. The most affected intersections were considered in the traffic study, and were found to operate at Level of Service A or B under all times and scenarios studied. Thus, traffic impacts are not predicted to be significant at the lower volume intersections within the residential neighborhoods mentioned. Therefore, no changes in the IS-MND are necessary.

Attachment 2

Mitigation Monitoring and Reporting Plan (MMRP)

Mitigation Monitoring and Reporting Plan (MMRP)

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
Biological Resources	Potentially Significant	**BIO-1** Nesting Bird and Raptor Survey and Avoidance. In the event that the proposed action is planned to occur within the general bird nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist. The nesting season is generally considered February 1 through August 31, with a peak from March to June; however, these dates vary by year depending on prey availability, weather, and other factors. In the event an active bird is observed in the habitats to be removed or in other habitats within 100 feet for songbirds and 500 feet for raptors of the construction work areas, all construction work in the suitable habitat or within 100 feet/500 feet of the suitable habitat must be delayed until after September 1st, or surveys must be continued in order to locate any nests. If an active nest is found, clearing and construction within 100 feet/500 feet of the nest shall be postponed until the nest is vacated and juveniles have fledged, and until there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area.	Less Than Significant	Community Development
Cultural and Tribal Cultural Resources	Potentially Significant	**CUL-2** A qualified archaeologist shall monitor all project-related ground-disturbing activities. In the unlikely event that potentially significant archaeological materials are encountered during construction, the applicant must comply with State regulations and City's standard condition of approval for handling such resources.	Less Than Significant	Community Development
Noise	Potentially Significant	**N-1(a)** Building Material Guidelines. The living areas for all residences in the project, including those adjacent to Vineyard Avenue, shall be constructed to include sufficient noise attenuation to reduce interior noise levels to a CNEL of 45 dBA, as required by California building standards. For the estimated exterior CNEL values of 65 dBA, this performance standard requires an exterior-to interior noise reduction of approximately 20 dBA. This noise reduction is	Less Than Significant	Community Development

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		routinely achieved in residential construction that is consistent with current California energy conservation standards, and involves measures such as exterior stucco walls with a Sound Transmission Class (STC) rating of 45, double-paned windows with an STC of 37, solid core exterior doors. Building permit applications shall include documentation that the interior standard of 45 dBA CNEL will be achieved through a combination of these or other measures. **N-1(b)** Building Design. The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to Vineyard Avenue. Upper level patio/deck areas shall not be positioned facing the Vineyard Avenue for residences along the western site boundary <u>without additional mitigation or verification that exterior CNEL values would meet the City noise standard of 65 dBA as shown in a Noise Study reviewed and approved by the Planning Manager or designee.</u>		
Noise	Potentially Significant	**N-2** Construction Noise Levels. For all construction-related activities, noise-attenuation techniques shall be employed as needed to ensure that noise remains as low as possible during construction, specifically at REC-1 through REC-3. The following noise-attenuation techniques shall be incorporated into contract specifications to reduce the impact of construction noise: • Ensure that construction equipment is properly muffled according to industry standards and in good working condition. • Place noise-generating construction equipment and locate construction-staging areas away from sensitive uses, where feasible. • Schedule high noise-producing activities between the hours of 7:00 AM and 5:00 PM to minimize disruption on sensitive uses. • Implement noise attenuation measures to the extent feasible, which may include but are not limited to temporary noise barriers or noise blankets around stationary construction noise sources.	Less Than Significant	Community Development

Environmental Impact	Significance Before Mitigation	Recommended Mitigation Measure	Significance After Mitigation	Responsible Party
		• Use electric air compressors and similar power tools rather than diesel equipment, where feasible. • All stationary construction equipment (e.g., air compressors, generators, impact wrenches, etc.) shall be operated as far away from residential uses as possible and shall be shielded with temporary sound barriers, sound aprons, or sound skins. • Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. • Clearly post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow for surrounding owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.		
Utilities and Energy	Potentially Significant	**W-1** The applicant shall provide for the allocation of groundwater pumping rights sufficient to serve the development (40.399 acre feet per year) from the Fox Canyon Groundwater Management Agency to the City of Oxnard, consistent with the ordinances and requirements of the two agencies, prior to recording the final map for the project.	Less Than Significant	Water Division

ATTACHMENT D - City of Oxnard 2030 General Plan Consistency Analysis

Rio Urbana Development Project: 2714 Vineyard Avenue

October 3, 2019 Planning Commission

Level I: Direct Applicability to a Proposed Policy, Project or Program
Level II: Related or Indirect Applicability to the Proposed Policy, Project, or Program
Level III: No or Distance Applicability to the Proposed Policy, Project, or Program.
All polices not listed are designated as Level III are deemed consistent with the 2030 General Plan.

General Plan Chapter Abbreviations	Chapter:
SC: Sustainable Community	2
CD: Community Development	3
ICS: Infrastructure and Community Services	4
ER: Environmental Resources	5
SH: Safety and Hazards	6
MC: Military Compatibility	7
HE: 2013-2021 Mid-Cycle Housing Element	8

2030 General Plan		**Level I**	**Level II**	**Rationale**
Policy SC-3.1	***New Residential Development*** Encourage incorporation of passive and active energy and resources conservation design and devices in new residential development and substantial remodels and/or expansions.		X	State "Green Building Energy Code" applies to all development and either requires, or requires that new residential structures be designed to accommodate, passive energy, solar panels, and natural ventilation features. Solar panels are included in the project.
Policy SC-3.8	***Require Use of Passive Energy Conservation Design*** As part of the City and Community EAP's, require the use of passive energy conservation by building material massing, orientation, landscape shading, materials, and other techniques as part of the design of local buildings, where feasible.		X	
Policy SC-3.9	***Promote Voluntary Incentive Programs*** Promote voluntary participation in incentive programs to increase the use of solar photovoltaic systems in new and existing residential, commercial, institutional and public buildings, including continued participation in the Ventura County Regional Energy Alliance (VCREA).		X	
Policy SC-3.12	***Encourage Natural Ventilation*** Review and revise applicable planning and building policies and regulations to promote use of natural ventilation in new construction and major additions or remodeling consistent with Oxnard's temperate climate.		X	

Policy CD-1.2	***Infill Development, Priority to Mixed Use*** Promote the efficient use of larger vacant parcels and vacant areas of the City by encouraging infill development, with a priority to mixed uses that reduce vehicle trips and GHG emissions and promote sustainable development goals and objectives.	X		Project is an infill site between two established neighborhoods and adjacent to commercial uses.
Policy CD-1.4	***Transportation Choices*** Promote the application of land use and community designs that provide residents with the opportunity for a variety of transportation choices (pedestrian, bicycle, transit, automobile).	X		Gold Coast Transit has a bus stop near the project entrance. Vineyard Avenue has shoulders wide enough for bicycles.
Policy CD-1.5	***Housing Variety*** Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single family units.	X		Project has five one-bedroom, 115 two-bedroom, and 47 three-bedroom units.
Policy CD-1.6	***Public Facilities*** Enhance resident quality of life by providing adequate space for schools, libraries, parks and recreation areas, as well as space for the expansion of public facilities to support the community's vision.		X	Project site has a pedestrian connection to an adjoining shopping center. The County's Solis Library is located one block to the north. The nearest community park is four block west (Vinelands Park). Rio Vista and Rio Del Mar elementary and middle school are located three blocks north.
Policy CD-1.7	***Compact Development*** Promote the use of development patterns that are more compactly built and use space in an efficient aesthetic manner as part of the community vision.		X	Project utilizes the entire parcel and places storm water retention underground.
Policy CD-3.1	***Neighborhood Preservation*** Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission.	X		The project retains access to adjoining residential and commercial properties and site design creates compatible transition to adjoining residential and commercial uses.
Policy CD-2.1	***General Plan/Zoning Consistency*** Amend the zoning code, zoning map, Coastal Land Use Program, and other land use regulations to make them consistency with the adopted and/or subsequently amended 2030 General Plan	X		With approval of General Plan Amendment and

				Pre-zoning, the project is consistent with both.
Policy CD-3.3	***Innovative Redevelopment*** Promote innovative design flexibility and possibly different residential densities in public and public/private redevelopment within existing neighborhoods through the use of alternative performance-oriented development standards, alternative development designs, development agreements, specific plans, mixed uses, and other development and planning techniques.	X		Six of the eight residential buildings utilize central parking courts that allow buildings to have residential units fronting open space paseos.
Policy CD-8.1	***Limiting Development*** Continue to limit development to those areas that can be served by existing or planned utilities, transportation, and service systems.	X		Project will be served by existing utilities with minimal impacts on City infrastructure and services.
Policy CD-8.2	***Services*** Continue to ensure that public services and facilities are in place at the time of need or prior to the time new development occurs in order to avoid overloading existing urban service systems.	X		
Policy CD-8.5	***Impact Mitigation*** Ensure that new development avoids or mitigates impacts on air quality, traffic congestion, noise, and environmental resources to the maximum extent feasible.	X		MND 2017-04 identified no remaining significant impacts after application of four mitigations.
Policy CD-9.1	***Neighborhood Identity*** Recognize, preserve, and improve the visual identity and character of existing neighborhoods. Infill development shall respect historic structures and be of compatible scale and character with historic areas***.***	X		Project is visually separated from the lower-density El Rio community. There are no historic areas or resources on the project site or in the immediate vicinity.
Policy CD-9.2	***Revitalization and Redevelopment*** As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.	X		Project is a reuse of a surplus school site. Residents will contribute to the economic vitality of the adjacent commercial uses. A 30 ft. scenic easement and the replacement of obsolete school buildings and sparse vegetation with desirable architecture and landscaping improves the visual quality.
Policy CD-10.1	***Human-Scale Development***	X		Tree-lined walkways, paseos, play areas, and a

	In the evaluation of development proposals, require urban development on a human scale, by emphasizing the pedestrian experience over the movement and storage of vehicles.			pavilion provide quality pedestrian areas. The three parking courts and garages remove many vehicles from view. The perimeter parking is not a dominant visual feature or obstacle to most pedestrian paths.
Policy CD-10.2	***Neighborhood Themes*** In the evaluation of development proposals, require neighborhood themes and principles of design, such as neotraditional town planning, which include central parks, schools, and community and commercial facilities, strong pedestrian orientation and de-emphasis of automobile related elements in new development projects.	X		Project is subject to and complies with attached dwelling unit standards. Being located near the Riverpark community, the project is competing with and designed for a high-quality for-purchase market.
Policy CD14.1	***Design Review Process*** In the evaluation of development proposals, continue to ensure that public and private development projects comply with City design policies, plans, and guidelines.	X		Project was reviewed by the Development Advisory Committee that includes an architect and landscape architect on contract with the City The applicant received public comments at a City workshop and at a meeting of the El Rio MAC.
Policy CD-14.2	***Development Advisory Committee (DAC) Function*** Continue to require that a staff Development Advisory Committee review new development projects for consistency with the City's development policies and appropriateness for the proposed sites.	X		Project was reviewed by the Development Advisory Committee.
Policy CD-15.3	***Availability of Care Services*** Encourage the availability of a variety of high quality social care programs (e.g., extended adult and child day care, infant and toddler care, sick care, etc.) by encouraging through development agreements, conditions of approval, and/or other techniques that local employers and developers consider and /or develop social care facilities and programs.		X	No care service agreements were proposed by the applicant.
Policy ICS-1.1	***Maintain Existing Service Levels*** Maintain the high priority of providing services to residents and visitors, and prevent deterioration of existing service levels.		X	Project will be connected to and served by existing utilities with minimal

Policy ICS-1.2	***Development Impacts to Existing Infrastructure*** Review development proposals for their impacts on infrastructure (i.e., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	X		impacts on City infrastructure. The project will pay a range of impact fees to the City, County, and school districts for various public facilities.
Policy ICS-1.3	***Funding for Public Facilities*** Continue to utilize developer fees, public facilities fees, and other methods (i.e., grant funding or assessment districts) to finance public facility design, construction, operation, and maintenance.		X	
Policy ICS-1.4	***Infrastructure Conditions of Approval*** New development should not be approved unless: • The applicant demonstrates adequate public services and facilities are available; • Infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement; • Infrastructure improvements are consistent with City infrastructure master plans; and • Require infrastructure expansion needed for future development to be self-funding so current residents do not subsidize infrastructure needed for future growth.	X		Project will be connected to and served by existing utilities with minimal impacts on City infrastructure.
Policy ICS-2.6	***Reduction of Construction Impacts*** Minimize and monitor traffic and parking issues associated with construction activities, require additional traffic lanes and/or other traffic improvements for ingress and egress for new developments for traffic and safety reason, where appropriate.	X		A traffic study determined that construction traffic and project traffic will not significantly impact levels of service at study intersections.
Policy ICS-8.3	***Completing Bicycle and Sidewalk Network*** Prioritize plans for bicycle and pedestrian facilities that provide continuity, and close gaps in the city's existing bike path and sidewalk network.		X	The project will have Gold Coast Transit bus service. The widening of Vineyard Avenue continues a shoulder that is wide enough for bicycle use. The 30-foot scenic setback enhances the Vineyard Avenue public sidewalk. All ADA requirements are provided.
Policy ICS-8.4	***New Development Requires Bicycle Improvements*** Where designated, require proposed developments to include bicycle paths and / or lanes in their plan and to clearly indicate possible bicycling hazards such as speed bumps and storm drain inlet grates in parking lots.	X		
Policy ICS-8.5	***Public Sidewalks and Pedestrian Orientation*** Consider and require where appropriate and feasible the enhancement of the pedestrian environmental as part of private development and public works projects, especially for public sidewalks.	X		
Policy ICS-8.6	***Americans with Disability Act (ADA) Handicap Requirements*** Require installation of ADA compliant handicapped ramp curb-cuts and other ADA access with all new roadway construction and significant reconstruction of existing roadways, parking lots, plazas and pedestrian area, and parks.	X		

Policy ICS-9.2	***Development Has Adequate Parking*** Review development proposals to encourage shared parking use and ensure adverse parking impacts are minimized or avoided.	X		Although not required because the project qualifies for a State Density Bonus (Government Code Sections 65915 – 65918), the project provides Oxnard City Code level guest parking.
Policy ICS-11.7	***Water Wise Landscapes*** Promote water conservation in landscaping for public facilities and streetscapes, residential, commercial and industrial facilities and require new developments to incorporate water conserving fixtures (low water usage) and water-efficient plants into new landscaping.	X		Project landscaping meets City and State water-conservation requirements.
Policy ICS-11.10	***Water Supply Finding for Smaller Projects*** Prior to approval of a discretionary proposed project not subject to a Water Supply Assessment pursuant to GC Section 66473.7, a finding shall be made ensure an adequate water supply for the proposed development.	X		Project complies with the City's water-neutral policy, pending FCGMA approval of a well allocation transfer.
Policy ICS-13.3	***Stormwater Detention Basins*** Design stormwater detention basins to ensure public safety, to be either visually attractive or unobtrusive, provide temporary or permanent wildlife habitats, and recreational uses where feasible in light of safety concerns.	X		Project meets City and Watershed Protection District requirements and incorporates LID features.
Policy ICS-13.4	***Low Impact Development*** Incorporate low impact development (LID) alternatives for stormwater quality control into development requirements. LID alternatives include: (1) conserving natural areas and reducing imperviousness, (2) runoff storage, (3) hydro-modification (to mimic pre-development runoff volume and flow rate), and (4) public education.	X		
Policy ICS-14.3	***New Development Requirements*** Continue to require developers and operators to employ practices that reduce the quantities of waste generated and promote resource recovery during construction, demolition, and operation.	X		Standard conditions of approval require compliance with City and State refuse recycling.
Policy ICS-17.4	***Service Extension*** Coordinate with gas and electricity providers for the extension of gas and electrical facilities.	X		SCE and the Gas Company are included in the project review process. Utilities are underground except for the relocation of existing SCE 66kV lines.
Policy ICS-17.5	***Undergrounding of Utility Lines*** Require undergrounding of utility lines in new development, except where it is not feasible due to electrical transmission load or other operational issues.	X		

Policy ICS-19.2	***Police Review of Development Projects*** Continue to require the Police Department review proposed development projects and provide recommendations that enhance public safety.	X		The Oxnard Police Department reviewed and conditioned the project. Capital Project fees and property taxes contribute to maintenance and development of Police Department facilities and services.
Policy ICS-19.5	***Incorporating Security Design Principles*** Encourage crime prevention and defensible space through design principles such as those employed through the National Crime Prevention Through Environmental Design program, Neighborhood Watch Program, and/or other appropriate methods to enhance public safety.	X		
Policy ICS-19.7	***New Development*** Require new developments to fund a fair share extension of police services to maintain service standards, including personnel and capital improvement costs.	X		
Policy ICS-20.5	***Fire Services to New Development*** Require new developments to fund a fair share extension of fire services to maintain service standards, including personnel and capital improvements costs.	X		The Oxnard Fire Department reviewed and conditioned the project. Capital Project fees and property taxes contribute to maintenance and development of Police Department facilities and services.
Policy ICS-20.7	***Adherence to City Standards*** Ensure that water main size, water flow, fire hydrant spacing, and other fire facilities meet City standards.	X		
Policy ICS-20.8	***Development Review*** Review new development applications to assess potential impacts to existing fire protection services and the need for additional and expanded services.	X		
Policy ICS-20.10	***Adequate Emergency Access and Routes*** Require that new development provide adequate access for emergency vehicles, particularly firefighting equipment, and evacuation routes, as appropriate.	X		
Policy ER-6.1	***Incorporate Views in New Development*** Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not significantly impede or disrupt them and ensure that important vistas and view corridors are enhanced. Require development to provide physical breaks to allow views into these vistas and view corridors.	X		The 30 ft. setback along Vineyard Avenue complies with the designation of Vineyard Avenue as a scenic highway.
Policy ER-6.6	***New Development Private Open Space*** Ensure that new development incorporates open space areas that provide community and neighborhood identity, private quality exterior private open space for each housing unit, and minimize conflicting land uses and noise generators.	X		Project incorporates paseos, four play areas, a small dog run, and a pavilion that are located away from Vineyard Avenue traffic noise, except for one play area.
Policy ER-10.1	***Promote use of Native and Water Wise Plants*** Promote the development of a native, drought-tolerant landscape character throughout the City that re-enforces a unified and cohesive landscape character and discourage plants that are invasive or problematic in other ways as determined by the City's landscape architect.	X		Project complies with City landscape standards that incorporate state requirements to be drought tolerant.

Policy ER-11.3	***Development Applicants to Conduct Research*** Continue to require project applicants to have a qualified archaeologist conduct a record search at the South Central Coast Information Center located at California State University Fullerton and other appropriate historical repositories, conduct field surveys where appropriate, and prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archaeological Resource Management Reports) prior to project approval.	X		MND 2017-04 reviewed the project and did not identify any remaining significant environmental impacts with the application of four mitigations and uniformly-applied development standards and regulations intended to minimize or avoid significant impacts.
Policy ER-11.7	***Native American Remains*** Continue to comply with State laws relating to the disposition of Native American burials consistent with the CEQA Guidelines (Section 15064.5) if human remains of possible Native American origin are discovered during project construction.		X	
Policy ER-14.4	***Emission Control Devices*** Require all construction equipment to be maintained and tuned to meet appropriate EPA, CARB, and VCAPCD emissions requirements and when new emission control devices or operational modifications are found to be effective, such devices or operational modifications are required on construction equipment.	X		
Policy ER-14.6	***Minimizing Dust and Air Emissions through Permitting Requirements*** Continue to require mitigation measures as a condition of obtaining building or use permits to minimize dust and air emissions impacts from construction.	X		
Policy ER-14.7	***Mitigation Monitoring*** Ensure that projects with identified air quality impacts in their respective EIRs are subject to effective mitigation monitoring as required by AB 3180.	X		
Policy SH-1.1	***Minimize Liquefaction Risk*** Ensure that structures for human occupancy are only constructed or placed on a potential liquefaction site if the approved geological report shows that an acceptable hazard risk would be created and/or required mitigation measures are met.	X		
Policy SH-1.3	***Building Code Standards*** Require that all new buildings and alterations to existing buildings be built according to the seismic requirements adopted within the most current City of Oxnard Building Code, or its adopted equivalent.	X		MND 2017-04 reviewed the project and did not identify any remaining significant environmental impacts with the application of four mitigations and uniformly-applied development standards and regulations intended to minimize or avoid significant impacts.
Policy SH-1.4	***Soil, Geologic, and Structural Evaluation Reports*** Require that adequate soils, and geologic and structural evaluation reports be prepared by registered soils engineers, engineering geologists, and/or structural engineers, as appropriate, for applicable development.	X		
Policy SH-1.5	***Required Geologic Reports*** Continue to require the submission of a geological report for proposed development located in a potential liquefaction area.	X		
Policy SH-1.7	***Soil Investigations*** Continue to require a complete site-specific soils investigation that addresses liquefaction and compressible soil characteristics and identifies construction techniques or other mitigation measures to prevent significant impacts upon the proposed development.	X		

Policy SH-5.3	***Sound Attenuation Measures*** Promote, where feasible, alternative sound attenuation measures such as berms, heavy landscaping, resurfacing of noise walls to promote noise absorption as well as deflection, berms and landscaping, or location of buildings away from the roadway or other noise sources.	X		
Policy SH-6.2	***Limiting Construction Activities*** Continue to limit construction activities to the hours of 7 am to 7pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the City.	X		
Policy SH-6.4	***New Development Noise Compatibility*** Require that proposed development projects not generate more noise than that classified as "satisfactory" based on CEQA Thresholds of significance on nearby property.	X		
Policy SH-6.13	***Noise Acceptable for Open Windows and Patios*** Continue to require noise analysis of proposed development projects as part of the environmental review process and require mitigation measures to reduce noise impacts to acceptable levels within outside activity areas and within residential structures without relying on mechanical ventilation, if feasible.	X		
Policy MC-4.4	***Affordable Housing*** Promote the availability and development of off-base affordable housing to meet the needs of the military personnel and their families.	X		A condition of approval requires noticing Naval Base Ventura County Housing Service Center of the project and its anticipated sales prices.
Housing Element Policy G-2.3	***Adequate Infrastructure*** Ensure that residential development sites have appropriate and adequate public and private services and facilities, including wastewater collection and treatment, potable and recycled water supply, utilities, parks, schools, and other neighborhood infrastructure.	X		See responses to previous policies ICS-1.1 to ICS 1.4.
Housing Element Policy G-2.8	***Local Preference for Affordable Units*** Require, when possible, by development agreement or condition of approval, local resident/worker preference for projects which include affordable housing units, density bonus units, and/or units utilizing Federal, State, or local funding.	X		A condition of approval requires an early advertisement to local residents in compliance with fair housing law.
Housing Element Policy G-5.6	***Adjusting Project Development Fees*** Continue to consider alternative sources for and/or deferment of development impact and project reviews fees to enhance the financial feasibility of affordable projects, including the use of Affordable Housing Agreements.	X		The applicants paid all applicable fees under regular procedures.

PARCEL 1: OFFICE BUILDING

DEVELOPMENT STANDARDS FOR OFFICE (PARCEL 1): C-2-PD "GENERAL COMMERCIAL PLANNED DEVELOPMENT" ZONE			
DEVELOPMENT STANDARD	**REQUIREMENT**	**PROPOSED**	**COMPLIES?**
Max. building height (16-137 & 16-303)	2 stories at 35 ft. Additional stories may be permitted as part of a SUP.	2 stories, 31 ft 34 ft elevator structure allowed by 16-303(D)	Yes
Front yard setback (16-139)	10 ft from ultimate property line; 30 ft (total) from ultimate property line when abutting designated scenic corridors, per General Plan Policy CD-9.4. Vineyard Avenue is identified as a Scenic Highway (Background Report, Section 5.3.2).	23 ft landscaping + 7 ft sidewalk = 30 ft from Vineyard Avenue after widening (ultimate property line)	Yes
Side yard setback (16-140)	Zero when abuts another C-2 zoned lot.	North: 90 ft setback South: 70 ft setback	Yes
Rear yard setback (16-141)	15 feet for buildings over 16 feet in height	East: 69 ft setback	Yes
Floor Area Ratio (FAR) (General Plan, Commercial General)	Not to exceed 0.35:1	15,000 sf. on 48,995 sf parcel = 0.31:1	Yes
Off-street parking: Required (16-622) Rounding (16-620) Motorcycle (16-624) Bicycle (16-623, 16-637 & Bicycle and Pedestrian Facilities Master Plan, Appendix pg. A-38) Loading (16-644) Parking Aisle (16-639, Figure 5) [ADA requirements per State Title 24 Accessibility Code]	Office: 1 space per 250 gsf. 15,000 gsf = 60. Motorcycle Space: 1 MC space per 40 vehicle spaces = 1 MC spaces Bicycle (per Bicycle & Ped. Master Plan, Appx pg. A-38), Short term: 8 spaces per 10,000 sf = 8 spaces, Long term: 2 lockers per 10,000 sf = 2 lockers. Loading space for 0 – 15,000 sf comm. = 1 space, (12 ft x 40 ft). 16-644(B)(1), "Loading zone requirements may be modified by the planning commission… based on the nature of the use…design characteristics of the project." Aisle Width for 90º parking = 25 ft	60 standard spaces (no compact spaces) 1 motorcycle space Bicycle bar near entrance. Number of bicycle spaces not shown. Bicycle lockers not indicated. One 12x40' loading space on south of office building 25 ft aisle widths	Yes Yes Yes, with condition of approval. Yes Yes
Parking space sizes & design: Standard (16-636 & 16-638)	Full Size: 9 ft W x 19 ft L may overhang 2 ft over landscape if planter min. 5 [16-616(C)] Compact:8 ft Wx16 ft L; Max 25%	Standard Parking = 9 ft x 17 ft +2 ft overhang over 5 ft wide landscaping	Yes

Motorcycle (16-638) Loading (16-644)	of spaces w/admin relief Motorcycle: 4 ft W x 7 ft L Loading: 12 ft W x 40 ft L (unless alternative approval).	Motorcycle = 4.5 ft x7 ft Loading space 12 ft x 40 ft	Yes Yes
Parking Landscaping (16-641): ● Along streets/alleys ● Along interior PLs (for lots with 20+ spaces) ● Parking/vehicle area (16-641) ● Landscape fingers (16-641) ● Trees (for lots with 20+) ● If located adjacent to residential see 16-641 (E)	● Min. 10 ft wide landscape strip along city street. ● Min. 5 ft wide side yard ● Min. 5 ft planter abutting residential ● Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. ● Landscape island/finger- every 10 spaces with 2 trees, 9 ft W x 20 ft L. ● Min. 1 tree for each 40' property line. 239 ft frontage = 6 trees ● 3 ft max height at 30 ft x 30 ft triangle at an intersection ● Must be irrigated with automatic irrigation system. ● Planted areas bounded by 6 inch concrete curb.	● 23 ft wide landscape strip fronting Vineyard Ave. ● 5 ft wide planters on south side property line, 9 ft wide planters fronting fire lane on north side, 7 ft planter abutting east side property line ● 21% parking area landscaped ● 9 ft x19 ft Landscape finger every 3 to 10 spaces. ● 7 trees in 239 ft frontage ● 30 ft x30 ft triangles have clear visibility. ● Irrigation plan not provided ● 6 inch concrete curbs not fully indicated	Yes Yes Yes Yes Yes Yes, w/conditions Yes, w/conditions
Trash enclosures (16-322)	To be screened to City standards.	Trash enclosure on SE corner of office parcel, and Appx. 9 ft x12 ft trash & recycling room shown on south side of office floor plan. Plans marked that staff will bring trash and recycling to exterior trash enclosure for refuse vehicle pick-up.	Yes
Rooftop equipment	May not protrude above height of parapet.	Rooftop HVAC units and future solar panels located behind and below parapet. (Sheet A-56).	Yes
Walls/Fences & (16-310)	<u>Front:</u> No Fence or wall permitted in front setback. No chain link in front yard. <u>Side & Rear:</u> 8 ft maximum height.	6 ft fence & walls surround office parking, not within front setback. locations & designs shown Sheet L-1	Yes
Lighting (16-320)	● Max 7 footcandles ● A light source shall not shine upon any surface other than the area required to be lighted.	Partial Lighting Plan provided (Sheet L-03) for parking lots, walkways, drive aisles, open spaces:	Yes, w/condition for photometric review

	• Parking lot fixtures shall be mounted on reinforced concrete pedestals or otherwise protected.	12 ft pole height 30 inch high bollards	

PARCEL 2: 167 CONDOMINIUM UNIT PROJECT

DEVELOPMENT STANDARDS FOR RESIDENTIAL USE (PARCEL 2): APPLY R-3-PD "GARDEN APARTMENT PLANNED DEVELOPMENT" STANDARDS			
DEVELOPMENT STANDARD	**REQUIREMENT**	**PROPOSED**	**COMPLIES?**
Max. building height (16-137)	2 stories at 35 ft. Additional stories may be permitted as part of an SUP. (up to 6 stories allowed by General Plan, Section 3.5, Chapter 3)	Building Types A, B, and C are 3 stories & 36 ft, with gradual slope to max. 38 ft. above curb. Recreation Pavilion: 1 story	Yes, with PD
Density (16-59) State Density Bonus (Ordinances Nos. 2721 and 2615)	1 unit /2,400 lot area = 165 units 10% (17) of come in a Common Interest Development allows for up to 20% State density bonus upon request.	167 units on 9.12 acres = 18.31 du/ac (1.7 % over allowed density)	Yes, w/Density Bonus Permit of 2%
Front yard setback 16-142, 16-60	20 ft from property line; 30 ft when abutting designated scenic corridors, per General Plan Policy CD-9.4. Vineyard Avenue is identified as a Scenic Highway (Background Report, Section 5.3.2).	30 ft from Vineyard Avenue measured from ultimate property line	Yes
Side yard setback 16-142, 16-61	7.5 ft for 3 story bldg. Street Side: 1/2 of required front yard = 15 ft	north side = 58 ft south side = 51 ft	Yes
Rear yard setback 16-142, 16-62	25 ft	east side = 62 ft	Yes
Interior yard space 16-142, 16-63	30% of lot area, with min. dimension of 15 ft x 15 ft. May not include vehicle parking or circulation areas. 397,230 sf Parcel 2 x 30% = 119,169 sf (Open Area requirements under Attached Dwelling Unit Standards are below)	Interior yard space of 94,030 sf = 24% (additional yard in areas less than 15 ft X 15 ft = 11,000 sf for a total of 105,030 sf = 26.4%)	Yes, apply State-required Density Bonus concession.

Attachment E
Rio Urbana Zoning Compliance Tables

Off-street parking: Residents (16-622) Visitor (16-622) State Density Bonus parking [Gov Code §65915(p)(1)] Motorcycle (16-264) Bicycle (16-623, 16-637 & Bicycle and Pedestrian Facilities Master Plan, Appendix pg. A-38)	<u>Code-required parking</u> 5 1-bdrm = 5 garage spaces 115 x 2-bdrm = 230 garage 47 x 3-bdrm = 94 garage spaces = 329 total garage spaces Visitor = 30 +137*0.5 = 99 visitor Total = 329 + 99 = 428 spaces <u>Density Bonus [Gov Code §65915(p)(1)]</u> 5 x 1-bdrm = 5 spaces 162 x 2-3bdrm =324 spaces = 329 total spaces required No covered parking required No motorcycle spaces required Bicycle (per Bicycle & Ped. Master Plan, Appx pg. A-38), 0.05 spaces/bedroom, min. 2 spaces. 413 bedrooms x 0.05 = 20.65 = 21 bicycle spaces	Project includes: 169 resident garage spaces <u>163</u> surface resident spaces 332 resident spaces 93 visitor surface spaces <u>6</u> motorcycle spaces (counted as guest spaces) 99 visitor spaces total No tandem spaces proposed. No compact spaces proposed Bicycle racks indicated on Sheets L-07, but no number of bicycle spaces indicated.	Yes, meets State Density Bonus parking requirements. Yes, with condition to indicate required bicycle parking.
Parking space sizes & design: Standard (16-636 & 16-638)	Full Size: 9 ft W x 19 ft L May overhang walkway provided 48 inch walkway unobstructed, may overhang 2 ft over landscape if planter min. 5 ft [16-616(C)] Compact:8 ft Wx16 ft L; Max 25% of spaces w/admin relief Motorcycle: 4.5 ft W x 7 ft L	Standard Parking = 9 ft x17 ft +2 ft overhang over 7 ft walkway, or over 5ft landscape planter along east property line. Motorcycle = 4.5 ft x7 ft	Yes Yes
Parking area Landscape Req. (16-641): ● Along streets/alleys ● Along interior PLs (for lots with 20 or more spaces) ● Parking/vehicle area (16-641) ● Landscape fingers (16-641) ● Trees (for lots with 20+)	● Min. 10 ft wide landscape strip along street. ● Min. 5 ft wide side yard ● Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. ● Landscape island/finger- every 1(spaces with 2 trees, 9 ft W x 20 f L. ● Min. 1 tree for each 40 ft frontag = 8 trees	● 23 ft wide landscape strip fronting Vineyard ● 7.5 ft wide planters fronting alley on South side and 7.5 ft wide planters on North side. ● 5% parking area landscaped ● 9 ft x19 ft Landscape finger every 3 to 10 spaces. ● 10 trees in 320 ft frontage	Yes Yes Yes Yes Yes

	● Must be irrigated with automatic irrigation system. ● Planted areas bounded by 6 inch concrete curb. ● 3 ft max ht. at 30 ft x30 ft triangle intersection	● Not submitted ● Not indicated ● north and south drive aisle access to Vineyard Avenue functions as intersections. Trees located in 30 ft x30 ft triangle but clearance for visibility.	Yes, with conditions Yes, w/conditions Yes, w/conditions
Trash enclosures & transformers (16-322)	To be screened from street by 6 ft fence, constructed to adopted City Standards. Trash enclosure must have a solid roof and include a fire sprinkler. See trash enclosure City Standard.	Four trash enclosures shown for each two residential buildings. Trash enclosure design includes roof and man door.	Yes
Rooftop equipment	May not protrude above height of parapet.	Roofing plans and elevations identify rooftop equipment screened in roof well. Solar panels indicated.	Yes
Walls/Fences & Zone Wall (16-310)	<u>Front:</u> No fence or wall permitted in front setback. No chain link in front yard. <u>Side & Rear:</u> 8 ft maximum	6 ft fence & walls surrounding development, not within front setback. 6 ft iron fence on north property line; 6 ft wall along south and east property lines; Pedestrian access gate to Vallarta market south of pavilion recreation area.	Yes
Lighting (16-320)	Comply with Section 16-320 of the City Code. ● Max 7 footcandles ● A light source shall not shine upon any surface other than the area required to be lighted. ● Parking lot fixtures shall be mounted on reinforced concrete pedestals or otherwise protected.	Partial Lighting Plan provided (Sheet L-03) for parking lots, walkways, drive aisles, open spaces: 12 ft pole height 30 inch high bollards	Yes, w/condition for photometric review

ATTACHED DWELLING UNIT DEVELOPMENT STANDARDS (PARCEL 2)
Applies to developments of 6 or more units. Sections 16-360 through 16-363

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Min. Dwelling Size 16-362(A)	One bedroom: 450 sf Two+ bedroom: 800 sf	One bedroom unit: 841sf Two+ bedroom units: 902-1,659 sf	Yes
Building Separation 16-362 (B)	Half the height of taller structure unless otherwise allowed.	Minimum between two buildings is 35 ft.	Yes
Recreation Facilities (12 units or more) 16-362 (C)	Include at least one of the following: Swimming pool, spa, tennis, basketball, or volleyball courts, BBQ/picnic area, recreation building, exercise course, children's play equipment, or other's as approved by Planning Commission	Site includes 822 square foot recreation building/logia, tot lot (children's natural form play area, Sheet L-07), BBQ areas & outdoor fireplace (Sheets L-06 & L-07)	Yes
Open Area (12 units or more) 16-362 (D)	One lawn of not less than 2,500 sq.ft. with minimum dimension of not less than 35 ft	Open lawn area with 3,062 sf and minimum 35 ft between Buildings 3 & 4. (Northeast Courtyard)	Yes
Distance to garage from DU 16-362 (E) Location of Parking Spaces 16-645	75' Maximum Distance from garage to unit. 50' from Condominium to resident parking. 100' from Condominium to visitor parking Distance may be increased by 25% with PD additive zone (16-271) and with admin relief through 16-651.	All units meet the distance rule for access to an assigned garage. 97% of units have an assigned surface parking space within 50 feet of the unit. Five units will be assigned a space within 85 feet of the unit. Visitor distance rule does not apply as visitor spaces are not required.	Yes, with Admin. Relief
Balconies & Patios 16-362 (F)	All 2nd story dwelling units shall have at least one patio or balcony having a minimum dimension of 10'	10 ft 2 in x 10 ft 2 in (103 sf), to 10 ft 4 in x10 ft 4 in (117 sf)	Yes
Balcony Enclosure 16-362 (G)	All balconies and patios shall have railings or walls which provide at least 50% enclosure	All balconies and patios enclosed.	Yes
Storage Areas 16-362(H)	Each unit shall have a storage area of at least 225 cubic feet. This area cannot intrude into the minimum garage dimensions Size may be reduced 25% with PD	210 sf. storage area provided in garages; allowable with PD 25% reductions. 169 garages for 167 units, so storage area for each	Yes, with condition that each unit have an assigned garage

Attachment F

ESTIMATED DEVELOPMENT FEES

This exhibit provides a summary of development impact fees that will be applicable to the project. Fees will be assessed based upon the rates in effect at the time the fees are due and payable.

DEVELOPMENT FEES

CITY OF OXNARD
BUILDING AND ENGINEERING
DEVELOPMENT SERVICES DEPARTMENT

Effective September 24, 2018

FEE CHARGES
TABLE OF CONTENTS

SELECTED IMPACT FEES

SUBJECT **PAGE NO.**

SECTION 2 – DEVELOPMENT IMPACT FEES

I. SEWER CONNECTION FEE (Ordinance 2709)
- A. The Treatment Facility Related Infrastructure Fee 21
- B. The Conveyance System Connection Fee 22

II. WATER SYSTEM CONNECTION FEE (Ordinance 2624)
- A. New, Expanded or Additional Service Connections 23
- B. Calculation of Charge and Fee 23
- C. Connections 24
- D. Meter Size Increase 24
- E. Water Service Connections 24

III. WATER SERVICE AND METER CHARGE (Ordinance 2859)
- A. In addition to the cost of administration and materials the rates for installing each new service and each new meter, which amount shall be paid in advance, shall be as follows: 25
- B. The rates for installing each new meter on a service, previously installed and paid for, shall be as follows in addition to the cost of materials: 25
- C. Request for relocation or abandonment of meters or service will be cost estimated in accordance with the following schedule: 25-26

IV. STORM DRAIN FEE (Resolution 10,274) 26

V. TRAFFIC IMPACT FEE (Resolution 10,673, 13,328, 13,600 & 13,890) 27
- A. Special Projects 28

VI. GROWTH REQUIREMENT CAPITAL FEE - A.K.A., “GROWTH DEVELOPMENT FEE” (Resolution 10,275, 10,996 & 12,975)

A. Commercial Development Projects. A fee of $0.60 for each square foot of covered space constructed is imposed on commercial development projects. The term “Commercial Development” includes, but is not limited to quasi-public facilities such as hospitals, day care centers, convalescent homes, cemeteries, etc.....28

B. Industrial Development Projects. A fee of $0.60 for each square foot of covered space constructed, and a fee of $0.04 for each square foot of of uncovered space provided (excluding parking and landscape areas required by the City) are imposed on industrial development projects.....28

C. Residential Development Projects. A fee of $1.16 for each square foot of covered space constructed (including garages and accessory structures, but excluding patios) is imposed on residential development projects.....28

D. Mobile Home Park Development Projects. A fee of $1.75 for each square foot of mobile home pad constructed is imposed on mobile home park.....28

IX. OTHER DEVELOPMENT FEES 29

A. Other City fees that may be applicable:.....29

B. Non-City Fees that may be applicable:.....30

SECTION 2 – DEVELOPMENT IMPACT FEES

I. SEWER CONNECTION FEE (Ordinance No. 2709)

The treatment facility infrastructure fee shall be paid based upon the level of wastewater treatment required as represented by the three treatment elements: flow, biochemical oxygen demand (BOD), and suspended solids (SS). All fees shall be based upon a meter equivalency factor which provides an index to identify the service requirements. A meter equivalency factor of one (1) shall represent the volume of wastewater which would be generated by a single-family residence. Meters which are larger shall have a corresponding equivalency factor to illustrate the volume of wastewater generated as such equivalency factor compares to a single-family dwelling. The following table defines meter equivalency factors for various sized meters:

Meter Size	Meter Equivalency Factor
⅝", ¾"	1
1"	2
1½"	3
2"	5
3"	11
4"	17
6"	33
8"	53
10"	113
12"	180

A. The Treatment Facility Related Infrastructure Fee

Shall be paid based on the sum of the flow, BOD and SS charges, based upon the following schedule:

1. <u>Flow Charges (Utilizing Equivalency Factors for Water Meter Size)</u>

Volume	Rate
All Users Meter Equivalency Factor	x $1,627

2. <u>BOD Charges (Utilizing Equivalency Factors for Strength and Meter Size)</u>

Strength		Rate
Single-family residential	1 x Meter Equivalency Factor	x $1,235
Non-formula commercial/industrial class users:		
Other	1 x Meter Equivalency Factor	x $1,235
Commercial Laundry	1.6 x Meter Equivalency Factor	x $1,235
Restaurants/Food Preparation	2 x Meter Equivalency Factor	x $1,235
All formula users (Commercial/Industrial)	2 x Meter Equivalency Factor	x $1,235

3. SS Charges (Utilizing Equivalency Factors for Strength and Meter Size

	Strength	Rate
Single-family residential	1 x Meter Equivalency Factor	x $936
Non-formula commercial/industrial class users:		
Other	1.3 x Meter Equivalency Factor	x $936
Commercial Laundry	1 x Meter Equivalency Factor	x $936
Restaurants/Food Preparation	3.2 x Meter Equivalency Factor	x $936
All formula users (Commercial/Industrial)	3.4 x Meter Equivalency Factor	x $936

B. The Conveyance System Connection Fee

For all connections to the wastewater conveyance system, the fee shall be determined by the size of the water needed to serve the facility, based on a charge of $1,458 per water meter equivalency factor as indicated in the following schedule:

Water Meter Size	Equivalency Factor
⅝", ¾"	1
1"	2
1½"	3
2"	5
3"	11
4"	17
6"	33
8"	53
10"	113
12"	180

NOTE: When Developers of new subdivisions or other developments are conditioned by the City to build or install Master Planned Wastewater Conveyance System improvements, the City will provide them full credits towards the Conveyance System Connection Fee. Any excess funds due the Developer will be reimbursed per City of Oxnard Resolution No. 10,272.

Total Sewer Connection Fee (A + B) Based on ¾" Water Service. For Larger Services, Multiply by Equivalency Factor:

Use		Treatment Fee	Conveyance Fee	Total Fee
Single-family Residence	=	$3,798.00	$1,458.00	$5,256.00
Apartment	=	$2,762.18	$1,060.36	$3,822.55
Mobile Home	=	$2,186.73	$839.45	$3,026.18
Non-formula Commercial/Industrial	=	$4,078.80	$1,458.00	$5,536.80
Commercial Laundry	=	$4,539.00	$1,458.00	$5,997.00
Restaurants/Food Preparation	=	$7,092.20	$1,458.00	$8,550.20
Formula Industrial User	=	$7,279.40	$1,458.00	$8,737.40

FOR ALL CONNECTIONS:

1. Oxnard Territory served by Port Hueneme effective 1-17-84.

   Residential - $3,000/D.U.
   For Industrial or commercial property, the fee is $3,500/Acre.

2. Fees for mobile home and apartment developments which can be served by a single meter shall be according to the following formula:

   Mobile Homes - 1.9/3.3 x number of mobile home spaces x basic residential ¾" sewer connection fees (A + B). The regular sewer connection fee applicable to any meter(s) serving common facilities will also be charged (i.e., laundry room, clubhouse, etc.). For calculations the City will use 0.57575758 for the fraction 1.9/3.3.

   Apartments - 2.4/3.3 x number of apartment units x basic residential ¾" sewer connection fees (A + B). The regular sewer connection fee applicable to any meter(s) serving common facilities will also be charged (i.e., laundry room, clubhouse, etc.). For calculations the City will use 0.72727273 for the fraction 2.4/3.3.

3. Meter Size Increase

   Should an owner or user request any increase in the size of a water meter after the initial connection, an additional sewer and water connection charge shall be made in an amount equal to the difference between the current fee for the existing meter size and the current fee for the requested meter size. The fee shall be paid in advance of the installation of any new meter.

C. Connection Fees Credits (Ordinance No. 2494)

1. If a demolished structure is subsequently replaced, no additional sewer permit or sewer service connection fee is required if the building permit for the replacement structure is issued within five years of the date of destruction of the previous structure.

2. If the building permit is issued more than five years but less than ten years from the date of demolition, the service connection fee shall be reduced by 50%. If the building permit is requested for any replacement after ten years from the date of demolition, the full permit or service connection fee shall be required.

II. WATER SYSTEM CONNECTION FEE (Ordinance No. 2624)

A. New, Expanded or Additional Service Connections

All projects requiring new, expanded or additional service connections to the City of Oxnard's water system shall pay to the City the appropriate Capital Facility Charge and Water Resource Development Fee, as provided herein.

B. Calculation of Charge and Fee

The Capital Facility Charge and Water Resource Development Fee shall be paid based on the diameter of the meter installation, which is directly related to the volume of water required for the new, expanded or additional service connection. The fee shall be calculated based on a meter equivalency factor, which provides a standardized index to identify the volumetric service requirements. For expanded service, the payment shall equal the Capital Facility Charge and the Water Resource Development Fee for the expanded service connection, less the original planned water facilities fee paid for the existing connection.

C. Connections

For any new expanded or additional connection to the City water system, except fire line service, the following Capital Facility Charge and Water Resource Development Fee shall be paid in advance of the meter installation. New, expanded or additional connections for fire line service shall not be required to pay either the Capital Facility Charge or the Water Resource Development Fee.

Meter Size (inches)	**Equivalency Factor**	**Capital Facility Charge (dollars)**	**Water Resource Development Fee** (dollars)
¾"	1	$341	$2,792
1"	2	$682	$5,583
1½"	3	$1,023	$8,375
2"	5	$1,706	$13,958
3"	11	$3,752	$30,708
4"	17	$5,799	$47,458
6"	33	$11,257	$92,125
8"	53	$18,080	$147,958
10"	113	$38,548	$315,457
12"	180	$61,404	$502,498
Over 12"	TBD by Water Superintendent	TBD by Water Superintendent	TBD by Water Superintendent

D. Meter Size Increase

Should an existing customer request an increase in the size of a water meter that does not necessitate increasing the diameter of the existing service connection, a Capital Facility Charge and a Water Resource Development Fee shall be paid. The payment shall equal the Capital Facility Charge and the Water Resource Development Fee for the new, larger meter, less the original planned water facilities fee paid at the time of the connection of the existing meter. (Per Development Services Manager's Memo dated May 15, 2003, the following interpretation is used in the calculation of this fee "When a user requests an increase in the size of a water meter, an additional connection charge will be required in an amount equal to the difference between the current fee for the existing meter size and the current fee for the requested meter.) This charge and fee shall be paid before the installation of the new, larger meter.

E. Water Service Connections

Each premises shall have a connection. No water service connection shall serve more than one premises. For purposes of water connections, "premises" means any:

1. Detached single-family residence.
2. Apartment building (any building with two (2) or more leased dwelling units held under single ownership).
3. Residential condominium unit or residential stock cooperative unit.
4. Mobile home park, unless the spaces in that mobile home park are individually owned, in which case each space shall be a separate connection.
5. Office, commercial or industrial building, except office, commercial or industrial buildings with separately owned individual condominium or stock cooperative units, in which case each unit shall be a separate premises.
6. Irrigation system.
7. Unimproved lot or parcel.

The Public Works Director may waive certain above requirements per Section 22 - 21 of the City Municipal Code.

F. Connection Fees for Replacement Structures (Ordinance No. 2030)

1. If a demolished residential, commercial or industrial structure is subsequently replaced, no additional service connection fee is required if the building permit for the replacement structure is issued within five years of the date of demolition of the previous structure.

2. If the building permit is issued more than five years but less than ten years from the date of demolition, the service connection fee shall be reduced by 50%.

3. If the building permit is requested for any replacement structure after ten years from the date of demolition, the full service connection fee shall be required.

III. WATER SERVICE AND METER CHARGE (Ordinance No. 2859)

A. In addition to the cost of administration and materials the rates for installing each new service and each new meter, which amount shall be paid in advance, shall be as follows:

Service and Meter Size	Costs January/1/13
¾"	$1,500.00
1"	$1,700.00
1½"	$2,200.00
2"	$2,500.00

B. The rates for installing each new meter on a service, previously installed and paid for, shall be as follows in addition to the cost of materials:

Service and Meter Size	Costs
¾"	$450.00
1"	$525.00
1½"	$925.00
2"	$1,100.00

C. Request for relocation or abandonment of meters or service will be cost estimated in accordance with the following schedule:

1. Relocate box laterally (not in paved area):

¾"	= $440.00 + Abandonment Cost	$560.00
1"	= $615.00 + Abandonment Cost	$735.00
1½"	= $835.00 + Abandonment Cost	$985.00
2"	= $1,190.00 + Abandonment Cost	$1,370.00

2. Relocate box from yard to sidewalk $240.00
3. Relocate box from driveway to sidewalk $300.00
4. Abandonment of services:

¾"	$120.00
1"	$120.00
1½"	$150.00
2"	$180.00

5. Relocation or abandonment of services will be done by Water Distribution personnel unless it is determined by the Water Manager that a contractor will be used and follow the proper Public Works procedures. A Public Works permit and inspection fee is required.

6. Credit for existing meter removed and replaced with a larger service and meter in the same location (Code Section 33-29):

Meter Size	Credit
¾"	$235.00
1"	$290.00
1½"	$505.00
2"	$715.00

IV. STORM DRAIN FEE (Resolution No. 10,274)

Low-density residential (single-family detached) and public land is $10,645.00 per acre of gross area.

All other land uses, including medium and high density residential (over 6 dwelling units per acre of gross area), commercial and industrial is $14,637.00 per acre of gross area.

"Gross Area" is defined as the area of the lots being developed, plus the area of on-site streets and alleys, plus the area up to the centerline of bordering streets and alleys.

EXEMPTIONS: The following areas are exempted from the Storm Drain Fee: Pacific Commerce Center (a.k.a., Northeast Industrial Assessment District, Rose/Santa Clara Specific Plan Area (a.k.a., Auto Center), Oxnard Town Center, and Hueneme Road Assessment District No. 83-1 (Tracts 3406, 3504, and 3544).

NOTE: When Developers of new subdivisions or other developments are conditioned by the City to build or install Master Planned Storm Drain System improvements, the City will provide them full credits towards the Storm Drain Fee. Excess funds due the Developer will be reimbursed per City of Oxnard Resolution No. 10,272.

Implementation of the Storm Drain Fee for Infill Development

The development which adds or replaces buildings will pay a proportion of the current fee on the entire lot gross area including the area up to the center line of the street and the alley. The proportion will be equal to the total impervious area after the new development, less the total impervious area before the new development, divided by the total impervious area after the new development. The formula is as follows:

$$\textit{Proportion} = \frac{\textit{Total After - Total Before}}{\textit{Total After}}$$

V. TRAFFIC IMPACT FEE (Resolution No. 10,673, No. 13,328, No. 13,600 & No. 13,890)

Traffic Impact Contribution Application and Calculation

The *Development Services Department* shall apply and calculate the Traffic Impact contribution required pursuant to Resolution in the following manner:

The contribution shall be assessed of new development and redevelopment in the City which will generate additional average daily vehicular trips above that which can be reasonably associated with the current use of the property. In making this determination, the Department shall only consider changes in the land use designation of the property and/or additions to gross floor area.

The total current contribution required for additional average daily trips generated is $730.00 per trip. In calculating the contribution required of any development, the Public Works director shall utilize professionally accepted trip generation data. The following guidelines have been prepared based upon statistical data collected and analyzed by the California Department of Transportation. This information has formed the basis of the trip generation estimates utilized in establishing the base contribution required under Ordinance 2163, and will govern unless the *Building and Engineer Manager* determines that the contribution required pursuant to the guidelines is not proportional to the traffic impact associated with any particular project as intended by Ordinance 2163.

NOTE: Ordinance No. 2284 provides that for all development projects, except residential, fast-food restaurants or neighborhood commercial, 50% of the amount by which planned traffic circulation facilities fees exceed credits for the provision of planned traffic circulation facilities must be paid prior to issuance of a building permit for a development project. The remaining amount must be paid prior to the sale or transfer of all or any part of the project or issuance of any temporary or permanent Certificate of Occupancy for all or any part of the project, whichever occurs first.

Land Use/Sub-Category	Units of Measure	Fees ($) per Unit
Residential		
Single Family Detached	Dwelling Unit	$8,030.00
Condominium/Townhouse Attached	Dwelling Unit	$6,278.00
Apartments	Dwelling Unit	$4,745.00
Mobile Home	Dwelling Unit	$3,650.00
Senior Housing	Dwelling Unit	$2,920.00
Commercial Industrial		
General Commercial – Services (including Daycare,) Office (includes Medical/Dental), Retail	Thousand Square Feet	$7,899.00
Light Industrial	Thousand Square Feet	$5,088.00
Automated Car Wash	Per Site	$177,390.00
Self Service Carwash	Per Stall	$21,462.00
Gas Station – with or without Convenience Market and/or Car Wash	Fueling Position	$21,958.00
Hotel/Motel	Room	$3,796.00
New Car Sales	Thousand Square Feet	$5,030.00
Church	Thousand Square Feet	$3,803.00
Warehouse	Thousand Square Feet	$3,621.00

Food Service		
Restaurant - Sit Down or Take Out	Thousand Square Feet	$13,789.00
Fast Food w/drive thru	Thousand Square Feet	$76,059.00
Schools		
Elementary	Student	$942.00
Middle School	Student	$1,183.00
High School	Student	$1,248.00
Traffic Study Case By Case	ADT	$730.00

Central Business District Zone Factor –
General Commercial or Services,
Restaurant, and Office in the CBD zone --
- multiply by 0.56

Outdoor dining without protection from the elements shall be calculated at 50%.

A. Special Projects

Traffic generation rates for developments and redevelopments not adequately represented above shall be determined according to the most similar and current designation for which the Institute of Transportation Engineers provides trip generation statistics or a project specific study acceptable to the *Development Services Manager.*

NOTE: When Developers of new subdivisions or other developments are conditioned by the City to build or install Master Planned Traffic Circulation System improvements, the City will provide them full credits towards the Traffic Impact Fee. Any excess funds due the Developer will be reimbursed per City of Oxnard Resolution No. 10,272.

VI. GROWTH REQUIREMENT CAPITAL FEE - A.K.A., "GROWTH DEVELOPMENT FEE" (Resolution Nos. 10,275, 10,996 & 12,975)

A. Commercial Development Projects. A fee of $0.60 for each square foot of covered space constructed is imposed on commercial development projects. The term "Commercial Development" includes, but is not limited to quasi-public facilities such as hospitals, day care centers, convalescent homes, cemeteries, etc.

B. Industrial Development Projects. A fee of $0.60 for each square foot of covered space constructed, and a fee of $0.04 for each square foot of uncovered space provided (excluding parking and landscape areas required by the City) are imposed on industrial development projects.

C. Residential Development Projects. A fee of $1.16 for each square foot of covered space constructed (including garages and accessory structures, but excluding patios) is imposed on residential development projects.

D. Mobile Home Park Development Projects. A fee of $1.75 for each square foot of mobile home pad constructed is imposed on mobile home park development projects.

IX. OTHER DEVELOPMENT FEES

A. Other City fees that may be applicable:

1. Air Quality Impact Fee / Air Pollution Impact Mitigation Fee - Contact Planning and Environmental Services Division at (805) 385-7858. (City of Oxnard Res. No. 9556.)

2. Quimby (Park) Fee - Contact Planning and Environmental Services Division at (805) 385-7858. (City of Oxnard Ord. No. 2683.)

3. Park Acquisition and Development Tax - Every person constructing a new dwelling unit in the city is taxed and shall pay to the city the following fee for each new dwelling unit (City of Oxnard Ord. No. 1421, 2031, Muni. Code Chapter 13 Article IV):
   a. One or less bedrooms, $150.00;
   b. Two bedrooms, $200.00; and
   c. Three or more bedrooms, $250.00

4. Public Art Program - Contact Planning and Environmental Services Division at (805) 385-7858. (City Council Resolution 14,124)
   a. All new development shall be required to participate in the Public Art Program.
      1.) Public art shall be provided for projects governed by a specific plan or other equivalent master plan. Such public art shall be installed according to the conditions set forth in the Public Art Element of the respective specific plan or master plan. If the project is to be constructed in phases, the conditions of approval shall specify when the artwork shall be installed.
      2.) All new development, with the exception of attached and detached additions to residential dwelling units, shall pay a public art fee of $0.20 per square foot of roofed building area. Such fee shall be paid prior to issuance of a building permit.
   b. Definitions
      1.) "New development" means a new building on a vacant site, an addition to an existing building on a site, a new building on a developed site, or a change in land use type which requires a discretionary permit.
      2.) "Project governed by a specific plan" means a new building on a vacant site, an addition to an existing building on a site, a new building on a developed site, or a change in land use type which requires a discretionary permit in a specific plan area, or other master planned area in which a Public Art Element is an element of the specific plan or master plan.
   c. The value of the artwork to be installed as part of a specific plan or master plan shall be specified by the Public Art Element of such plan.

7. General Plan Maintenance Fee collected at time of permit by City of Oxnard Planning Division is equal to 0.24% of the Valuation of any building permit. Contact Planning at (805) 385-7858.

B. Non-City Fees that may be applicable:

3. Ventura County Traffic Mitigation Fee (In accordance with the “Reciprocal Traffic Mitigation Agreement” approved by the City of Oxnard and the County of Ventura on February 2, 1993) - Contact Ventura County Transportation Department, Planning and Traffic Division at (805) 654-2047.

ATTACHMENT G

RESOLUTION NO. 2019-XX [PZ 17-610-01/17-620-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT MITIGATED NEGATIVE DECLARATION NO. 2017-04 FOR THE RIO URBANA PROJECT, PROCEED WITH ANNEXATION OF THE PARCEL LOCATED AT 2714 EAST VINEYARD AVENUE (APN 145-0-232-010), APPROVE A GENERAL PLAN LAND USE MAP AMENDMENT CHANGING THE LAND USE DESIGNATION OF THE SUBJECT PARCEL FROM SCHOOL TO COMMERCIAL GENERAL, AMEND THE NEIGHBORHOODS MAP TO PLACE THE SUBJECT PARCEL IN THE EL RIO WEST NEIGHBORHOOD, AND MODIFY CITY COUNCIL DISTRICT BOUNDARIES OF THE CITY OF OXNARD 2018 DISTRICTING MAP AS CODIFIED IN OXNARD CITY CODE CHAPTER 2, ARTICLE 1, DIVISION 1, APPENDIX A. FILED BY RIO SCHOOL DISTRICT, 2500 E. VINEYARD AVE., OXNARD, CA AND THE PACIFIC COMPANIES, 430 E. STATE STREET #100, EAGLE, IDAHO.

WHEREAS, the Rio School District (RSD) owns a 9.90 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) abutting a 1) 0.34 acre portion of County of Ventura public right-of-way which is proposed to be included within the project area and that is coterminous with the north edge of the RSD parcel and 2) the City of Oxnard corporate limits that are coterminous with the south and west edges of the RSD parcel; and

WHEREAS, the RSD declared the closed El Rio Elementary School on the parcel located at 2714 East Vineyard Avenue as a surplus school site, completed a reuse feasibility study, and partnered with The Pacific Companies to propose redevelopment of the property; and

WHEREAS, the RSD and The Pacific Companies jointly filed entitlement applications with the City of Oxnard on March 28, 2017 for Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), two Special Use Permits (PZ Nos. 17-500-05 and 17-500-13), Density Bonus (PZ No. 17-535-02) and a Tentative Subdivision Map (PZ No. 17-300-03); and

WHEREAS, if the entitlement applications are collectively approved by the City of Oxnard and subsequently by the Ventura County Local Agency Formation Commission (LAFCo), the RSD and The Pacific Companies would develop a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building and 60 standard parking spaces; develop a 9.12 acre "Parcel 2" with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (38 feet in height) that include a fitness center and 17 low income deed-restricted units (10% of all units), a 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages and 163 parking spaces, 93 guest parking spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, six play areas and a tot lot, dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet ("Project"); and

WHEREAS, related Project approvals are required by the County of Ventura, California Department of Transportation, Calleguas Municipal Water District, and Metropolitan Water District of Southern California; and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application in 2015 which identified parking, compatibility, and on-site recreational amenity issues that were addressed by changes to the Project; and

WHEREAS, the Project applicants participated in a Community Workshop on June 18, 2018 and made presentations to the El Rio Municipal Advisory Committee on June 21, 2018; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Community Development Director provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND No. 2017-04) for the Project, the Project MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019, and no comments were received that changed the four MND mitigations or findings; and

WHEREAS, the Planning Commission reviewed MND No. 2017-04 for potential environmental effects of the Project, and finds on the basis of the whole record before it (including the Initial Study and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment and that MND No. 2017-04 reflects the independent judgment and analysis of the City; and

WHEREAS, the Planning Commission has considered MND No. 2017-04 before making its recommendation herein and the MND's Mitigation Monitoring and Reporting Program is included in the MND document and incorporated by reference in this and related resolutions and permits; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve the Pre-Zoning ordinance and recommending the City Council approve the Density Bonus and Tentative Subdivision Map; and

WHEREAS, the Planning Commission is concurrently approving Special Use Permit (PZ No. 17-500-05) for the office building on Parcel 1 and Special Use Permit (PZ No. 17-500-13) for the 167 condominium multifamily units on Parcel 2, subject to approval of the related actions within the Special Use Permits conditions of approval, respectively; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the El Rio West neighborhood is the nearest City neighborhood to which the project may be attached by amending the Neighborhoods Map within the General Plan; and

WHEREAS, City Council District No. 2 is the nearest City Council District; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and received and reviewed written and oral comments related to the Project; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the approval of an Annexation of the parcel located at 2714 East Vineyard Avenue and approval of a General Plan Amendment changing the land use map designation of said parcel from School to Commercial General; and

WHEREAS, the Planning Commission of the City of Oxnard having held a public hearing, reviewed the request, and having studied the land use of the area, finds that:

1. The location and topography of the proposed Annexation is within the natural area of development of the City of Oxnard and within the LAFCo Sphere of Influence that represents the probable future boundaries and service area of the City. The Annexation is consistent with LAFCo's Guidelines for Orderly Development as the development would occur within the incorporated City of Oxnard which provides a full range of municipal services.
2. The proposed Annexation is located within the City Urban Restriction Boundary established by the Save Open Space and Agricultural Resources uncodified ordinance and does not require voter approval for Annexation.
3. The proposed Annexation conforms in extent and purpose to the 2030 General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council:

Part 1: Adopt MND No. 2017-04 for the project described therein; adopt a Mitigation Monitoring and Reporting Program for the project described within MND No. 2017-04; and impose mitigation measures identified within MND No. 2017-04 on the parcel known as APN: 145-0-232-01 based upon the project description evaluated within IS/MND No. 2017-04; and find that CEQA requirements are met.

Part 2: Adopt 2030 General Plan Amendment PZ No. 17-620-01 changing the land use designation in Figure 3-1 in the Goals and Policies as shown in Exhibit "A" attached hereto and incorporated herein by reference and change Figure 3-4, Neighborhoods map, to designate the project area as part of the West El Rio neighborhood as shown in Exhibit "B" attached hereto and incorporated herein by reference

Part 3: Adopt Annexation PZ No. 17-610-01 changing the city limits as shown in Exhibit "A" attached hereto and incorporated herein by reference; and add the project area to Oxnard municipal boundaries within City Council District No. 2.

Part 4: Adopt a resolution directing the Development Services Department to proceed with an Annexation application to LAFCo on behalf of the Project.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day of October, 2019, by the following vote:

_____
Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 3rd day of October, 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

_____
Scott Kolwitz, Secretary

EXHIBIT A

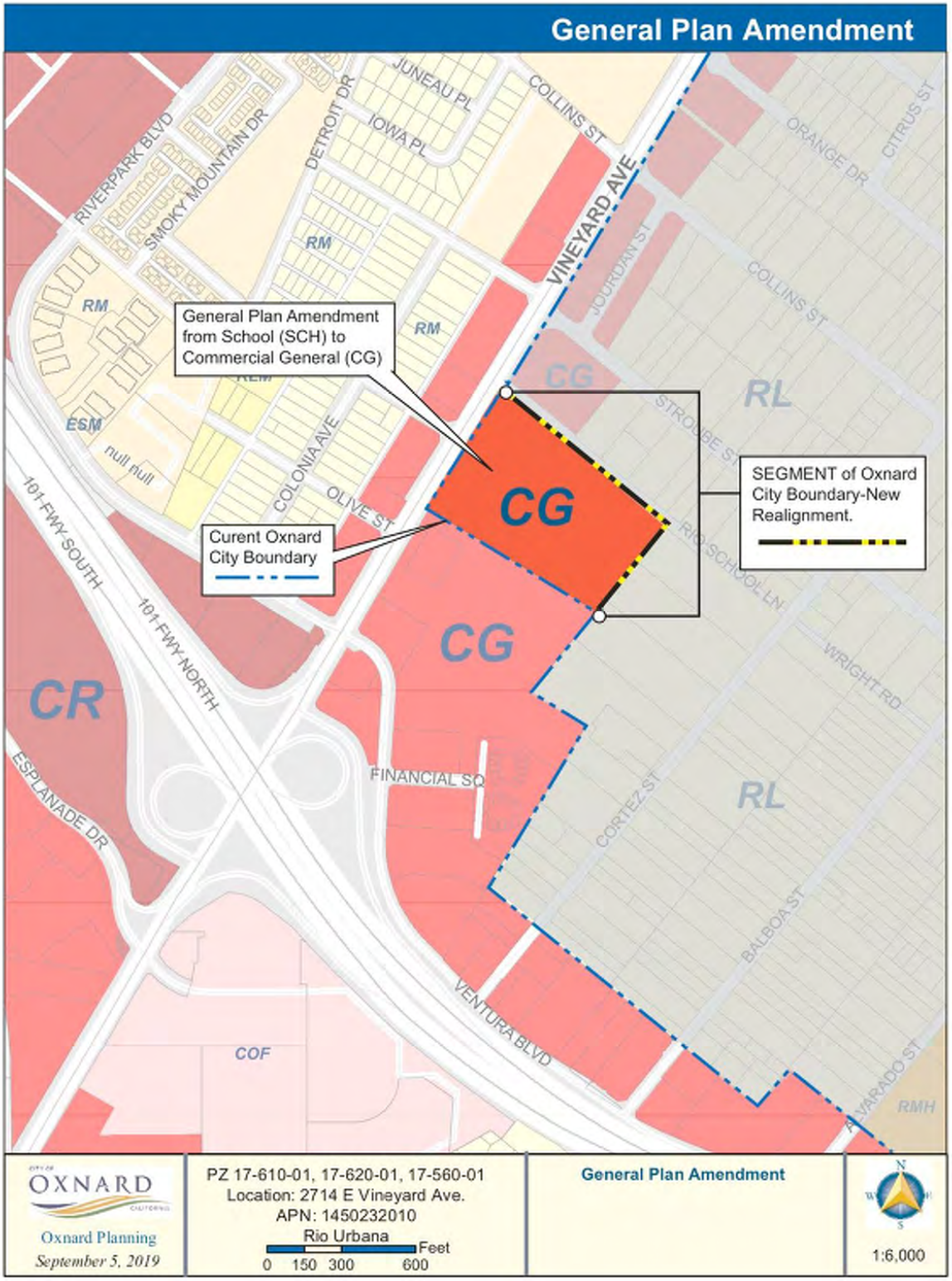
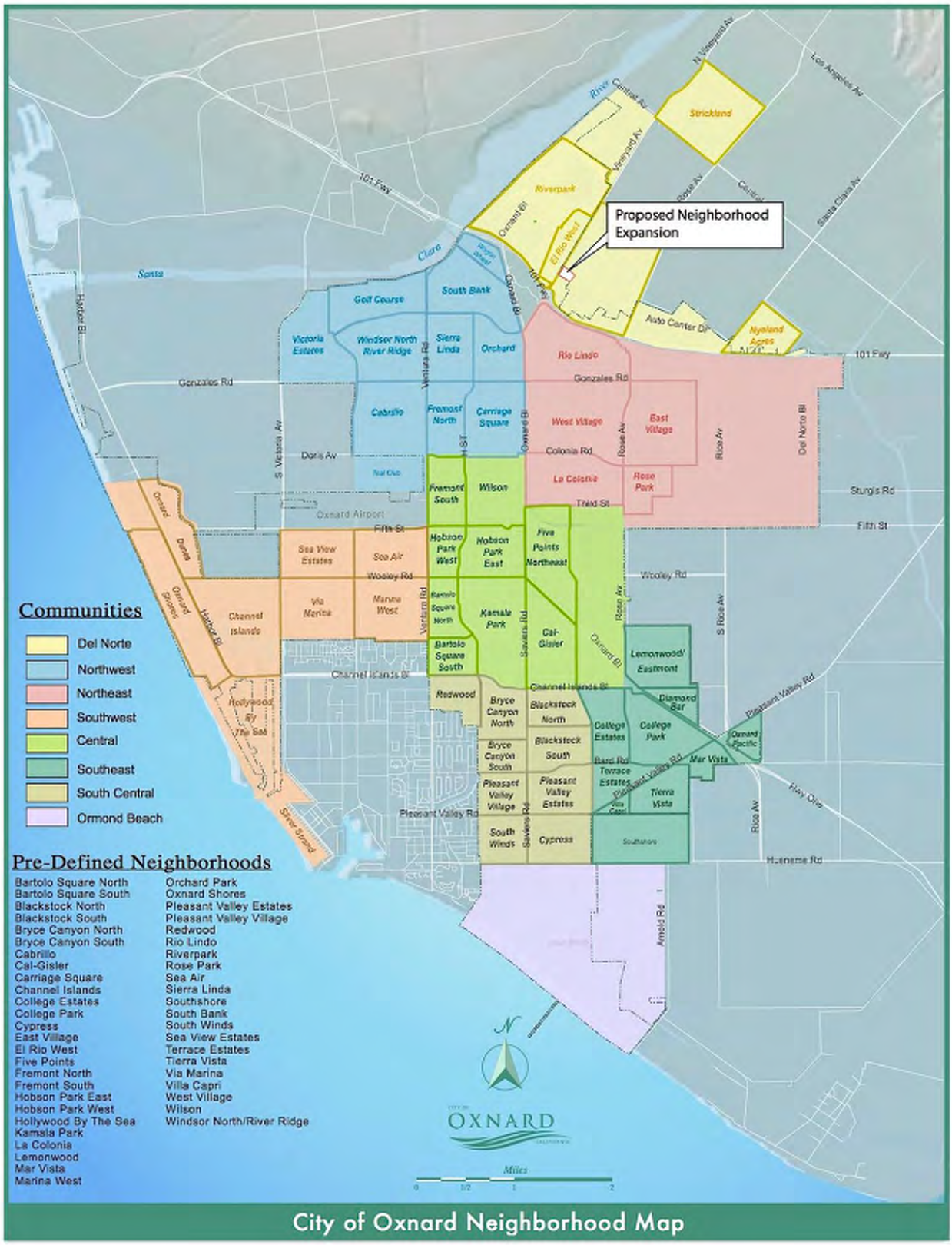

General Plan Amendment
JUNEAU PL
COLLINS ST
DETROIT DR
IOWA PL
RIVERPARK BLVD
SMOKY MOUNTAIN DR
VINEYARD AVE
ORANGE DR
CITRUS ST
JOURDAIN ST
COLLINS ST
RM
RM
RM
General Plan Amendment from School (SCH) to Commercial General (CG)
CG
RL
STROUBE ST
ESM
null null
COLONIA AVE
OLIVE ST
CG
SEGMENT of Oxnard City Boundary-New Realignment.
Curent Oxnard City Boundary
101 FWY SOUTH
101 FWY NORTH
RIO SCHOOL LN
CG
WRIGHT RD
CR
FINANCIAL SQ
CORTEZ ST
RL
ESPLANADE DR
BALBOA ST
VENTURA BLVD
COF
VARADO ST
RMH
OXNARD
Oxnard Planning
September 5, 2019
PZ 17-610-01, 17-620-01, 17-560-01
Location: 2714 E Vineyard Ave.
APN: 1450232010
Rio Urbana
0 150 300 600 Feet
General Plan Amendment
1:6,000

EXHIBIT B


Proposed Neighborhood Expansion
Communities
Del Norte
Northwest
Northeast
Southwest
Central
Southeast
South Central
Ormond Beach
Pre-Defined Neighborhoods
Bartolo Square North
Bartolo Square South
Blackstock North
Blackstock South
Bryce Canyon North
Bryce Canyon South
Cabrillo
Cal-Gisler
Carriage Square
Channel Islands
College Estates
College Park
Cypress
East Village
El Rio West
Five Points
Fremont North
Fremont South
Hobson Park East
Hobson Park West
Hollywood By The Sea
Kamala Park
La Colonia
Lemonwood
Mar Vista
Marina West
Orchard Park
Oxnard Shores
Pleasant Valley Estates
Pleasant Valley Village
Redwood
Rio Lindo
Riverpark
Rose Park
Sea Air
Sierra Linda
Southshore
South Bank
South Winds
Sea View Estates
Terrace Estates
Tierra Vista
Via Marina
Villa Capri
West Village
Wilson
Windsor North/River Ridge
OXNARD
Miles
City of Oxnard Neighborhood Map

ATTACHMENT H

RESOLUTION NO. 2019-XX [PZ 17-560-01]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL OF PLANNING AND ZONING (PZ) PERMIT NO. 17-560-01 PRE-ZONING A PARCEL LOCATED AT 2714 EAST VINEYARD AVENUE TO GENERAL COMMERCIAL PLANNED DEVELOPMENT (C-2-PD) FOR PROPERTY LOCATED AT 2714 EAST VINEYARD AVENUE (APN 145-0-232-010). FILED BY RIO SCHOOL DISTRICT, 2500 E. VINEYARD AVE., OXNARD, CA AND THE PACIFIC COMPANIES, 430 E. STATE STREET #100, EAGLE, IDAHO.

WHEREAS, the Rio School District (RSD) owns a 9.90 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) abutting a 1) 0.34 acre portion of County of Ventura public right-of-way which is proposed to be included within the project area and that is coterminous with the north edge of the RSD parcel and 2) the City of Oxnard corporate limits that are coterminous with the south and west edges of the RSD parcel; and

WHEREAS, the RSD declared the closed El Rio Elementary School on the parcel located at 2714 East Vineyard Avenue as a surplus school site, completed a reuse feasibility study, and partnered with The Pacific Companies to propose redevelopment of the property; and

WHEREAS, the RSD and The Pacific Companies jointly filed entitlement applications with the City of Oxnard on March 28, 2017 for Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), two Special Use Permits (PZ Nos. 17-500-05 and 17-500-13), Density Bonus (PZ No. 17-535-02), and a Tentative Subdivision Map (PZ No. 17-300-03); and

WHEREAS, the RSD and The Pacific Companies would develop a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building with 60 standard parking spaces; develop a 9.12 acre "Parcel 2" with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (38 feet in height) that include a fitness center and 17 low income deed-restricted units (10% of all units), a 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages and 163 parking spaces, 93 guest parking spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, six play areas and a tot lot, dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet ("Project"); and

WHEREAS, related Project approvals are required by the Local Agency Formation Commission, County of Ventura, California Department of Transportation, Calleguas Municipal Water District, and Metropolitan Water District of Southern California; and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application in 2015 which identified parking, compatibility, and on-site recreational amenity issues that were

addressed by changes to the Project; and

WHEREAS, the Project applicants participated in a Community Workshop on June 18, 2018 and made presentations to the El Rio Municipal Advisory Committee on June 21, 2018; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Development Services Director provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND No. 2017-04) for the Project, the Project MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019, and no comments were received that changed the MND mitigations or findings; and

WHEREAS, the Planning Commission has considered MND No. 2017-04 before making its recommendation herein and the MND's Mitigation Monitoring and Reporting Program is included in the MND document and incorporated by reference in this and related resolutions and permits; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve the resolutions recommending the City Council approve an Annexation, General Plan Amendment, Density Bonus, and a Tentative Subdivision Map; and

WHEREAS, the Planning Commission is concurrently approving Special Use Permit (PZ No. 17-500-05) for the office building on Parcel 1 and Special Use Permit (PZ No. 17-500-13) for the 167 condominium multifamily units on Parcel 2, subject to approval of the related actions within the Special Use Permits conditions of approval, respectively; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission has held duly noticed public hearings and received and reviewed written and oral comments related to the Project; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the pre-zoning of the parcel located at 2714 East Vineyard Avenue to General Commercial – Planned Development (C-2-PD).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council pre-zone PZ 17-560-01 established as C-2-PD as shown on "Exhibit A," attached hereto.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day of October, 2019, by the following vote:

_____
Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 3rd day of October 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

_____
Scott Kolwitz, Secretary

ATTACHMENT H

EXHIBIT A

CITY COUNCIL OF THE CITY OF OXNARD

ORDINANCE NO. XXXX

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING PZ 17-560-01, TO PREZONE PROPERTY LOCATED AT 2714 EAST VINEYARD AVENUE (APN 145-0-232-010) TO GENERAL COMMERCIAL PLANNED DEVELOPMENT (C-2-PD). FILED BY RIO SCHOOL DISTRICT, 2500 E. VINEYARD AVE., OXNARD, CA AND THE PACIFIC COMPANIES, 430 E. STATE STREET #100, EAGLE, IDAHO.

WHEREAS, the owners of the unincorporated 9.90 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) have filed Annexation Request No. PZ 17-610-01 to annex to the City of Oxnard (City), Calleguas Municipal Water District, and the Metropolitan Water District; and

WHEREAS, a 0.34 acre portion of County of Ventura public right-of-way is proposed to be included within the project area; and

WHEREAS, Annexation Request No. PZ 17-610-01 states the reasons for requesting annexation and describing the property and attaching a map thereof; and

WHEREAS, the owners have requested a concurrent pre-zoning of the property to C-2-PD (General Commercial Planned Development) consistent with the Oxnard 2030 General Plan land use designation of Commercial General; and

WHEREAS, on October 3, 2019, the Planning Commission of the City of Oxnard held a public hearing, reviewed the request, and recommended that the City Council approve the requested prezoning; and

WHEREAS, the City Council has carefully reviewed Planning Commission Resolution No. 2019-XX recommending approval of a prezoning for the subject property; and

WHEREAS, the City Council has held a public hearing and received and reviewed written and oral comments related to the proposed PZ No. 17-560-01; and

WHEREAS, the City Council finds after due study and deliberation that the public interest and general welfare require the adoption of PZ No. 17-560-01 and the prezoning to C-2-PD as shown on Attachment A hereto; and

WHEREAS, the City Council finds that the prezoning is consistent with the 2030 General Plan;

and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Community Development Director provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND No. 2017-04) for the Project, the Project MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019, and no comments were received that changed the four MND mitigations or findings; and

WHEREAS, the Planning Commission has considered MND No. 2017-04 before making its recommendation herein and the MND's Mitigation Monitoring and Reporting Program is included in the MND document and incorporated by reference in this and related resolutions and permits; and

WHEREAS, Applicants agree, as a condition of adoption of this resolution at each Applicant's own expense, to indemnify, defend, and hold harmless 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 this resolution or any proceedings, acts, or determination taken, done, or made prior thereto that were part of the approval process.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Part 1. PZ No. 17-560-01 (Prezoning) is approved, as shown on the map attached hereto as Attachment A and incorporated herein by reference.

Part 2. Within fifteen days after passage, the City Clerk shall cause this ordinance to be published one time in a newspaper of general circulation, published and circulated in the City. Ordinance No. was first read on , and finally adopted on , to become effective thirty days thereafter.

PASSED AND ADOPTED this __ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

_____
Tim Flynn, Mayor

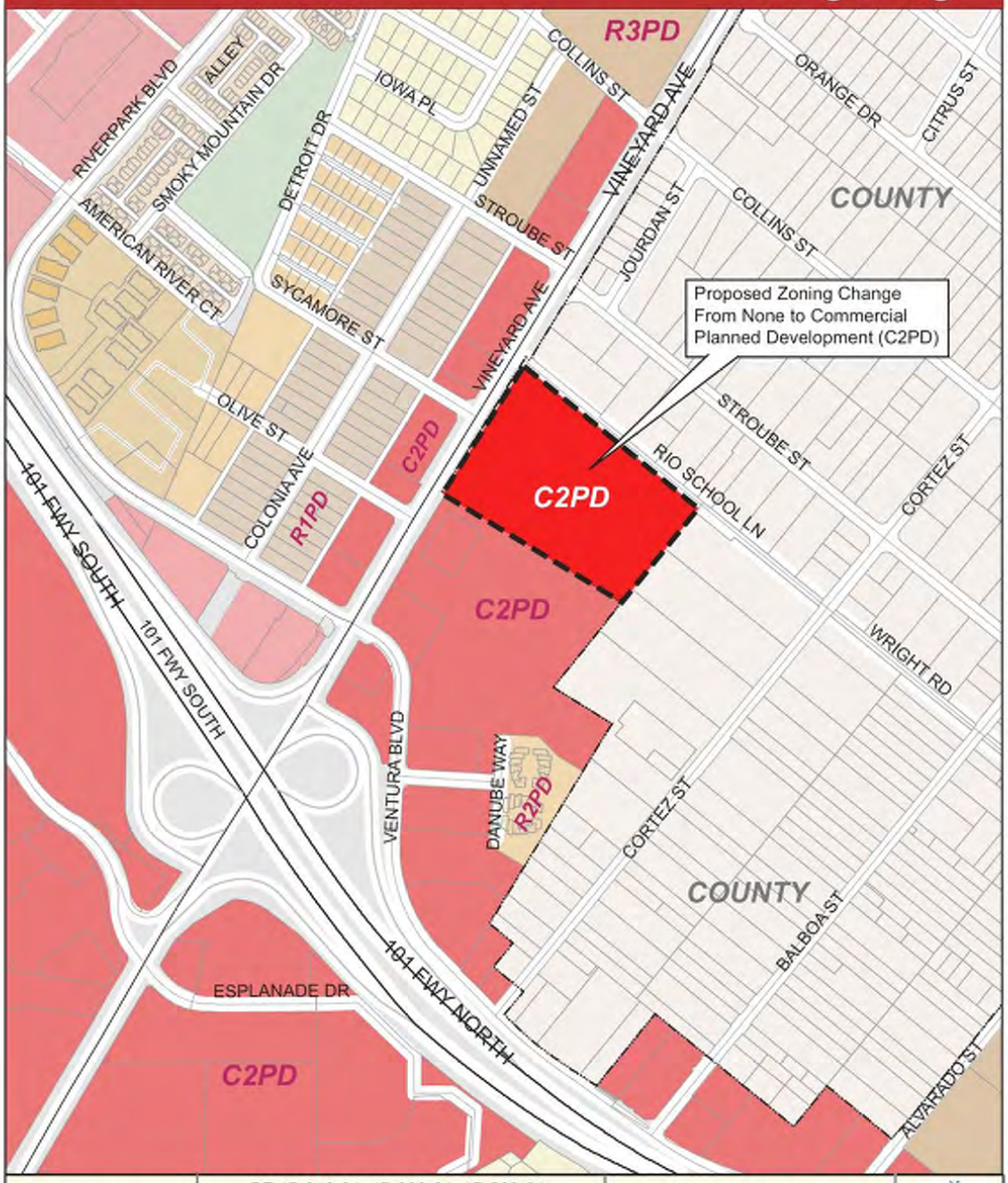
ATTEST:

_____
Michelle Ascension, City Clerk

APPROVED AS TO FORM:

_____
Stephen M. Fischer, City Attorney

Zoning Change



OXNARD

Oxnard Planning

September 5, 2019

PZ 17-610-01, 17-620-01, 17-560-01
Location: 2714 E Vineyard Ave.
APN: 1450232010
Rio Urbana

0 75 150 300 450 600 Feet

Zoning Change

1:6,000

ATTACHMENT I

RESOLUTION NO. 2019 –XX [PZ 17-300-03]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING APPROVAL BY THE CITY COUNCIL OF PLANNING AND ZONING (PZ) PERMIT NO. 17-300-03 (TENTATIVE SUBDIVISION MAP FOR TRACT NO. 5998) TO SUBDIVIDE A PARCEL INTO "PARCEL 1" A 1.12-ACRE PARCEL AND "PARCEL 2" A 9.12-ACRE PARCEL FOR CONDOMINIUM PURPOSES (167 CONDOMINIUM UNITS) AND ASSOCIATED INFRASTRUCTURE AND DENSITY BONUS PZ NO. 17-535-02 FOR A 2% DENSITY BONUS (3 ADDITIONAL UNITS) AND ONE DEVELOPMENT CONCESSION REDUCING REQUIRED INTERIOR YARD SPACE FROM 30% TO 24% FOR THE RIO URBANA PROJECT LOCATED AT 2714 EAST VINEYARD AVENUE (APN 145-0-232-010), SUBJECT TO CERTAIN CONDITIONS. FILED BY RIO SCHOOL DISTRICT (RSD), 2500 E. VINEYARD AVE., OXNARD, CA AND THE PACIFIC COMPANIES, 430 E. STATE STREET #100, EAGLE, IDAHO.

WHEREAS, the Rio School District (RSD) owns a 9.90 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) abutting a 1) 0.34 acre portion of County of Ventura public right-of-way which is proposed to be included within the project area and that is coterminous with the north edge of the RSD parcel and 2) the City of Oxnard corporate limits that are coterminous with the south and west edges of the RSD parcel; and

WHEREAS, the RSD declared the closed El Rio Elementary School on the parcel located at 2714 East Vineyard Avenue as a surplus school site, completed a reuse feasibility study, and partnered with The Pacific Companies to propose redevelopment of the property; and

WHEREAS, the RSD and The Pacific Companies jointly filed entitlement applications with the City of Oxnard on March 28, 2017 for Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), two Special Use Permits (PZ Nos. 17-500-05 and 17-500-13), Density Bonus (PZ No. 17-535-02) and a Tentative Subdivision Map (PZ No. 17-300-03); and

WHEREAS, the Planning Commission of the City of Oxnard has considered the Tentative Subdivision Map for Tract No. 5998 (PZ No. 17-300-03), filed by the RSD and The Pacific Companies in accordance with Chapter 15 of the Oxnard City Code; and

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

WHEREAS, the Planning Commission finds the tentative map conforms to the City's 2030 General Plan and elements thereof; and

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 17-535-02 (Density Bonus); and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in California Government Code § 65915 to §

65918 and to the City's Density Bonus and Related Incentives and Concessions Program, OCC Section 16-410A to 16-410V, inclusive); and

WHEREAS, Government Code Section 65915 and Oxnard City Code (OCC) Sections 16-410M and 16-410O require that when a housing developer meets certain criteria for a Density Bonus, the local jurisdiction must grant one or more regulatory incentives or concessions unless the city makes a written finding that the concessions or incentives are not required in order to provide for affordable housing costs as defined by state law; and

WHEREAS, the Planning Commission finds that the Project meets all necessary criteria of Government Code Section 65915 and OCC Section 16-410H to be considered eligible for one incentive because the Developer has provided 17 low income for sale residential units (10 percent of the Project total units); and

WHEREAS, the proposed Project is requesting reduction of the interior yard space development standard from 30 percent to 24 percent of the residential parcel created by the tentative subdivision map; and

WHEREAS, the Planning Commission finds that the requested incentive is not contrary to any federal or state law; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Community Development Director provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND No. 2017-04) for the Project, the Project MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019, and no comments were received that changed the MND mitigations or findings; and

WHEREAS, the Planning Commission has considered MND No. 2017-04 before making its recommendation herein and the MND's Mitigation Monitoring and Reporting Program is included in the MND document and incorporated by reference in this and related resolutions and permits; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and received and reviewed written and oral comments related to the Project; 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, visit or live in this subdivision in particular.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

<u>SECTION 1</u>. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), reviewed the Mitigated Negative Declaration (MND No. 2017-04) for potential environmental effects of the Project, and finds on the basis of the whole

record before it (including the Initial Study and any comments received), that there is no substantial evidence that the Project will have a significant effect on the environment and that MND No. 2017-04 reflects the independent judgment and analysis of the City. As such, the Planning Commission hereby recommends the City Council (i) adopts MND No. 2017-04 for the project described therein; (ii) adopts a Mitigation Monitoring and Reporting Program for the project described within MND No. 2017-04; and (iii) imposes mitigation measures identified within MND No. 2017-04 on the parcel known as APN: 145-0-232-01 based upon the project description evaluated within IS/MND No. 2017-04.

SECTION 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

Consistent with California Government Code Section 66474, a legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

The project includes a General Plan Amendment to change the land use designation from School to Commercial General, and the project includes a Pre-Zoning of General Commercial Planned Development (C2-PD).

The project's commercial and residential uses are consistent with the General Plan land use designation and zoning as discussed in great detail in Sections 6 (c), 6 (d), and 6 (j) and Section 7 of the Planning Commission Staff Report. The project also includes a Density Bonus for a two percent density bonus (3 additional units), reduced parking standards, and a concession to reduce the Interior Yard Space requirement from 30 to 24 percent of the parcel area.

As discussed in greater detail in Sections 6 (c) through 6 (h) and Section 7 of the Planning Commission Staff Report, the Project as designed and conditioned meets all applicable development standards with application of one Density Bonus permit concession for reduction of interior yard space, three PD standards adjustments for building height, number of stories and storage space size, and administrative relief under OCC 16-651(B)(2), "Off-site parking" for distance to condominium parking spaces.

Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The design and improvements of the project will provide for development that furthers the intent of the General Plan and Housing Element to realize the potential of neighborhood improvements that increases housing in the West El Rio Neighborhood and is consistent with the 2030 General Plan, as discussed above in Finding 2.a.

(c) That the site is not physically suitable for the type of development.

The site is physically suitable for the proposed type of development because the site is relatively level and an environmental assessment of the site did not find any soil or geologic conditions that would make the site physically unsuitable for development. As the site is not subject to soil and/or geologic conditions indicating substrate instability, the site is suitable for the architectural design of the proposed development which is compatible with the character of the surrounding neighborhood

(d) That the site is not physically suitable for the proposed density of development.

The site is physically suitable for the proposed density of development because it is located within a developed urban area and will be served by existing adequate public utilities as identified the Mitigated Negative Declaration. Additionally, there are no identified physical constraints that would prohibit development of the proposed commercial and residential project. The proposed project is consistent with Housing Element as it would provide add 167 new residential units, including 17 affordable low-income units, to the City's overall housing inventory and more specifically to the West El Rio Neighborhood. The project includes a "Local Preference for Affordable Units" condition of approval which requires an early advertisement to local residents in compliance with fair housing law.

(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The Project would not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because no listed species are known or expected to occur at the project site and the project site is not considered to be conducive to important biological resources or their habitat. Additionally, the project site does not have any natural standing bodies of water, riparian habitat, or other sensitive natural communities. Federally protected wetland communities are not thought or known to exist on the site and the project site is not located within a Biological Resources Area which is known or thought to meet habitat needs for plants and animals or promote wildlife

migration or movement. With incorporation of the recommended mitigation measures, the project will reduce potential impacts to nesting birds to a less than significant level.

(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The project would involve the construction of a 15,000 square foot office building and 167 new residential units, including 17 affordable low-income units, that are not anticipated to use or store large quantities of hazardous materials. However, potentially hazardous materials such as fuels, lubricants, and solvents would be used during grading and construction of the proposed project, but their use and disposal would be to applicable standards and law so as to not create environmental or health issues. The design of the subdivision is not likely to cause serious public health problems because, as indicated by Finding 2.a above, it would utilize existing adequate public utilities, namely water and sewer.

(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The design of the subdivision does not conflict with easements, acquired by the public-at-large, for access through or use of property within the subdivision because, as conditioned, no buildings would be located in the area of the existing public utilities easements, all blanket easements or other easement that are no longer needed by the City shall be abandoned, and there is no need for new or additional easement(s) for the public-at-large.

SECTION 3. This Resolution shall not become effective unless and until the City of Oxnard City Council approves the associated Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01) and the Ventura County Local Agency Formation Commission (LAFCo) approves the Annexation. If the City Council or LAFCo fail to approve the Annexation, then this Resolution shall become null and void and be of no further force and effect.

SECTION 4. Based on the findings set forth herein, the Planning Commission hereby recommends the City Council approve Planning and Zoning Permit No. 17-300-03 (Tentative Subdivision Map) and 15-535-02 (Density Bonus), subject to the attached conditions of approval.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

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 May 2, 2019, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. 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*)

4. 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*)

5. 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*)

6. 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*)

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*)

8. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

9. An approved tentative map shall expire thirty-six (36) months after its approval, unless an extension is applied for and approved by the City Council pursuant to Section 15-46 of the City Code. (PL)

PLANNING DIVISION 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*)

11. 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*)

12. 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*)

13. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)

14. 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*)

15. 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*).

16. All residential dwelling unit developments shall include architectural articulation on all four sides of each building. 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*)

17. 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*)

18. 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)

19. 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*)

20. 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*)

21. 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*)

22. 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*)

23. In accordance with City Council Ordinance No. 2615, or the ordinance in effect at the time building permits are issued, Developer shall provide 17affordable units. (PL, PL-37)

24. 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 2030 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*)

25. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

PLANNING DIVISION SPECIAL CONDITIONS

26. Developer shall provide electric 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 modified)*

27. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. Upon assessment of the Public Art fee, the Developer may elect to purchase an existing artwork or commission an original artwork for donation as a gift to the City of Oxnard's public art collection with a value equal to or in excess of the Public Art fee. The value of the purchased and / or commissioned artwork will be determined by the Cultural Arts Commission and City Council. Donations to the City are reviewed by the Cultural Arts Commission and the City Council to determine the aesthetic quality of the donation, the work's maintenance requirements and the appropriateness of the donation to the overall goals of the Cultural Arts Commission. *(*PL*, PL-50 modified)*

28. This permit is granted subject to approval for annexation to the City of Oxnard by the Ventura County Local Agency Formation Commission (LAFCo) and related City of Oxnard permits (Planning and Zoning Permit Nos. 17-620-01 (General Plan Amendment),

17-560-01 (Pre-Zoning), 17-500-13 (Special Use Permit – Residential), 17-500-05 (Special Use Permit - Office) and 17-535-02 (Density Bonus). The City shall issue building permits only after such approval and Resolution and ordinance adoption. This Tentative Subdivision Map and Density Bonus shall expire at the end of 36 months from the effective date of the LAFCo Annexation unless Developer has diligently developed the proposed project, as shown by map recordation and / or the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL)

29. Applicant shall deposit $2,000 for mitigation monitoring and reporting associated with development project, PZ 17-300-03. Such funds shall be deposited prior to issuance of a grading permit or map recordation, whichever occurs first. (PL).

30. Applicant shall submit a check made out to the City of Oxnard in the amount to be determined for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of a grading permit or map recordation, whichever occurs first. Additional funds to be paid when hours or contract planner hours exceed deposited amounts. (PL).

31. Developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration No. 2017-04 for all development within Tract 5998. (PL)

32. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved.

33. Prior to issuance of building permits Developer shall enter into an agreement in a form approved by the City Attorney ensuring the continued affordability of 17 units which qualified the applicant for a density bonus. The affordability shall be as follows: 17 units for up to 80% AMI (low income), as adjusted for family size as provided in 25 California Code of Regulations Section 6932. The agreement shall be recorded in the Office of the Ventura County Recorder. The term of the agreement shall be a minimum of 55 years.

    The agreement shall establish specific compliance standards and specific remedies available to the City of such compliance standards are not met. The agreement shall, among other things, specify the number of low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, standards for maximum sales price, a required annual report, and monitoring fees. Developer hereby agrees to deposit funds for any staff time expended for preparation of the agreement and subsequent compliance with said agreement.

34. Developer shall develop the site with the proposed street names, as approved by the Street Naming Committee. (PL)

35. 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 & Environmental Services 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)

36. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)

37. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)

Air Quality

38. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacture's specifications. (MND, C-1)

39. 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. (MND, C-2)

40. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-3)

41. During construction, Developer shall control dust by the following activities:
    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic

watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (MND, C-4)

42. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-5)

43. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)

44. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). ((MND, C-7)

45. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)

46. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)

47. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

Biological Resources

48. Nesting Bird and Raptor Survey and Avoidance. In the event that the proposed action is planned to occur within the general bird nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist. The nesting season is generally considered February 1 through August 31, with a peak from March to June; however, these dates vary by year depending on prey availability, weather, and other factors. In the event an active bird is observed in the habitats to be removed or in other habitats within 100 feet for songbirds and 500 feet for raptors of the construction work areas, all construction work in the suitable habitat or within 100 feet/500 feet of the suitable habitat must be delayed until after September 1st, or surveys must be continued in order to locate any nests. If an active nest is found, clearing and construction within 100 feet/500 feet of the nest shall be

postponed until the nest is vacated and juveniles have fledged, and until there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area. (BIO-1)

Cultural Resources

49. Developer shall contract with a qualified archaeologist to monitor all project-related ground-disturbing activities. In the unlikely event that potentially significant archaeological materials are encountered during construction, the applicant must comply with State regulations and City's standard condition of approval for handling such resources. (CUL-2)

Noise

50. The living areas for all residences in the project, including those adjacent to Vineyard Avenue, shall be constructed to include sufficient noise attenuation to reduce interior noise levels to a CNEL of 45 dBA, as required by California building standards. For the estimated exterior CNEL values of 65 dBA, this performance standard requires an exterior-to interior noise reduction of approximately 20 dBA. This noise reduction is routinely achieved in residential construction that is consistent with current California energy conservation standards, and involves measures such as exterior stucco walls with a Sound Transmission Class (STC) rating of 45, double-paned windows with an STC of 37, solid core exterior doors. Building permit applications shall include documentation that the interior standard of 45 dBA CNEL will be achieved through a combination of these or other measures. (N-1(a))

51. The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to Vineyard Avenue. Upper level patio/deck areas shall not be positioned facing the Vineyard Avenue for residences along the western site boundary, or other mitigation to bring exterior living space within City Noise standard of 65 dBA, subject to a Noise Study reviewed and approved by the Planning Manager or designee. N-1(b))

52. Construction Noise Levels. For all construction-related activities, noise-attenuation techniques shall be employed as needed to ensure that noise remains as low as possible during construction, specifically at REC-1 through REC-3. The following noise-attenuation techniques shall be incorporated into contract specifications to reduce the impact of construction noise:
    - Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
    - Place noise-generating construction equipment and locate construction-staging areas away from sensitive uses, where feasible.

- Schedule high noise-producing activities between the hours of 7:00 AM and 5:00 PM to minimize disruption on sensitive uses.
- Implement noise attenuation measures to the extent feasible, which may include but are not limited to temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- All stationary construction equipment (e.g., air compressors, generators, impact wrenches, etc.) shall be operated as far away from residential uses as possible and shall be shielded with temporary sound barriers, sound aprons, or sound skins.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- Clearly post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow for surrounding owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party.

Water

53. The applicant shall provide for the allocation of groundwater pumping rights sufficient to serve the development (40.399 acre feet per year) from the Fox Canyon Groundwater Management Agency to the City of Oxnard, consistent with the ordinances and requirements of the two agencies, prior to recording the final map for the project.

ENVIRONMENTAL RESOURCES DIVISION

54. 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.

55. 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.

56. 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. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.

57. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and 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 certificate of occupancy. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A "City of Oxnard C&D Environmental Resources Management and Recycling Occupancy Report" shall be submitted to the Environmental Resources Division annually for approval on the anniversary date of the certificate of occupancy or at any such time that the facility's operational functions change significantly.

58. 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 for approval on the anniversary date of the certificate of occupancy or at any such time that the facility's operational functions change significantly.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

59. 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 permit issuance. (DS-1)

60. 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. Developer 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)

61. A California licensed civil engineer 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. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

62. 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 map, then at the time of public improvement plan approval. (DS-17)

63. 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)

64. 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)

65. Prior to recordation of the final map or parcel map, Developer shall annex the project property to the Calleguas Municipal Water District. (DS-43)

66. 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, "R" value tests of in-place soils, and approved traffic indices. (DS-53)

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

68. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100scale base map for addressing purposes. The map shall be drawn on 18inch by 24inch 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)

69. Prior to release of the final map or parcel map for recordation, Developer shall post security satisfactory to the City Attorney guaranteeing that all survey monuments will be set as required by the Government Code and the City Code. (DS-57)

70. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)

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

72. Developer, property owner or tenant shall participate in a Traffic Management Association (TMA) if one is formed and shall implement and participate in all programs and strategies established by the TMA. This condition shall be included in all leases and rental agreements for the project property. (TR-72)

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

74. 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)

75. In non-residential developments where fifty or more persons are employed, Developer shall include a transportation information center stocked with bus schedules, rideshare information, and related information on alternative methods of transportation. Developer or owner shall update such information at least once a month. (TR-77)

STORMWATER QUALITY CONDITIONS

76. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

77. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") in all catch basins accepting stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS-88)

78. 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)

79. Developer shall ensure that the project landowner and Developer take all action necessary to transfer to City all water rights appurtenant to or associated with the project property and all Fox Canyon Groundwater Management Agency (GMA) groundwater pumping allocation (historical and baseline and credits accrued thereon) associated with groundwater extraction facilities used to irrigate the project property. Action necessary to transfer water rights and the GMA allocation shall include, but not be limited to, obtaining the necessary written approvals of the owners/operators of the groundwater extraction facilities and cooperating fully with City in obtaining written approval from the GMA for transfer of the GMA allocation. The transfer of water rights and the GMA allocation shall be completed and approved by the GMA to the satisfaction of City before City issues a site improvement permit to Developer. (DS-108)

80. Prior to recordation of the final map or parcel map, Developer shall cause the Assessment District Engineer to reapportion the existing assessments in accordance with the proposed re-subdivision. (DS-109)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

81. Developer shall place existing overhead utility lines on and adjacent to the project underground in accordance with City Code in effect at the time City issues a grading/site improvement permit. The current City Code does not require the placement of lines conducting in more than 33kv underground. Prior to recordation of the final map or issuance the grading/site improvement permit, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation including the cost of any required pole relocation.(DS)

82. Developer shall relocate existing high voltage (conducting in excess of 33kv) power poles to a location that is behind the proposed Vineyard Avenue sidewalk. (DS)

83. Developer shall process the final map associated with this permit concurrent with the site improvement plans for Planning and Zoning Permit 17-500-13. The final map shall be processed for recordation concurrent with approval of the PZ 17-500-13 site improvement plans. (DS)

84. Concurrent with recordation of the final map, Developer shall record an agreement (or similar document) between parcels 1 and 2 of Tract 5998 that provides for shared use and maintenance of the proposed shared onsite sewer main. (DS)

85. Developer shall include in the project drainage report an evaluation of the quantity of stormwater currently conveyed within Vineyard Avenue at the north property line of the project. If the quantity of stormwater exceeds City standards, Developer shall extend the proposed Vineyard Avenue stormdrain line to the north property line and construct a catch basin inlet to convey the stormwater underground. Final design of this system is subject to approval of the Community Development Director. (DS)

86. Developer's drainage study shall include a determination of the unused stormwater capacity of the existing 54-inch stormdrain line in Vineyard Avenue. Stormwater runoff from this project shall be designed as the lessor of the unused 54-inch pipe capacity or the discharge limits placed on the project by the Ventura County Watershed Protection Agency. (DS)

87. Developer shall reconstruct the northeast curb return at the existing Vineyard Avenue/Rio School Lane intersection to align with the proposed width of the new private drive aisle. Improvements shall include a new ADA compliant pedestrian ramp. (DS)

88. Improvements required of this map include the widening of Vineyard Avenue as generally indicated on the tentative map. Vineyard Avenue improvements shall include pavement, raised median, curb, gutter, sidewalk, underground utilities and relocation of the existing overhead utility lines. Developer shall obtain approval of the improvement plans and enter into a standard subdivision improvement agreement to guarantee construction of the Vineyard Avenue widening prior to recordation of the final map. (DS)

89. Developer is required to properly destroy all existing onsite water wells (whether operational or not) in accordance with California Department of Water Resources standards. The City is currently aware that at least 2 water wells have been previously drilled on this site. (DS)

90. Developer shall install fire hydrants along the project's Vineyard Avenue frontage as directed by the Fire Marshall. (DS)

91. Developer shall provide evidence of issuance of a Caltrans encroachment permit for work under Caltrans jurisdiction (Vineyard Avenue) prior to issuance of a permit by the City. (DS)

92. Developer shall provide signing and striping along Vineyard Avenue to accommodate the proposed Vineyard Avenue widening. Developer shall prepare a plan showing the existing and proposed signing and striping along Vineyard Avenue. The plan shall include approximately 100-feet south of the Ventura Boulevard/Vineyard Avenue intersection to approximately 350-feet north of the Stroube Street/Vineyard Avenue intersection. The striping shall include a #3 northbound through lane beginning at Ventura Boulevard with a right turn lane at Stroube Street. Final striping and signing shall be approved by the City Traffic Engineer in cooperation with Caltrans. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day of October, 2019 by the following vote:

_____
Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 3rd day of October 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

_____
Scott Kolwitz, Secretary

ATTACHMENT J

RESOLUTION No. 2019-XX [PZ 17-500-05]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-500-05 (SPECIAL USE PERMIT) TO DEMOLISH FIVE FORMER EL RIO ELEMENTARY SCHOOL BUILDINGS AND TO ABANDON A WATER WELL AND TO ALLOW THE CONSTRUCTION OF 15,000 SQUARE FOOT (SF) TWO-STORY OFFICE BUILDING WITH ASSOCIATED PARKING AND SITE IMPROVEMENTS, IN CONJUNCTION WITH THE RIO URBANA PROJECT LOCATED AT 2714 EAST VINEYARD AVENUE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY RIO SCHOOL DISTRICT, 2500 E. VINEYARD AVE., OXNARD, CA AND THE PACIFIC COMPANIES, 430 E. STATE STREET #100, EAGLE, IDAHO.

WHEREAS, the Rio School District (RSD) owns a 9.90 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) abutting a 1) 0.34 acre portion of County of Ventura public right-of-way which is proposed to be included within the project area and that is coterminous with the north edge of the RSD parcel and 2) the City of Oxnard corporate limits that are coterminous with the south and west edges of the RSD parcel; and

WHEREAS, the RSD declared the closed El Rio Elementary School on the parcel located at 2714 East Vineyard Avenue as a surplus school site, completed a reuse feasibility study, and partnered with The Pacific Companies to propose redevelopment of the property; and

WHEREAS, the RSD and The Pacific Companies jointly filed entitlement applications with the City of Oxnard on March 28, 2017 for Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), two Special Use Permits (PZ Nos. 17-500-05 and 17-500-13), Density Bonus (PZ No. 17-535-02) and a Tentative Subdivision Map (PZ No. 17-300-03); and

WHEREAS, the RSD and The Pacific Companies would develop a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building with 60 standard parking spaces and one motorcycle space; develop a 9.12 acre "Parcel 2" with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (38 feet in height) that include a fitness center and 17 low income deed-restricted units, a 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages and 163 parking spaces, 93 guest parking spaces, 6 motorcycle spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, six play areas and a tot lot, dog run; relocate four Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet ("Project"); and

WHEREAS, related Project approvals are required by the Local Agency Formation Commission, County of Ventura, California Department of Transportation, Calleguas Municipal Water District, and Metropolitan Water District of Southern California; and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application in 2015 which identified parking, compatibility, and on-site recreational amenity issues that were

addressed by changes to the Project; and

WHEREAS, the Project applicants participated in a Community Workshop on June 18, 2018 and made presentations to the El Rio Municipal Advisory Committee on June 21, 2018; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Community Development Director provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND No. 2017-04) for the Project, the Project MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019, and no comments were received that changed the MND mitigations or findings; and

WHEREAS, the Planning Commission has considered MND No. 2017-04 before making its recommendation herein and the MND's mitigation monitoring and reporting program is included in the MND document and incorporated by reference in this and related resolutions and permits; and

WHEREAS, the Planning Commission is concurrently recommending the City Council adopt MND 2017-04 and approve the Annexation, General Plan Amendment, Pre-Zoning, Density Bonus, and Tentative Subdivision Map; and

WHEREAS, the Planning Commission is concurrently considering a Special Use Permit (PZ No. 17-500-13) application for 167 condominium multifamily units on the remainder of the RSD parcel, subject to approval of the related actions within that special use permit's conditions of approval; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and received and reviewed written and oral comments related to the Project; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the approval of Special Use Permit PZ No. 17-500-05 for development of a 15,000 sf two-story office building on a portion of the parcel located at 2714 East Vineyard Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

(1) **The proposed use in in conformance with the City of Oxnard General Plan and other adopted standards.**

The project includes a General Plan Amendment to change the land use designation from School to Commercial General, and the project includes a Pre-Zoning of General Commercial Planned Development (C2-PD).

The project's commercial and residential uses are consistent with the General Plan land use designation and zoning as discussed in great detail in Sections 6 (c), 6 (d), and 6 (j) and Section 7 of the Planning Commission Staff Report. The project also includes a Density Bonus for a two percent density bonus (3 additional units), reduced parking standards, and a concession to reduce the Interior Yard Space requirement from 30 to 24 percent of the parcel area.

As discussed in greater detail in Sections 6 (c) through 6 (h) and Section 7 of the Planning Commission Staff Report, the Project as designed and conditioned meets all applicable development standards with application of one Density Bonus permit concession for reduction of interior yard space, three PD standards adjustments for building height, number of stories and storage space size, and administrative relief under OCC 16-651(B)(2), "Off-site parking" for distance to condominium parking spaces.

Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

(2) **The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no proposed special use permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The use is consistent with uses considered and permitted by the General Commercial Planned Development (C-2-PD) zone that is the consistent zone designation for the General Plan Commercial General land use designation. The Project as designed and conditioned will be architecturally compatible with the surrounding area and will enhance and improve the existing conditions of the site and neighborhood. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, Traffic Codes and Planning Division requirements. Therefore, as conditioned, the use and improvements are not expected to have adverse effects or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

(3) **The site that is subject to the special use permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and all items required by the conditions of approval.**

The project as designed and conditioned meets the development standards of the General Commercial Planned Development (C2-PD) zone as described above in

Finding Section 2(1). As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City's design standards.

(4) **The site that is subject to the special use permit shall be served by streets and highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The project will be accessed from Vineyard Avenue and the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service, as described in great detail in the Planning Commission Staff Report Sections 5 and 6 (g).

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

The Project is considered redevelopment that has been found to be consistent with anticipated reuse for this surplus school district site. Furthermore, the Project will be served by existing City of Oxnard water and sewer mains and adequate Fire Protection will be provided as determined by the Development Advisory Committee. In accordance with the Stormwater Quality Conditions of this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit.

SECTION 2. This Resolution shall not become effective unless and until the City of Oxnard City Council adopts Mitigated Negative Declaration 2017-04 and approves the associated Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), Density Bonus (PZ No. 17-535-02) and Tentative Subdivision Map (PZ No. 17-300-03) and the Ventura County Local Agency Formation Commission (LAFCo) approves the Annexation. If the City Council or LAFCo fail to approve the Annexation, then this Resolution shall become null and void and be of no further force and effect.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 17-500-05 (Special Use Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Oxnard City Code Section 16-545.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

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 May 2, 2019, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside,

void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, *G-6*)

6. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

7. 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*)

8. 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*)

9. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

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

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

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

13. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

14. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)

15. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the

appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)

16. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)

17. Developer shall properly 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 may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, *PK-4*)

18. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)

19. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)

20. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)

<u>MEDIAN/PARKWAY</u>

21. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, *PK-14*)

22. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)

<u>WATER CONSERVATION</u>

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

24. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they

have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)

25. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)

26. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist's economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City's minimum tree size of 24" box. (PK)

LANDSCAPE SPECIAL CONDITIONS

27. Sheet L-02. <u>Planting to extend to substantially screen parking spaces</u>.
    a. A 36" high visual barrier shall be provided to screen parked cars from City streets. Barrier may be a wall or earthen berm with additional planting to achieve 36" height as measured from the top of the parking lot curb. Suitable sight-distance shall be maintained at corners and driveways. Parking lot screen hedges adjacent to the roadway shall be 36" in height at time of planting.
28. Sheets A-010 & L-02. Transformers shown in conflict with parking lot tree locations.
    a. <u>Tree finger planters required for every ten parking spaces and at ends of drive aisles.</u> For every ten parking spaces in single-loaded parking bay row, at least one perpendicular or diagonal landscape planter shall be provided, having minimum dimensions of 9 feet wide by the length of the adjacent parking stall, measured from outside curb face to outside curb face, and containing one tree, shrubs, and groundcover. Configurations other than perpendicular or diagonal planters may be approved by the parks and facilities superintendent, planning director or planning commission.
    b. All hardware, equipment enclosures, transformers, trash enclosures, gas meters, electrical vents, irrigation controllers, backflow devices, etc. in parking lot planters shall be substantially screened with shrubs and/or vines, 5 gallon size minimum. Trash enclosures to be screened with planting.
29. Show locations of light standards on landscape plan and tree locations on lighting plan. Identify and resolve any conflicts.

30. Written confirmation to be provided that the Landscape Architect or Architect has reviewed the civil engineer's construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements.

31. Irrigation plan to be provided. Provide required water use calculations and water budget calculations for review. City "Statement of Compliance" signed by a California licensed Landscape Architect or Architect required. Confirm planting hydrozones.

32. At the time of plancheck submittal, the Landscape shall show that all plant material within a 30-foot triangle at the intersection of Vineyard Avenue and any driveway shall be no more than three feet in height at maturity above curb level.

FIRE DEPARTMENT STANDARD CONDITIONS

33. 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*)

34. 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*)

35. 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*)

36. 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. A mechanical, civil, or fire protection engineer must certify the tests. 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*)

37. 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*)

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

39. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)

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

41. 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. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, *F-9*)

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

43. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)

44. 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*)

45. Developer shall install a detection/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*)

46. 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

47. 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.

48. Coordinate the Landscape so it does not impinge on access to fire protection utilities and equipment.

49. Areas designated by the Fire Marshal as Fire Lanes shall be identified by a red curb and signage per the California Department of Motor Vehicles and in accordance to the fire

master.

50. The NFPA sprinkler system for this project will be in accordance to the determined classification of the buildings upon construction plans submittal.

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

52. Electrically operated vehicle entry gates require Click -2 Enter radio activated controls.

53. Class I wet standpipe system is required at every stairwell. Combined Sprinkler and standpipe system shall be required.

54. Trash enclosures shall have sprinklers.

POLICE CONDITIONS

55. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline.

    a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
    b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
        1) Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
        2) Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
    c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent

damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. (PD)

56. Exterior lighting of the site including parking areas shall be between 1 and 7 foot candles and shall be in harmony with existing adjacent lighting scheme. (PD)

57. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)

58. Lighting instruments shall be full cut-off and installed so that light does not directly illuminate property outside the project site. Instruments shall not create glare for motorists or pedestrians. (PD)

59. All common area lighting shall operate from dusk to 9:00 dawn. (PD)

60. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. This plan shall be submitted and approved prior to the issuance of building permits. (PD)

61. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment. (PD)

62. Trees shall not be located where they would conflict with lighting instruments. Appropriate proximity is based a tree's canopy size at twenty-year maturity. (PD)

63. Creeping fig or similar climbing vine shall be used to dissuade the application of graffiti on CMU walls. (PD)

64. Developer and/or property manager shall post all entrances in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)

65. Developer and/or property manager shall post signs, each visible from the public right of way at each vehicular entrance, identifying the management company's name and phone number. (PD)

PLANNING STANDARD CONDITIONS

66. 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)

67. 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*)

68. 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*)

69. 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*)

70. 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*)

71. 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)

72. 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)

73. 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*)

74. 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*)

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

76. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)

77. During construction, Developer shall control dust by the following activities:

    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code Section 23114, with special attention to Sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)

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

79. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)

80. 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*)

81. 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*).

<u>COMMERCIAL/INDUSTRIAL</u>

82. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall

be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, *PL-41*)

83. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, *PL-42*)

84. For any exterior utility meter panels, Developer shall paint such panels to match the structure 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. (PL, *PL-43*)

85. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

86. Developer shall limit outdoor storage of materials to the locations shown on the project plans. Developer shall screen storage areas from adjacent properties and streets by a wall or similar screening. All fence and wall materials shall match the predominant design and materials of the main structure on the project property. (PL/B, *PL-48*)

87. Developer shall stripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, *PL-49*)

PLANNING SPECIAL CONDITIONS

88. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. Upon assessment of the Public Art fee, the Developer may elect to purchase an existing artwork or commission an original artwork for donation as a gift to the City of Oxnard's public art collection with a value equal to or in excess of the Public Art fee. The value of the purchased and / or commissioned artwork will be determined by the Cultural Arts Commission and City Council. Donations to the City are reviewed by the Cultural Arts Commission and the City Council to determine the aesthetic quality of the donation, the work's maintenance requirements and the appropriateness of the donation to the overall goals of the Cultural Arts Commission. *(*PL*, PL-50 modified)*

89. This permit is granted subject to approved for annexation to the City of Oxnard by the Ventura County Local Agency Formation Commission (LAFCo), and subject to approval of related City of Oxnard permits [Planning and Zoning Permit Nos. 17-620-01 (General Plan Amendment), 17-560-01 (Pre-Zoning), 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus)]. The City shall issue building permits only after such approval and Resolutions and ordinance adoption. (PL) This Special Use Permit shall expire at the end of 36 months from the effective date of the LAFCo Annexation unless Developer has diligently developed the proposed project, as shown by

map recordation and / or the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL)

90. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved. (PL)

91. Applicant shall submit a check made out to the City of Oxnard in the amount to be determined for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of a grading permit. Additional funds to be paid when hours or contract planner hours exceed deposited amounts. (PL).

92. Developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration No. 2017-04 for all development within Tract 5998. (PL)

93. Developer shall install toilets that have automatic flush sensors in all public restrooms. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL)

94. Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL)

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

96. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)

97. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)

98. Developer shall provide bicycle parking consistent with the bicycle and Pedestrian Master Plan as outlined in Appendix Pg. A-38. A minimum of 8 short term bicycle parking spaces and 2 longer term bicycle parking spaces (lockers or similar) shall be provided. (PL)

99. Developer shall provide a concrete curb at least six inches high around all planting areas adjacent to parking lots and drive aisles. The finished grade of the planted area shall be at least three inches below the top of the planter curbing where curbing abuts a public right-of-way. (PL)

100. At time of plan check review, all wall mounted and ground mounted equipment, utilities and meters shall be identified on building elevations and landscape plans and shall be integrated into the building design or effectively screened with shrubs and/or vines, 5 gallon size minimum, to the satisfaction of the Planning Manager. (PL)

101. At time of plan check review, Applicant shall provide an Irrigation plan, required water use calculations and water budget calculations for review. Applicant shall also provide the City's "Statement of Compliance" form signed by a California licensed Landscape Architect or Architect required. Confirm planting hydrozones. (PL)

Air Quality

102. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacture's specifications. (MND, C-1)

103. 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. (MND, C-2)

104. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-3)

105. During construction, Developer shall control dust by the following activities:

    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (MND, C-4)

106. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-5)

107. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)

108. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). ((MND, C-7)

109. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)

110. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)

111. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

Biological Resources

112. Nesting Bird and Raptor Survey and Avoidance. In the event that the proposed action is planned to occur within the general bird nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist. The nesting season is generally considered February 1 through August 31, with a peak from March to June; however, these dates vary by year depending on prey availability, weather, and other factors. In the event an active bird is observed in the habitats to be removed or in other habitats within 100 feet for songbirds and 500 feet for raptors of the construction work areas, all construction work in the suitable habitat or within 100 feet/500 feet of the suitable habitat must be delayed until after September 1st, or surveys must be continued in order to locate any nests. If an active nest is found, clearing and construction within 100 feet/500 feet of the nest shall be postponed until the nest is vacated and juveniles have fledged, and until there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area. (BIO-1)

Cultural Resources

113. Developer shall contract with a qualified archaeologist to monitor all project-related ground-disturbing activities. In the unlikely event that potentially significant archaeological materials are encountered during construction, the applicant must comply with State regulations and City's standard condition of approval for handling such resources. (CUL-2)

Noise

114. The living areas for all residences in the project, including those adjacent to Vineyard Avenue, shall be constructed to include sufficient noise attenuation to reduce interior noise levels to a CNEL of 45 dBA, as required by California building standards. For the estimated exterior CNEL values of 65 dBA, this performance standard requires an exterior-to interior noise reduction of approximately 20 dBA. This noise reduction is routinely achieved in residential construction that is consistent with current California energy conservation standards, and involves measures such as exterior stucco walls with a Sound Transmission Class (STC) rating of 45, double-paned windows with an STC of 37, solid core exterior doors. Building permit applications shall include documentation that the interior standard of 45 dBA CNEL will be achieved through a combination of these or other measures. (N-1(a))

115. The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to Vineyard Avenue. Upper level patio/deck areas shall not be positioned facing the Vineyard Avenue for residences along the western site boundary, or other mitigation to bring exterior living space within City Noise standard of 65 dBA, subject to a Noise Study reviewed and approved by the Planning Manager or designee. N-1(b))

116. Construction Noise Levels. For all construction-related activities, noise-attenuation techniques shall be employed as needed to ensure that noise remains as low as possible during construction, specifically at REC-1 through REC-3. The following noise-attenuation techniques shall be incorporated into contract specifications to reduce the impact of construction noise:
    - Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
    - Place noise-generating construction equipment and locate construction-staging areas away from sensitive uses, where feasible.
    - Schedule high noise-producing activities between the hours of 7:00 AM and 5:00 PM to minimize disruption on sensitive uses.
    - Implement noise attenuation measures to the extent feasible, which may include but are not limited to temporary noise barriers or noise blankets around stationary construction noise sources.
    - Use electric air compressors and similar power tools rather than diesel equipment, where feasible.

- All stationary construction equipment (e.g., air compressors, generators, impact wrenches, etc.) shall be operated as far away from residential uses as possible and shall be shielded with temporary sound barriers, sound aprons, or sound skins.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- Clearly post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow for surrounding owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. (N-2)

Water

117. The applicant shall provide for the allocation of groundwater pumping rights sufficient to serve the development from the Fox Canyon Groundwater Management Agency to the City of Oxnard, consistent with the MND and the ordinances and requirements of the two agencies, prior to recording the final map for the project. (W-1).

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. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.

121. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and 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 certificate of occupancy. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A "City of Oxnard C&D Environmental Resources Management and Recycling Occupancy Report" shall be submitted to the Environmental Resources Division annually for approval on the anniversary date of the certificate of occupancy or at any such time that the facility's operational functions change significantly.

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.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

123. 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 permit issuance. (DS-1)

124. 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 indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)

125. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) 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 ink-on-mylar plans filed with the Development Services Division. (DS-3)

126. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff 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)

127. Developer shall protect building pads from inundation during a 1% chance (100year) storm. (DS-5)

128. 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)

129. Developer's site improvement plans shall include an onsite sewer plan. (DS-10)

130. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)

131. Developer shall install onsite and offsite electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

132. 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. Developer 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)

133. A California licensed civil engineer 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. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

134. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or 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)

135. 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 map, then at the time of public improvement plan approval. (DS-17)

136. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or 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)

137. 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)

138. 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)

139. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)

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

141. 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)

142. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria 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)

143. Prior to issuance of a grading/site improvement permit, developer shall obtain Community Development Director approval for any proposed construction phasing. The improvement plans (and associated phasing plans) shall clearly indicate any interim or offsite improvements required by City. (DS-28)

144. Developer shall retain a California licensed Civil Engineer to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "asbuilt" plans after project completion. Developer's submittal of certified "asbuilt" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)

145. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)

146. Developer shall construct sufficient drainage facilities concurrent with rough grading operations to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way. (DS-31)

147. Developer shall design all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 18 inch wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS-32)

148. 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)

149. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Community Development Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

150. 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)

151. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)

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

153. 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. Developer shall obtain permits from the City Engineer prior to performing tests. 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)

154. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2030 General Plan, and any applicable specific plan. (DS-48)

155. Street and road improvements shall conform to City standard plates, design criteria 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)

156. 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)

157. 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, "R" value tests of in-place soils, and approved traffic indices. (DS-53)

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

159. 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)

160. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS-69)

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

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

163. 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)

164. 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)

STORMWATER QUALITY CONDITIONS

165. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development and redevelopment projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS-78)

166. 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 subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS-79)

167. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS-81)

168. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") 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 Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

169. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to 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; 2) Requirement to 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; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)

170. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs".) Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)

171. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

172. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") in all catch basins accepting stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS-88)

173. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot paving material to clearly identify pedestrian areas. (DS-101)

174. 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 DIVISION SPECIAL CONDITIONS

175. Developer shall process the final map for Tract 5998 (PZ 17-300-03) concurrent with the site improvement plans for this project. The final map shall be processed for recordation concurrent with approval of the site improvement plans for this project. (DS)

176. Developer's geotechnical engineer shall perform percolation tests on the exposed bottom of all infiltration facilities immediately prior to facility construction and provide the City with a written opinion that the exposed soil layer is suitable for the proposed infiltration facility based on review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. The report shall be reviewed and approved by the project civil engineer. (DS)

177. The percolation tests for this project shall include implementation of the reduction factor specified in the "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. This reduction factor is in addition to the safety factor specified in the Technical Guidance Manual. (DS)

178. Developer shall provide evidence that all underground infiltration and/or detention systems constructed as part of this project are anticipated to have a minimum 75-year life expectancy. (DS)

179. Developer shall provide calculations demonstrating that the proposed in-line infiltration system (including pre-treatment device) is capable of safely conveying stormwater underground during a 10% chance (10-year) event without re-suspending pollutants. Calculations shall also demonstrate that nearby structures are protected during a 1% chance (100-year) event. (DS)

180. Developer shall include in the project drainage report an evaluation of the quantity of stormwater currently conveyed within Vineyard Avenue at the north property line of the project. If the quantity of stormwater exceeds City standards, Developer shall extend the proposed Vineyard Avenue stormdrain line to the north property line and construct a catch basin inlet to convey the stormwater underground. Final design of this system is subject to approval of the Development Services Manager. (DS)

181. Developer's drainage study shall include a determination of the unused stormwater capacity of the existing 54-inch stormdrain line in Vineyard Avenue. Stormwater runoff from this project shall be designed as the lessor of the unused 54-inch pipe capacity or the discharge limits placed on the project by the Ventura County Watershed Protection Agency. (DS)

182. Developer's engineer shall design the site grading to provide a secondary overflow path that will provide a safe drainage path if the underground drainage system becomes obstructed. Discussion of the secondary overflow path shall be included in the project drainage report. (DS)

183. Developer shall construct project trash enclosure sized to contain a minimum of two (2) 4-yard bins (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 design the trash enclosure in conformance with the approved City Standard Plan on file with the Building & Engineering Division. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)

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

185. Developer shall properly abandon any existing sewer or water lateral extended to the site that is not used by the project. (DS)

186. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of recordation of an agreement (or similar document) between parcels 1 and 2 of Tract 5998 that provides for shared use and maintenance of the proposed shared onsite sewer main. (DS)

187. Prior to issuance of a site grading permit, Developer shall provide evidence that all existing onsite water wells (whether operational or not) have been properly destroyed in accordance with California Department of Water Resources standards. The City is currently aware that at least 2 water wells have been previously drilled on this site. (DS)

188. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of recordation of a reciprocal access agreement (or similar document) memorializing the proposed shared driveway between parcels 1 and 2 of Tract 5998. The document shall assign management of the maintenance to a specific lot. (DS)

189. Developer shall relocate existing high voltage (conducting in excess of 33kv) power poles to a location that is behind the proposed Vineyard Avenue sidewalk. (DS)

190. Developer shall install fire hydrants along the project's Vineyard Avenue frontage as directed by the Fire Marshall. (DS)

191. Developer shall install bike racks in accordance with the requirements of the City of Oxnard Bicycle & Pedestrian Facilities Master Plan. Bicycle racks shall be installed a

maximum of 50-feet from the front entrance of the establishment where there is natural surveillance and adequate light during dark hours. Final location of the bike racks shall be approved by the City Traffic Engineer. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd[h] day of October, 2019, by the following vote:

_____
Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 3rd day of October 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

_____
Scott Kolwitz, Secretary

ATTACHMENT K

RESOLUTION No. 2019-XX [PZ 17-500-13]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 17-500-13 (SPECIAL USE PERMIT) TO DEMOLISH FIVE FORMER EL RIO ELEMENTARY SCHOOL BUILDINGS AND TO ABANDON A WATER WELL AND TO ALLOW THE CONSTRUCTION OF 167 ATTACHED CONDOMINIUMS, INCLUDING 17 LOW-INCOME DEED-RESTRICTED UNITS, IN EIGHT THREE-STORY STRUCTURES (38 FEET IN HEIGHT) THAT INCLUDE A FITNESS CENTER, A 1,068 GSF RECREATION PAVILION, FOUR REFUSE STRUCTURES, 169 RESIDENT GARAGES AND 163 SURFACE PARKING SPACES, 93 GUEST PARKING SPACES, STORMWATER RETENTION AND TREATMENT FACILITIES, ON-SITE UTILITIES AND OFF-SITE CONNECTIONS, LANDSCAPING, SIX PLAY AREAS AND A TOT LOT ON THE PROPERTY LOCATED AT 2714 EAST VINEYARD AVENUE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY RIO SCHOOL DISTRICT, 2500 E. VINEYARD AVE., OXNARD, CA AND THE PACIFIC COMPANIES, 430 E. STATE STREET #100, EAGLE, IDAHO.

WHEREAS, the Rio School District (RSD) owns a 9.90 acre parcel located at 2714 East Vineyard Avenue (APN 145-0-232-010) abutting a 1) 0.34 acre portion of County of Ventura public right-of-way which is proposed to be included within the project area and that is coterminous with the north edge of the RSD parcel and 2) the City of Oxnard corporate limits that are coterminous with the south and west edges of the RSD parcel; and

WHEREAS, the RSD declared the closed El Rio Elementary School on the parcel located at 2714 East Vineyard Avenue as a surplus school site, completed a reuse feasibility study, and partnered with The Pacific Companies to propose redevelopment of the property; and

WHEREAS, the RSD and The Pacific Companies jointly filed entitlement applications with the City of Oxnard on March 28, 2017 for Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), two Special Use Permits (PZ Nos. 17-500-05 and 17-500-13), Density Bonus (PZ No. 17-535-02) and a Tentative Subdivision Map (PZ No. 17-300-03); and

WHEREAS, the RSD and The Pacific Companies would develop a 1.12 acre "Parcel 1" with a two-story, 15,000 gsf office building with 60 standard parking spaces and one motorcycle space; develop a 9.12 acre "Parcel 2" with 167 one- to three-bedroom attached apartment condominiums in eight three-story structures (up to 38 feet in height) that include a fitness center and 17 low income deed-restricted units, a 1,068 gsf recreation pavilion, four refuse structures, 169 resident garages and 163 parking spaces, 93 guest parking spaces, 6 motorcycle spaces, stormwater retention and treatment facilities, on-site utilities and off-site connections, landscaping, six play areas and a tot lot, dog run; relocate four

Southern California Edison (SCE) 66kV power poles; and widen and improve Vineyard Avenue by 23 feet ("Project"); and

WHEREAS, related Project approvals are required by the Local Agency Formation Commission, County of Ventura, California Department of Transportation, Calleguas Municipal Water District, and the Metropolitan Water District of Southern California; and

WHEREAS, the Project was initially reviewed by the City Council as a Pre-Application in 2015 which identified parking, compatibility, and on-site recreational amenity issues that were addressed by changes to the Project; and

WHEREAS, the Project applicants participated in a Community Workshop on June 18, 2018 and made presentations to the El Rio Municipal Advisory Committee on June 21, 2018; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Community Development Director provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND No. 2017-04) for the Project, the Project MND was circulated for public comment for 30 days between July 19, 2019 and August 19, 2019, and no comments were received that changed the MND mitigations or findings; and

WHEREAS, the Planning Commission has considered MND No. 2017-04 before making its recommendation herein and the MND's mitigation monitoring and reporting program is included in the MND document and incorporated by reference in this and related resolutions and permits; and

WHEREAS, the Planning Commission is concurrently recommending the City Council adopt MND 2017-04 and approve the Annexation, General Plan Amendment, Pre-Zoning, Density Bonus, and Tentative Subdivision Map; and

WHEREAS, the Planning Commission is concurrently considering a Special Use Permit (PZ No. 17-500-05) application for a two-story 15,000 square foot office building on the northwest corner of the RSD parcel separate but connected to the present project, subject to approval of the related actions within that special use permit's conditions of approval; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and received and reviewed written and oral comments related to the Project; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the approval of Special Use Permit PZ No. 17-500-13 for development of a 167 multifamily unit residential community on a portion of the parcel located at 2714 East Vineyard Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

(1) **The proposed use in in conformance with the City of Oxnard General Plan and other adopted standards.**

The project includes a General Plan Amendment to change the land use designation from School to Commercial General, and the project includes a Pre-Zoning of General Commercial Planned Development (C2-PD).

The project's commercial and residential uses are consistent with the General Plan land use designation and zoning as discussed in great detail in Sections 6 (c), 6 (d), and 6 (j) and Section 7 of the Planning Commission Staff Report. The project also includes a Density Bonus for a two percent density bonus (3 additional units), reduced parking standards, and a concession to reduce the Interior Yard Space requirement from 30 to 24 percent of the parcel area.

As discussed in greater detail in Sections 6 (c) through 6 (h) and Section 7 of the Planning Commission Staff Report, the Project as designed and conditioned meets all applicable development standards with application of one Density Bonus permit concession for reduction of interior yard space, three PD standards adjustments for building height, number of stories and storage space size, and administrative relief under OCC 16-651(B)(2), "Off-site parking" for distance to condominium parking spaces.

Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

(2) **The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no proposed special use permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

The use is consistent with uses considered and permitted by the General Commercial-Planned Development (C-2-PD) zone that is the consistent zone designation for the General Plan Commercial General land use designation. The Project as designed and conditioned will be architecturally compatible with the surrounding area and will enhance and improve the existing conditions of the site and neighborhood. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, Traffic Codes and Planning Division requirements. Therefore, as conditioned, the use and improvements are not expected to have adverse effects or be materially

detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

(3) **The site that is subject to the special use permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and all items required by the conditions of approval.**

The project as designed and conditioned meets the development standards of the General Commercial Planned Development (C-2-PD) zone, "Garden Apartment Zone" (R-3) zone, and Attached Dwelling Units standards, as described above in Finding Section 2(1). As such, the subject site is adequate in terms of size and as developed the development meets or exceeds the City's design standards.

(4) **The site that is subject to the special use permit shall be served by streets and highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

The project will be accessed from Vineyard Avenue and the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service, as described in great detail in the Planning Commission Staff Report Sections 5 and 6 (g).

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

The Project is considered redevelopment that has been found to be consistent with anticipated reuse for this surplus school district site. Furthermore, the Project will be served by existing City of Oxnard water and sewer mains and adequate Fire Protection will be provided as determined by the Development Advisory Committee. In accordance with the Stormwater Quality Conditions of this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit.

SECTION 2. This Resolution shall not become effective unless and until the City of Oxnard City Council adopts Mitigated Negative Declaration 2017-04 and approves the associated Annexation (PZ No. 17-610-01), General Plan Amendment (PZ No. 17-620-01), Pre-Zoning (PZ No. 17-560-01), Density Bonus (PZ No. 17-535-02) and Tentative Subdivision Map (PZ No. 17-300-03) and the Ventura County Local Agency Formation Commission (LAFCo) approves the Annexation. If the City Council or LAFCo fail to approve the Annexation, then this Resolution shall become null and void and be of no further force and effect.

SECTION 4. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit No. 17-500-13 (Special Use Permit), subject to the attached conditions of approval.

SECTION 5. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Oxnard City Code Section 16-545.

SECTION 6. The Secretary shall certify the adoption of this Resolution.

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 May 2, 2019, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)

3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside,

void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, *G-6*)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, *G-8*)

8. 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*)

9. 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*)

10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

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

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

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

14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

15. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)

16. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, 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*)

17. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)

18. Developer shall properly 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 may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, *PK-4*)

19. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. 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*)

20. All trees planted or placed on the 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)

21. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)

<u>MEDIAN/PARKWAY</u>

22. Developer shall submit four sets of median and parkway landscape and irrigation plans with the first submittal of public improvement plans. The City shall approve median and parkway landscape and irrigation plans when the City approves public improvement plans. Before the City issues a building permit, the irrigation plans must be approved for proper meter size, backflow prevention device, and cross connection control by the Water Production Supervisor or designee. (DS/ PK, *PK-14*)

23. Before the City accepts medians and parkways from Developer, the landscaping thereon must complete a plant establishment period of 90 days or such other time as specified in this permit. (PK/DS, *PK-15*)

WATER CONSERVATION

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

25. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)

26. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)

27. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist's economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City's minimum tree size of 24" box. (PK)

LANDSCAPE SPECIAL CONDITIONS

28. Sheet L-02. Planting to extend to fully screen parking spaces.
    a. A 36" high visual barrier shall be provided to screen parked cars from City streets. Barrier may be a wall or earthen berm with additional planting to achieve 36" height as measured from the top of the parking lot curb. Suitable sight-distance shall be maintained at corners and driveways. Parking lot screen hedges adjacent to the roadway shall be 36" in height at time of planting. (PL)

29. Sheets A-010 & L-02. Transformers shown in conflict with parking lot tree locations.
    b. Tree finger planters required for every ten parking spaces and at ends of drive aisles. For every ten parking spaces in single-loaded parking bay row, at least one perpendicular or diagonal landscape planter shall be provided, having minimum dimensions of 9 feet wide by the length of the adjacent parking stall, measured from outside curb face to outside curb face, and containing one tree, shrubs, and groundcover. Configurations other than perpendicular or diagonal planters may be approved by the parks and facilities superintendent, planning director or planning commission.

c. All hardware, equipment enclosures, transformers, trash enclosures, gas meters, electrical vents, irrigation controllers, backflow devices, etc. in parking lot planters shall be substantially screened with shrubs and/or vines, 5 gallon size minimum. Trash enclosures to be screened with planting. (PL)

30. Show locations of light standards on landscape plan and tree locations on lighting plan. Identify and resolve any conflicts. (PL)

31. Written confirmation shall be provided that the Landscape Architect or Architect has reviewed the civil engineer's construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PL)

32. Irrigation plan to be provided. Provide required water use calculations and water budget calculations for review. City "Statement of Compliance" signed by a California licensed Landscape Architect or Architect required. Confirm planting hydrozones. (PL)

33. At the time of plancheck submittal, the Landscape shall show that all plant material within a 30-foot triangle at the intersection of Vineyard Avenue and any driveway shall be no more than three feet in height at maturity above curb level.

34. Developer shall install sod or other alternative drought tolerant and California native friendly landscaping in the lawn areas. (PK, *PK-13, modified*)

FIRE DEPARTMENT STANDARD CONDITIONS

35. 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*)

36. 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*)

37. 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*)

38. 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. A mechanical, civil, or fire protection engineer must certify the tests.

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*)

39. 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*)

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

41. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, *F-7*)

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

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

44. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, *F-11*)

45. 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*)

46. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)

47. 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*)

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

FIRE DEPARTMENT SPECIAL CONDITIONS

49. 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. (FD)

50. Coordinate the Landscape so it does not impinge on access to fire protection utilities and equipment. (FD)

51. Areas designated by the Fire Marshal as Fire Lanes shall be identified by a red curb and signage per the California Department of Motor Vehicles and in accordance to the fire master. (FD)

52. The NFPA sprinkler system for this project will be in accordance to the determined classification of the buildings upon construction plans submittal. (FD)

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

54. Class I wet standpipe system is required at every stairwell. Combined Sprinkler and standpipe system shall be required. (FD)

55. Trash enclosures shall have sprinklers.(FD)

56. 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. (FD)

POLICE DEPARTMENT CONDITIONS

57. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
    a) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
    b) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
        1) Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
        2) Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
    c) Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall

be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. (PD)

58. Exterior lighting of the site including parking areas shall be between 1 and 7 foot candles and shall be in harmony with existing adjacent lighting scheme. (PD)

59. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)

60. Lighting instruments shall be full cut-off and installed so that light does not directly illuminate property outside the project site. Instruments shall not create glare for motorists or pedestrians. (PD)

61. All common area lighting shall operate from dusk to dawn. (PD)

62. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. This plan shall be submitted and approved prior to the issuance of building permits. (PD)

63. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment. (PD)

64. Trees shall not be located where they would conflict with lighting instruments. Appropriate proximity is based a tree's canopy size at twenty-year maturity. (PD)

65. Creeping fig or similar climbing vine shall be used to dissuade the application of graffiti on CMU walls. (PD)

66. Developer and/or property manager shall inform tenants of the provisions of Oxnard City Ordinance 7-100 through 7-106 as it applies to hosting loud parties or events. And, that should police respond to a disturbance multiple times, a service charge may be imposed. (PD)

67. Developer and/or property manager will enroll project in and comply with the Oxnard Police Department "Crime Free Multi-Housing Program" as applicable to this housing development. For enrollment information, contact the Crime Prevention Officer at (805) 385-8349. (PD)

68. Developer and/or property manager shall post all entrances in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)

69. CC&Rs or tenant rules shall require that garage and carport spaces are for the parking of motor vehicles. Such spaces shall be maintained so that there is space to park vehicles at all times. (PD)

70. Developer and/or property manager shall post signs, each visible from the public right of way at each vehicular entrance, identifying the management company's name and phone number. (PD)

71. If there is assigned parking on the site, the space or garage number shall not reflect the apartment number of the resident. (PD)

72. The applicant shall submit an addressing plan for the site and examples of lighted address signs for each unit. Submission and approval of addressing plan shall occur prior to the issuance of building permits. (PD)

PLANNING DIVISION STANDARD CONDITIONS

73. 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)

74. 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*)

75. 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*)

76. 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*)

77. 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*)

78. 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)

79. 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)

80. 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*)

81. 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*)

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

83. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)

84. During construction, Developer shall control dust by the following activities:
    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)

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

86. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within

residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, *PL-14*)

87. 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*)

88. 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*).

RESIDENTIAL

89. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)

90. 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*)

91. Walls separating the patio areas of different units shall be of solid construction, such as masonry, stucco, or wood over wood. Ground level patios shall be enclosed by walls not less than five feet high, except as otherwise approved by this permit. (PL/B, *PL-25*)

92. Additions and patio covers shall conform to the requirements of the "Garden Apartment Zone" (R-3) zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)

93. 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*)

94. 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*)

95. 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*)

96. 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)

97. 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*)

98. 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*)

99. 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*)

100. 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*)

101. In accordance with City Council Ordinance No. 2615, or the ordinance in effect at the time building permits are issued, Developer shall provide 17 affordable units onsite. (PL, PL-37)

102. 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 2030 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*)

103. All recreational vehicle parking spaces shall be designated by signs stating that the spaces are reserved exclusively for recreational vehicle parking. Developer shall prohibit the parking of recreational vehicles elsewhere in the project. (B, *PL-39)*

104. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

PLANNING DIVISION SPECIAL CONDITIONS

105. 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 or appropriate trim 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 modified)*

106. Developer shall provide electric 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 modified)*

107. Developer shall provide a patio concrete slab or pavers of at least 100 square feet. (PL/B, *PL-26 modified*)

108. Developer shall provide masonry and metal walls along project perimeter property lines, except as otherwise approved by this permit. Developer shall install interior lot line fences, to be constructed of wood or other material, subject to the approval of the Planning Division Manager. (PL/B, *PL-31 modified*)

109. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. Upon assessment of the Public Art fee, the Developer may elect to purchase an existing artwork or commission an original artwork for donation as a gift to the City of Oxnard's public art collection with a value equal to or in excess of the Public Art fee. The value of the purchased and / or commissioned artwork will be determined by the Cultural Arts Commission and City Council. Donations to the City are reviewed by the Cultural Arts Commission and the City Council to determine the aesthetic quality of the donation, the work's maintenance requirements and the appropriateness of the donation to the overall goals of the Cultural Arts Commission. *(*PL*, PL-50 modified)*

110. This permit is valid only if the parcel is approved for annexation to the City of Oxnard by the Ventura County Local Agency Formation Commission (LAFCo) and subject to approval of related City of Oxnard permits [Planning and Zoning Permit Nos. 17-620-01 (General Plan Amendment), 17-560-01 (Pre-Zoning), 17-300-03 (Tentative Subdivision Map for Tract No. 5998), and 17-535-02 (Density Bonus). The City shall issue building permits only after such approval, Resolutions and ordinance adoption. This Special Use Permit shall expire at the end of 36 months from the effective date of the LAFCo

Annexation unless Developer has diligently developed the proposed project, as shown by map recordation and / or the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL)

111. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the density bonus. (PL/DS)

112. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved. (PL)

113. Applicant shall submit a check made out to the City of Oxnard in the amount to be determined for payment of outstanding discretionary permit and environmental processing fees associated with the development project. Funds shall be deposited prior to issuance of a grading permit. Additional funds to be paid when hours or contract planner hours exceeds deposited amounts (PL).

114. Applicant shall deposit $2,000 for mitigation monitoring and reporting associated with development project, PZ 17-500-13. Such funds shall be deposited prior to issuance of a grading permit. (PL).

115. Developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration No. 2017-04 for the project. (PL)

116. Standpipe systems required by Fire Department shall be designed to be located within building areas, such as staircase or tuck under parking areas that will lend to visually screen. (PL)

117. At time of plan check review, roof top equipment provided on roofs shall be completely screened from all sides by a designed parapet or building element that extends above the height of the tallest part of such equipment. (PL)

118. Developer shall install toilets that have automatic flush sensors in all common restrooms, including the fitness center. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL)

119. Developer shall install individual mirrors above each sink in a common restroom to the satisfaction of the Planning Division Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL)

120. Prior to issuance of site improvement permits, Developer shall provide a Phasing Plan for any proposed construction phasing. The phasing plans shall indicate site improvements, such as landscaping, parking and recreation equipment, that will be constructed

concurrently with residential buildings in each phase. Phasing Plan is subject to review and approval of the Community Development Director or designee. (PL)

121. Community recreation uses/areas such the community fitness room and playground equipment shall be installed and ready for use within two months of the first tenant move in. If the Condominiums will be developed in phases, the recreation equipment and play areas shall be constructed concurrently with building construction per the Phasing Plan, and ready for use prior to issuance of occupancy permits for buildings within the applicable Phase. (PL)

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

123. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division Manager. Such plan shall include such elements as clear film on windows and/or mirrors, as well as washable paint and sealers on the building and perimeter walls. (PL)

124. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Division Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)

125. Before or during escrow for the sale of property within the project, Developer shall give to the buyers 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)

126. Developer shall provide a concrete curb at least six inches high around all planting area adjacent to parking lots and drive aisles. The finished grade of the planted area shall be at least three inches below the top of the planter curbing where curbing abuts a public right-of-way. (PL)

127. Developer shall provide bicycle parking consistent with the bicycle and Pedestrian Master Plan as outlined in Appendix Pg. A-38. A minimum of 21 short term bicycle parking spaces shall be provided. (PL)

128. Within each garage, developer shall install a storage area of at least 210 cubic feet. The storage area may be included in the garage area, but may not intrude into the minimum garage dimension (10 feet x 20 feet), except above 4 feet at the front of the stall. Alternatively, the storage unit may be located in immediate proximity to the garage. (PL)

129. Each dwelling unit will be assigned at least one garage space in the same building as the dwelling. Units with 2 or more bedrooms will be assigned a second reserved surface parking space located within approximately 85 feet of the building as measured under OCC Section 16-645(C). At time of plan check review, site plan will identify assigned parking spaces for each unit. (PL)

130. At time of plan check review, all wall mounted and ground mounted equipment, utilities and meters shall be identified on building elevations and landscape plans and shall be integrated into the building design or effectively screened with shrubs and/or vines, 5 gallon size minimum, to the satisfaction of the Planning Manager. (PL)

131. At time of plan check review, Applicant shall provide an Irrigation plan, required water use calculations and water budget calculations for review. Applicant shall also provide the City's "Statement of Compliance" form signed by a California licensed Landscape Architect or Architect required. Confirm planting hydrozones.

Affordable Housing Conditions

132. Prior to issuance of building permits, Developer shall enter into an Affordability Agreement in a form approved by the City Attorney ensuring the affordability of the 17 unit condominium units which qualified the applicant for a density bonus. The affordability shall be as follows: 17 units for up to 80% AMI (low income), as adjusted for family size as provided in 25 California Code of Regulations Section 6932. The agreement shall be recorded in the Office of the Ventura County Recorder. The term of the agreement shall be for a minimum of 55 years. (PL)

The agreement shall establish specific compliance standards and specific remedies available to the City of such compliance standards are not met. The agreement shall, among other things, specify the number of low income affordable units by number of bedrooms, standards for qualifying household incomes or other qualifying criteria, standards for maximum sales price, a required annual report, and monitoring fees. Developer hereby agrees to deposit funds for any staff time expended for preparation of the agreement and subsequent compliance with said agreement.

133. To the maximum extent permitted by applicable law, Developer will establish a preference for the sale of the Low Income Units to qualified and otherwise eligible low and very low income households, subject to other restrictions related to funding sources. Preference will be established as follows:

    a) Households that live and work in the City of Oxnard.
    b) Households that live or work in the City of Oxnard; and
    c) All other households.

    Prior to offering any affordable unit to a buyer who neither lives nor works in Oxnard, the Developer/Project Owner/Property Manager will offer any available affordable unit or units to those eligible and otherwise qualified low and very low income applicants listed first in category a, and if any units are still available then to those applicants listed in category b.

    The Housing Director shall monitor compliance with this condition. In addition to all other remedies, if the Housing Director determines that Developer is not meeting the requirements of this condition, the Housing Director shall so notify Developer and the Development Services Manager in writing, and no more building permits shall be issued for the project until the Housing Director notifies the Development Services Manager in writing that Developer is meeting the requirements of this condition.

Air Quality

134. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacture's specifications. (MND, C-1)

135. 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. (MND, C-2)

136. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-3)

137. During construction, Developer shall control dust by the following activities:

a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code §23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (MND, C-4)

138. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-5)

139. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)

140. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). ((MND, C-7)

141. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7). (MND, C-8)

142. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management (TDM) program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-9)

143. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

Biological Resources

144. Nesting Bird and Raptor Survey and Avoidance. In the event that the proposed action is planned to occur within the general bird nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist. The nesting season is generally considered February 1 through August 31, with a peak from March to June; however, these dates vary by year depending on prey availability, weather, and other factors. In the event

an active bird is observed in the habitats to be removed or in other habitats within 100 feet for songbirds and 500 feet for raptors of the construction work areas, all construction work in the suitable habitat or within 100 feet/500 feet of the suitable habitat must be delayed until after September 1st, or surveys must be continued in order to locate any nests. If an active nest is found, clearing and construction within 100 feet/500 feet of the nest shall be postponed until the nest is vacated and juveniles have fledged, and until there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest site shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the ecological sensitivity of the area. (BIO-1)

Cultural Resources

145. Developer shall contract with a qualified archaeologist to monitor all project-related ground-disturbing activities. In the unlikely event that potentially significant archaeological materials are encountered during construction, the applicant must comply with State regulations and City's standard condition of approval for handling such resources. (CUL-2)

Noise

146. The living areas for all residences in the project, including those adjacent to Vineyard Avenue, shall be constructed to include sufficient noise attenuation to reduce interior noise levels to a CNEL of 45 dBA, as required by California building standards. For the estimated exterior CNEL values of 65 dBA, this performance standard requires an exterior-to interior noise reduction of approximately 20 dBA. This noise reduction is routinely achieved in residential construction that is consistent with current California energy conservation standards, and involves measures such as exterior stucco walls with a Sound Transmission Class (STC) rating of 45, double-paned windows with an STC of 37, solid core exterior doors. Building permit applications shall include documentation that the interior standard of 45 dBA CNEL will be achieved through a combination of these or other measures. (N-1(a))

147. The living areas shall contain forced air ventilation. All duct work for ventilation shall include noise louvers at the exterior outlet and/or duct outlets shall be directed either opposite to or perpendicular to Vineyard Avenue. Upper level patio/deck areas shall not be positioned facing the Vineyard Avenue for residences along the western site boundary, or other mitigation to bring exterior living space within City Noise standard of 65 dBA, subject to a Noise Study reviewed and approved by the Planning Manager or designee. (N-1(b))

148. Construction Noise Levels. For all construction-related activities, noise-attenuation techniques shall be employed as needed to ensure that noise remains as low as possible during construction, specifically at REC-1 through REC-3. The following noise-attenuation techniques shall be incorporated into contract specifications to reduce the impact of construction noise:

- Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
- Place noise-generating construction equipment and locate construction-staging areas away from sensitive uses, where feasible.
- Schedule high noise-producing activities between the hours of 7:00 AM and 5:00 PM to minimize disruption on sensitive uses.
- Implement noise attenuation measures to the extent feasible, which may include but are not limited to temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- All stationary construction equipment (e.g., air compressors, generators, impact wrenches, etc.) shall be operated as far away from residential uses as possible and shall be shielded with temporary sound barriers, sound aprons, or sound skins.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.
- Clearly post construction hours, allowable workdays, and the phone number of the job superintendent at all construction entrances to allow for surrounding owners to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. (N-2)

Water

149. The applicant shall provide for the allocation of groundwater pumping rights sufficient to serve the development from the Fox Canyon Groundwater Management Agency to the City of Oxnard, consistent with the MND and the ordinances and requirements of the two agencies, prior to recording the final map for the project. (W-1).

ENVIRONMENTAL RESOURCES DIVISION

150. 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.

151. 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.

152. 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. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.

153. 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 for approval on the anniversary date of the certificate of occupancy or at any such time that the facility's operational functions change significantly.

154. 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.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

155. 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 permit issuance. (DS-1)

156. 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 indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)

157. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) 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 ink-on-mylar plans filed with the Development Services Division. (DS-3)

158. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff 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)

159. Developer shall protect building pads from inundation during a 1% chance (100year) storm. (DS-5)

160. 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)

161. Developer's site improvement plans shall include an onsite sewer plan. (DS-10)

162. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)

163. Developer shall install onsite and offsite electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

164. 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. Developer 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)

165. A California licensed civil engineer 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. Submittal shall include, but not necessarily be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans, construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not approve a parcel map or final map nor issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)

166. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or 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)

167. 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 map, then at the time of public improvement plan approval. (DS-17)

168. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or 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)

169. 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)

170. 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)

171. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)

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

173. 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)

174. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria

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)

175. Prior to issuance of a grading/site improvement permit, developer shall obtain Community Development Director approval for any proposed construction phasing. The improvement plans (and associated phasing plans) shall clearly indicate any interim or offsite improvements required by City. (DS-28)

176. Developer shall retain a California licensed Civil Engineer to ensure that the construction work conforms to the approved improvement plans and specifications and to provide certified "asbuilt" plans after project completion. Developer's submittal of certified "asbuilt" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)

177. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)

178. Developer shall construct sufficient drainage facilities concurrent with rough grading operations to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way. (DS-31)

179. Developer shall design all slopes steeper than 5 (horizontal) to 1 (vertical) with a minimum 18 inch wide level area (at both top and bottom of slope) where it adjoins a wall, fence, sidewalk, trail, curb or similar improvement. (DS-32)

180. 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)

181. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Community Development Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

182. 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)

183. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)

184. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)

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

186. 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. Developer shall obtain permits from the City Engineer prior to performing tests. 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)

187. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2030 General Plan, and any applicable specific plan. (DS-48)

188. Street and road improvements shall conform to City standard plates, design criteria 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)

189. 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)

190. 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, "R" value tests of in-place soils, and approved traffic indices. (DS-53)

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

192. 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)

193. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS-69)

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

195. Developer, property owner or tenant shall participate in a Traffic Management Association (TMA) if one is formed and shall implement and participate in all programs and strategies established by the TMA. This condition shall be included in all leases and rental agreements for the project property. (TR-72)

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

197. 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)

STORMWATER QUALITY

198. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development and redevelopment projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS-78)

199. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS-81)

200. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") 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 Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

201. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to 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; 2) Requirement to 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; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)

202. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs".) Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)

203. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

204. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") in all catch basins accepting stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS-88)

205. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot paving material to clearly identify pedestrian areas. (DS-101)

206. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and drainage agreement with the adjacent property owner. (DS-104)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

STORM WATER QUALITY

207. Developer's geotechnical engineer shall perform percolation tests on the exposed bottom of all infiltration facilities immediately prior to facility construction and provide the City with a written opinion that the exposed soil layer is suitable for the proposed infiltration facility based on review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. The report shall be reviewed and approved by the project civil engineer. (DS)

208. The percolation tests for this project shall include implementation of the reduction factor specified in the "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. This reduction factor is in addition to the safety factor specified in the Technical Guidance Manual. (DS)

209. Developer shall provide evidence that all underground infiltration and/or detention systems constructed as part of this project are anticipated to have a minimum 75-year life expectancy. (DS)

210. Developer shall provide calculations demonstrating that the proposed in-line infiltration system (including pre-treatment device) is capable of safely conveying stormwater underground during a 10% chance (10-year) event without re-suspending pollutants. Calculations shall also demonstrate that nearby structures are protected during a 1% chance (100-year) event. (DS)

STORM DRAIN CONDITIONS

211. Developer's engineer shall design the site grading to provide a secondary overflow path that will provide a safe drainage path if the underground drainage system becomes obstructed. Discussion of the secondary overflow path shall be included in the project drainage report. (DS)

212. Developer shall include in the project drainage report an evaluation of the quantity of stormwater currently conveyed within Vineyard Avenue at the north property line of the project. If the quantity of stormwater exceeds City standards, Developer shall extend the proposed Vineyard Avenue stormdrain line to the north property line and construct a catch

basin inlet to convey the stormwater underground. Final design of this system is subject to approval of the Development Services Manager. (DS)

213. Developer's drainage study shall include a determination of the unused stormwater capacity of the existing 54-inch stormdrain line in Vineyard Avenue. Stormwater runoff from this project shall be designed as the lessor of the unused 54-inch pipe capacity or the discharge limits placed on the project by the Ventura County Watershed Protection Agency. (DS)

214. Developer's drainage study shall include an evaluation of the drainage patterns of adjacent parcels including, but not limited to, the parcels along the northern side of Rio School Lane. Drainage plan and report for the project shall accommodate all stormwater that enters the site and shall convey that stormwater to a safe point of discharge. (DS)

WASTEWATER CONDITIONS

215. The onsite sewer system shall be designed and constructed in accordance with public standards but shall be privately owned and maintained. (DS)

216. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of recordation of an agreement (or similar document) between parcels 1 and 2 of Tract 5998 that provides for shared use and maintenance of the proposed shared onsite sewer main. (DS)

217. Developer shall install fire hydrants along the project's Vineyard Avenue frontage as directed by the Fire Marshall. (DS)

218. Prior to submittal of site improvement plans, Developer's engineer shall propose alternative water line layouts for approval by the Development Services Manager that minimizes the length of water line constructed while accommodating the required fire hydrant and water meter locations and provides a well looped system. Water lines shall be located within paved areas of the site to greatest extent practical. (DS)

219. Developer shall redesign the proposed water system to minimize the amount of water line (including FH laterals) within landscape planters. (DS)

220. Developer shall redesign the location of proposed Fire Department Connections (FDCs) to eliminate access conflicts with parked cars. Final location to be approved by the Fire Marshall.(DS)

STREET CONDITIONS

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

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

223. Developer shall construct all motorcycle stalls of concrete per City standards. (DS)

224. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of recordation of a reciprocal access agreement (or similar document) memorializing the proposed shared driveway between parcels 1 and 2 of Tract 5998. The document shall assign management of the maintenance to a specific lot. (DS)

225. Developer shall reconstruct the northeast curb return at the existing Vineyard Avenue/Rio School Lane intersection to align with the proposed width of the new private drive aisle. (DS)

226. Prior to issuance of a grading/site improvement permit, Developer shall provide evidence of recordation of a reciprocal access and parking agreement (or similar document) memorializing the proposed shared access and parking layout benefiting parcel 2 of Tract 5998 and the lot directly north of this parcel (Assessor Parcel #145-0-154-25) along Vineyard Avenue. This condition may be waived if alternative arrangements acceptable to the Community Development Director are proposed. (DS)

<u>MISCELLANEOUS CONDITIONS</u>

227. Developer shall process the final map for Tract 5998 (PZ 17-300-03) concurrent with the site improvement plans for this project. The final map shall be processed for recordation concurrent with approval of the site improvement plans for this project. (DS)

228. Developer shall construct project trash enclosures sized to contain a minimum of five (5) 4-yard bins (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 design the trash enclosure in general conformance with the approved City Standard Plan on file with the Building & Engineering Division except that it shall be elongated to enclose additional bins. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)

229. Developer shall place existing overhead utility lines on and adjacent to the project underground in accordance with City Code in effect at the time City issues a grading/site improvement permit. The current City Code does not require the placement of lines conducting in more than 33kv underground. Prior to issuance of the grading/site improvement permit, Developer shall post security satisfactory to the Finance Director guaranteeing utility relocation including the cost of any required pole relocation. (DS)

230. Developer shall relocate existing high voltage (conducting in excess of 33kv) power poles to a location that is behind the proposed Vineyard Avenue sidewalk. (DS)

231. Developer shall properly abandon any existing sewer or water lateral extended to the site that is not used by the project. (DS)

232. Prior to issuance of a site grading permit, Developer shall provide evidence that all existing onsite water wells (whether operational or not) have been properly destroyed in accordance with California Department of Water Resources standards. The City is currently aware that at least 2 water wells have been previously drilled on this site. (DS)

TRAFFIC CONDITIONS

233. Developer shall install LED solar lighting on the existing bus shelter located between Ventura Boulevard and the proposed project. Specification shall comply with City of Oxnard standards.

234. Developer shall install "Right Turn Only" signs and pavement marking at the project's driveway along Vineyard Avenue north of Building 1 and at the intersection of Rio School Lane and Vineyard Avenue. Final location and orientation of the signs shall be approved by the City Traffic Engineer. (TR)

235. Developer shall install bike racks in accordance with the requirements of the City of Oxnard Bicycle & Pedestrian Facilities Master Plan. Bicycle racks shall be installed a maximum of 50-feet from the front entrance of the establishment where there is natural surveillance and adequate light during dark hours. Final location shall be approved by the City Traffic Engineer. (TR)

236. All roadway features designed to calm traffic speeds on internal drive aisles are subject to the review and approval of the City Traffic Engineer. (TR)

237. Developer shall provide written documentation from Caltrans indicating that Caltrans will not authorize/approve a traffic signal at the intersection of Sycamore Street and Vineyard Avenue. (TR)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day of October, 2019, by the following vote:

_____
Deidre Frank, Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 3rd day of October 2019, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

_____
Scott Kolwitz, Secretary