

Thursday, December 3, 2020
Planning Commission

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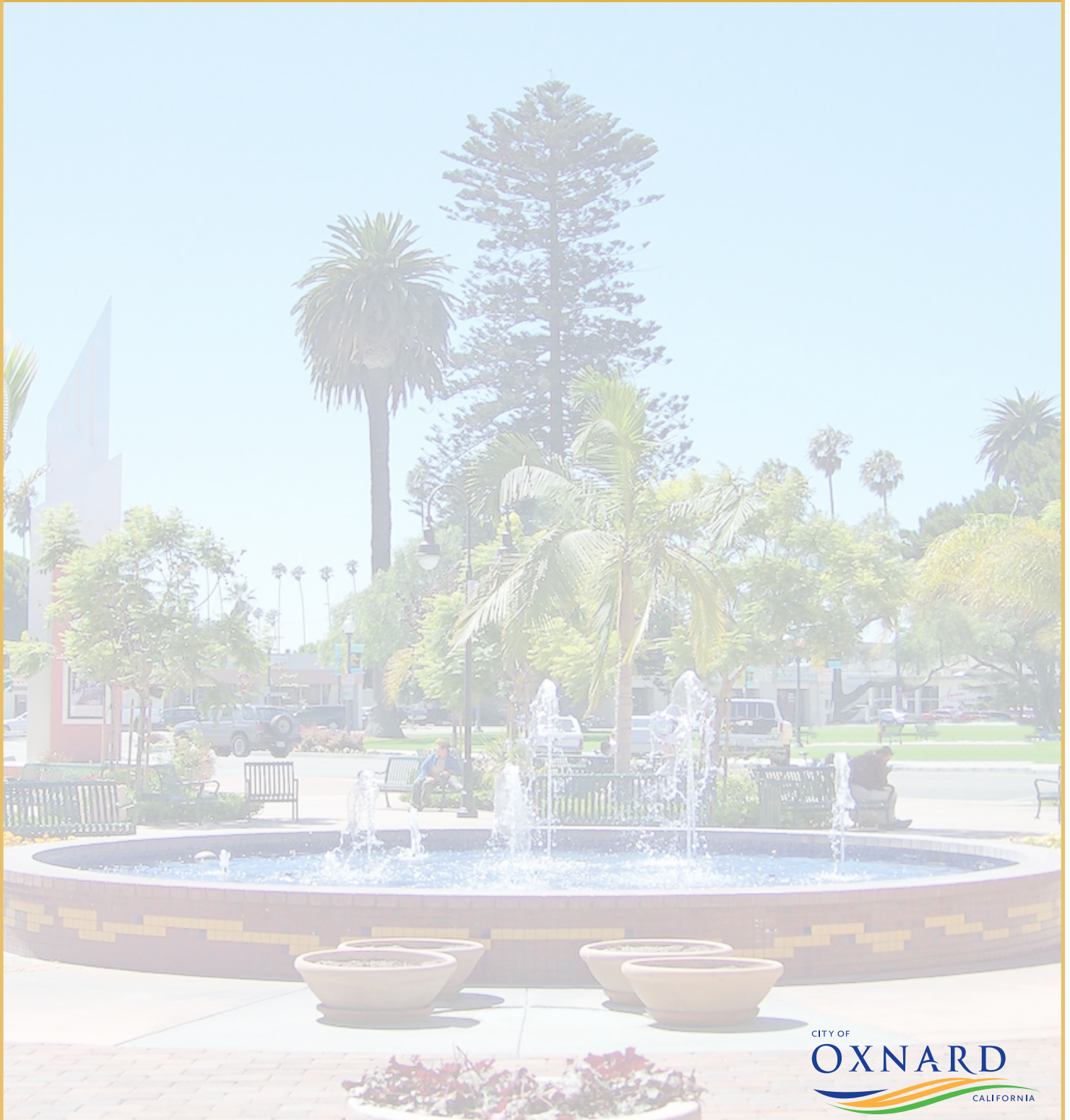
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Planning Commission Agenda

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This meeting is held pursuant to the State Emergency Services Act, the Governor's Emergency Declaration, and Governor's Executive Order N-29- 20 to allow members of the City Council or staff to participate via teleconference.

Pursuant to the Ventura County Public Health Official's order and Governor's Executive Order N-33-20, all city buildings are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online immediately following the meeting.

The public may provide comments to the Planning Commission via email at planning@oxnard.org no later than 3:00 p.m. on the day of the meeting. Please identify the meeting date and agenda item in the Subject line.

A telephone option for public comments is also available at this time due to the State of California "Stay At Home" order. Requests to speak must be submitted no later than 3:00 p.m. on the day of the meeting. Use the form on the city's website to submit your request: Oxnard.org/city-meetings, or call the Planning Division Office at (805) 385-7878, or email your request to planning@oxnard.org.

CITY OF OXNARD PLANNING COMMISSION AGENDA

REGULAR MEETING

Council Chambers, 305 West Third Street
Thursday, December 3, 2020, 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 – November 19, 2020

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

F. CONTINUED PUBLIC HEARING

1. **Project Name: Conico Oil Gas Station & Alcohol Special Use Permits** - Planning and Zoning Permit Nos. 20-500-02 (Special Use Permit) and 20-510-08 (Special Use Permit - Alcohol): A request of Special Use Permits (SUP) to construct a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building and the project includes a request to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) License Type 20) limited to 7:00 a.m. to 12:00 a.m. (midnight) daily on a 1.18-acre undeveloped lot

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.

located at Lot 1 of Tract 6004 (APN: 132-0-470-035) within District C of the RiverPark Specific Plan south of Town Center Drive, to the west of North Oxnard Boulevard and east of North Ventura Road. Filed by Jun Kim, Designated Agent, on behalf of property owner Shea Properties, LLC, 130 Vantis #200, Aliso Viejo, CA 92656.

Project Planner: Randy Baez, Assistant Planner

Recommendation:

That the Planning Commission approve the Project, as submitted, subject to certain findings and conditions. Pursuant to the California Environmental Quality Act (CEQA), an environmental impact report (EIR No. 00-03) was prepared to analyze potential impacts associated with the approval and implementation of the RiverPark Specific Plan (RPSP) and the anticipated build-out of the 701-acre Specific Plan area. As the proposed use and development is consistent with the RPSP, no additional environmental review is required pursuant to Public Resources Code Section 21166 and Section 15162 through 15164 of the State CEQA Guidelines.

G. STUDY SESSION/REPORTS

H. PLANNING COMMISSION BUSINESS

I. COMMUNITY DEVELOPMENT STAFF UPDATES

J. ADJOURNMENT

FUTURE MEETINGS

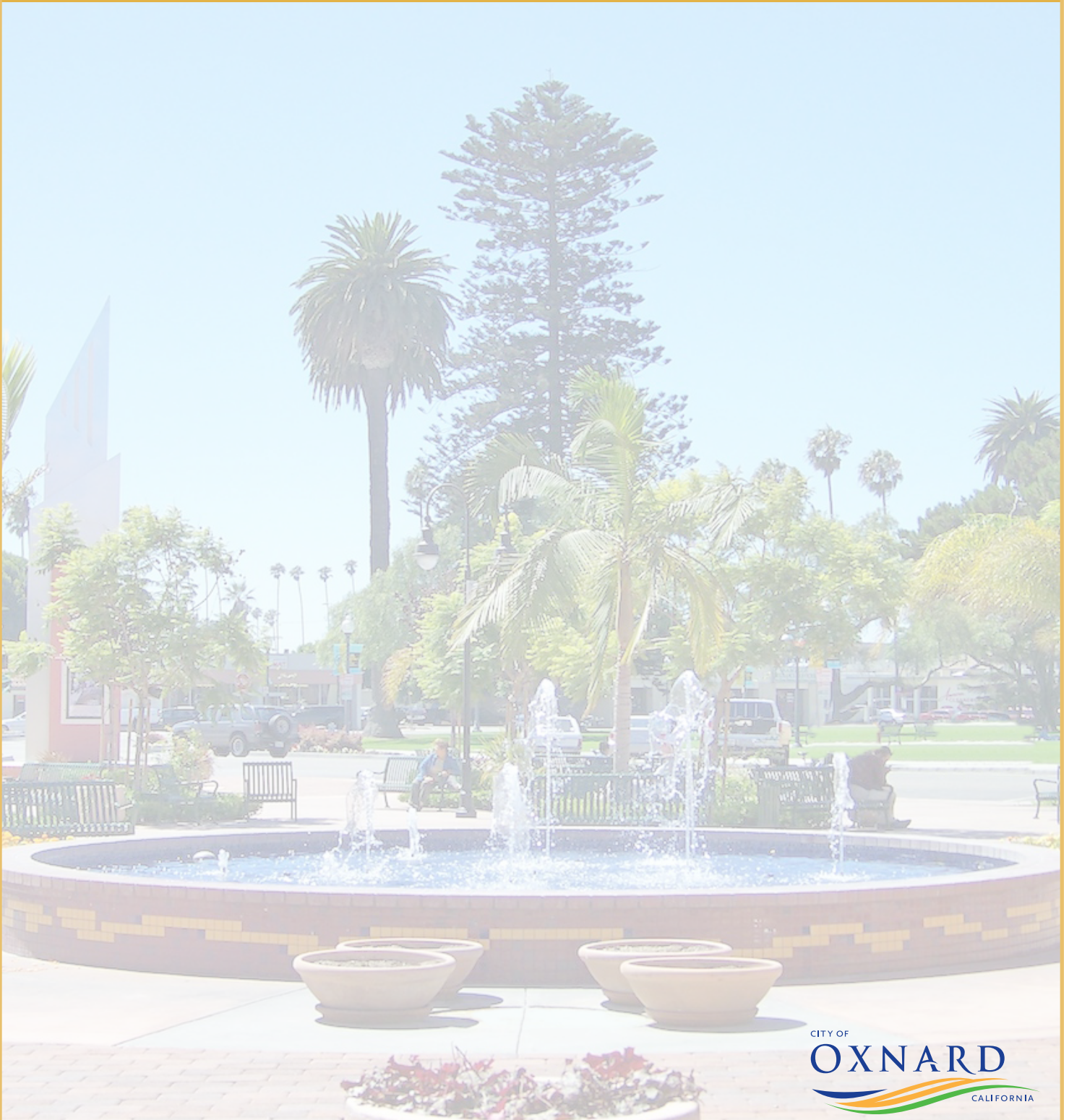
Thursday, December 17, 2020, 6:00 p.m., City Council Chambers

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.

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.

Planning Commission Minutes

PLAN



MINUTES
OXNARD PLANNING COMMISSION
SPECIAL MEETING
November 19, 2020

A. ROLL CALL

1. At 6:03 p.m., the special meeting of the Oxnard Planning Commission convened in the Council Chambers. Chair Frank announced pursuant to Governor Newsom's Executive Order N-29-20, members of the Planning Commission or staff may participate in meetings via teleconference.
2. Chair Frank (via videoconference), Vice Chair Sanchez (via videoconference), Commissioners Chavez (via videoconference), Dozier (via videoconference), Fuhring (via videoconference) and Meyer (via videoconference) were present.
3. Staff members present were: Scott Kolwitz, Planning & Environmental Services Manager; Juan Martinez, Associate Planner; Ken Rozell, Chief Assistant City Attorney; and Dee Lai, Recording Secretary.
4. Chair Frank presided and called the meeting to order.

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

1. Commissioner Chavez led the pledge of allegiance.

C. PUBLIC COMMENTS - On Items Not On The Agenda

1. None

D. CONSENT AGENDA

1. APPROVAL OF MINUTES - October 29, 2020

MOTION: Chair Frank moved and Commissioner Fuhring seconded a motion to approve the minutes of October 29, 2020 with a correction on item I-1 subsection vii which states: "Three Commissioners (Dozier, Fuhring, and Dozer) terms are ending on December 31, 2020." The sentence should state "Three Commissioners (Dozier, Fuhring, and Sanchez) terms are ending on December 31, 2020."

VOTE: Chair Frank, Vice Chair Sanchez, and Commissioners Dozier, Fuhring and Meyer voted in favor. Commissioner Chavez abstained. The motion carried 5:0:0:1:0¹.

¹ In Favor: Against: Absent: Abstain: Recused

2. APPROVAL OF MINUTES - November 5, 2020

MOTION: Commissioner Chavez moved and Commissioner Meyer seconded a motion to approve the minutes of November 5, 2020, with a correction on item F-1 subsection 1.a to retain a sentence that was crossed out and to update the height from “57 feet tall” to “77 feet tall”. The motion should include the sentence which states “The wireless communication facility shall be a maximum of 77 feet tall (as measured to the top of the faux tree’s canopy).” The final edited language for Planning Division Special Condition number 24 shall read as follows: “In order to be less prominently visible from the Financial Square right-of-way, the proposed wireless communications facility shall be located on the eastern side of the existing building in a location that is approximately no less than 50 feet northerly of the proposed location at the southeastern corner of the building. The wireless communication facility shall be a maximum of ~~57~~77 feet tall (as measured to the top of the faux tree’s canopy). ~~The wireless communications facility shall be constructed at a height less than 69 feet tall if comparable coverage can be provided as demonstrated in RF propagation maps, and other supporting documents, while meeting general project objectives. The exact location and height shall be reviewed and approved by the Planning Manager, in consultation with a third party licensed subject matter expert (third party review shall be paid by the applicant), prior to the applicant submitting construction plans to the Building and Engineering Division for plan check. See the related height FCC exposure limits Condition No. 25.~~”

VOTE: Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. Chair Frank abstained. The motion carried 5:0:0:1:0².

3. Adoption of the 2021 Planning Commission Meeting Calendar

MOTION: Commissioner Chavez moved and Chair Frank seconded a motion to adopt the 2021 Planning Commission Meeting Calendar, as submitted.

VOTE: Chair Frank, Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 6:0:0:0:0³.

E. EX PARTE DECLARATIONS FOR PUBLIC HEARING ITEMS

1. The Planning Commissioners did not have any ex parte communications to report for Items F-1 or F-2.

² In Favor: Against: Absent: Abstain: Recused

³ In Favor: Against: Absent: Abstain: Recused

F. PUBLIC HEARING

1. **Project Name: G & G Tires Special Use Permit** - Planning & Zoning Permit No. 20-520-01 (Special Use Permit): A request to allow an automotive retail tire repair store with related uses and services within a vacant 7,900 square-foot building located on a site that is within the General Commercial (C-2) zone and is located at 3000 Saviers Road (APN 219-0-017-145). The developed 30,888 square foot site is currently unoccupied but historically has been occupied by retail tire repair stores since the building was constructed by Goodyear Tires back in 1969. Filed by designated agent Joseph Mizrahi with Kornland Building, on behalf of Joel Garcia with G & G Tires, 8222 Melrose Avenue, # 200 Los Angeles, California 90046.

Project Planner: Juan Martinez, Associate Planner

Recommendation:

That the Planning Commission approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and Approve Resolution 2020-21 for Planning and Zoning Permit No. 20-520-01 (Special Use Permit), subject to certain findings and conditions.

The Planning Commissioners did not have any ex parte communications to report for Items F-1.

Associate Planner, Juan Martinez, provided a presentation outlining the request.

The applicant's Architect, Juan M. Godinez did not provide a presentation but was available for questions.

Chair Frank opened the public comments portion of the public hearing.

No public verbal comments were received in support of or against Item F-1.

No public written comments were received in support of or against Item F-1.

Chair Frank closed the public comments portion of the public hearing.

Discussion ensued among the Commissioners and staff. Commissioners asked general questions about the business, but no concerns were raised.

MOTION: Chair Frank moved and Commissioner Dozier seconded a motion to approve G & G Tires Special Use Permit, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and Approve Resolution 2020-21 for Planning and Zoning Permit No. 20-520-01 (Special Use Permit), subject to certain findings and conditions.

VOTE: Chair Frank, Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 6:0:0:0⁴.

2. **Project Name: Conico Oil Gas Station & Alcohol Special Use Permits** - Planning and Zoning Permit Nos. 20-500-02 (Special Use Permit) and 20-510-08 (Special Use Permit - Alcohol): A request of Special Use Permits (SUP) to construct a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building and the project includes a request to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) License Type 20) limited to 7:00 a.m. to 12:00 a.m. (midnight) daily on a 1.18-acre undeveloped lot located at Lot 1 of Tract 6004 (APN: 132-0-470-035) within District C of the RiverPark Specific Plan south of Town Center Drive, to the west of North Oxnard Boulevard and east of North Ventura Road. Filed by Jun Kim, Designated Agent, on behalf of property owner Shea Properties, LLC, 130 Vantis #200, Aliso Viejo, CA 92656.

Project Planner: Randy Baez, Assistant Planner

Recommendation:

That the Planning Commission approve the Project, as submitted, subject to certain findings and conditions. Pursuant to the California Environmental Quality Act (CEQA), an environmental impact report (EIR No. 00-03) was prepared to analyze potential impacts associated with the approval and implementation of the RiverPark Specific Plan (RPSP) and the anticipated build-out of the 701-acre Specific Plan area. As the proposed use and development is consistent with the RPSP, no additional environmental review is required pursuant to Public Resources Code Section 21166 and Section 15162 through 15164 of the State CEQA Guidelines.

Staff recommended that agenda item F-2 be continued to date certain, December 3, 2020.

MOTION: Chair Frank moved and Commissioner Chavez seconded a motion to continue the agenda item F-2 to date certain, December 3, 2020.

VOTE: Chair Frank, Vice Chair Sanchez, Commissioners Chavez, Dozier, Fuhring and Meyer, voted in favor. The motion carried 6:0:0:0⁵.

G. STUDY SESSION/REPORTS

1. None

H. PLANNING COMMISSION BUSINESS

1. Chair Frank commented that although she wasn't present at the November 5, 2020 meeting, she watched the video. She commented that she would like to see general details reflected in the minutes regarding the Commissioner's discussions and/or

⁴ In Favor: Against: Absent: Abstain: Recused

⁵ In Favor: Against: Absent: Abstain: Recused

concerns. Commissioners Dozier and Meyer commented that they agreed with Chair Frank's comment if it's not unduly burdensome to staff.

2. Vice Chair Sanchez commented that the last two meetings were good, and they were worth the Planning Commission's time.

I. COMMUNITY DEVELOPMENT STAFF UPDATES

1. Scott Kolwitz, Planning & Environmental Services Manager announced:
 - i. On November 17, 2020, the City Council approved the The Village Specific Plan, the Tentative Map Revision and the Development Agreement without making any changes to the Planning Commission's recommendations from October 29, 2020.
 - ii. On November 17, 2020, the City Council took final actions on the Zoning Text Amendment to Create Regulations for Short Term Rentals and Acceptance of three California Coastal Commissions Modifications. The California Coastal Commission is anticipated to take final action on this item on December 10, 2020.
 - iii. The next Planning Commission meeting will be on December 3, 2020 at 6:00 p.m. The only item on that agenda will be the Conoco Gas Station which was continued from tonight's meeting.

J. ADJOURNMENT

1. At 6:40 p.m., the Planning Commission concurred to adjourn.

FUTURE MEETINGS

Thursday, December 3, 2020, 6:00 p.m., City Council Chambers

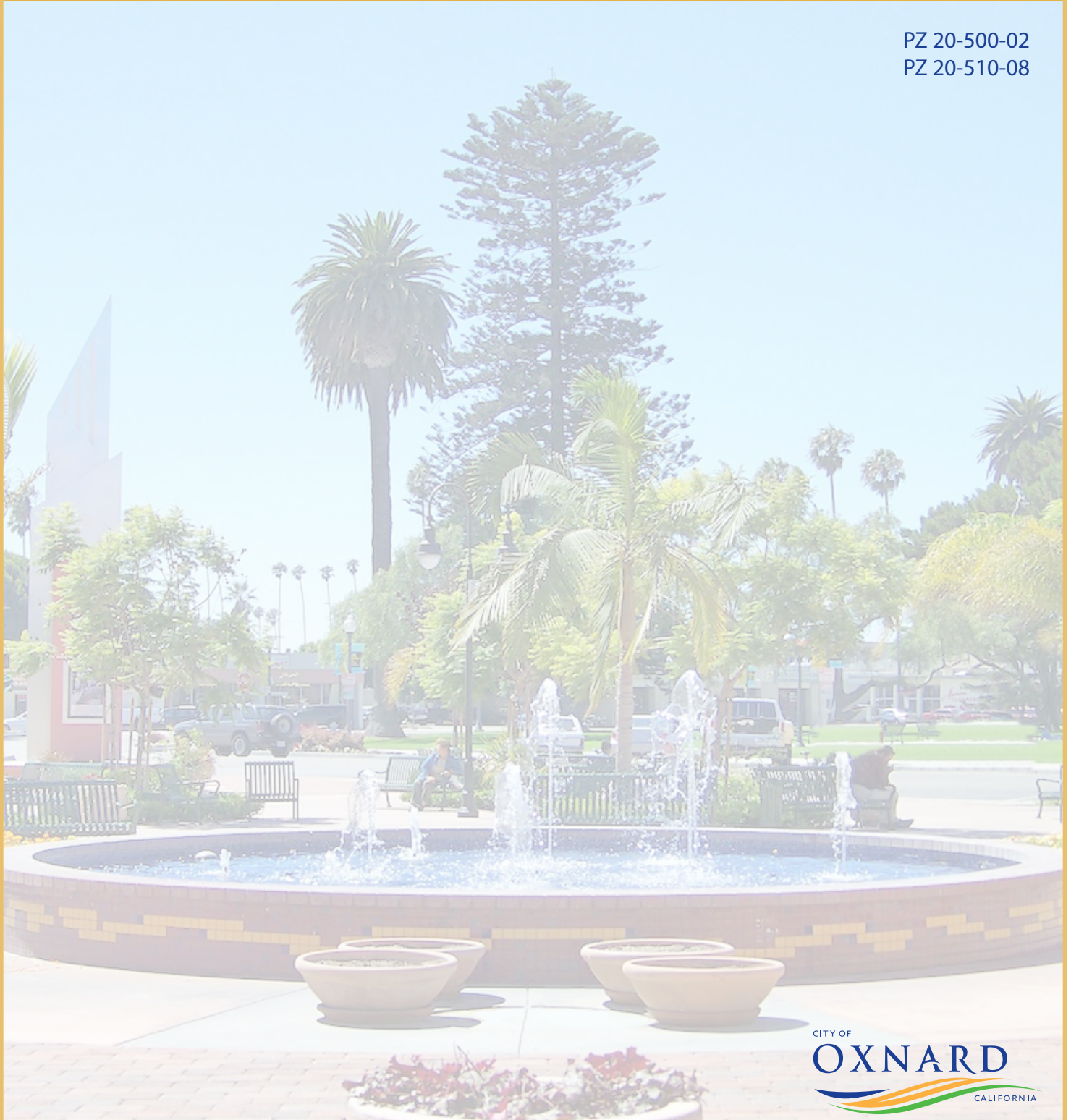
Deirdre Frank,
Chair

ATTEST _____
Scott Kolwitz,
Planning & Environmental Services Manager

Planning Commission Staff Report

PLAN

PZ 20-500-02
PZ 20-510-08



**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Planning Commission

FROM: Randy Baez, Assistant Planner

DATE: December 3, 2020

SUBJECT: **Project Name: Conico Oil Gas Station & Alcohol Special Use Permits;** Planning and Zoning Permit No. 20-500-02 (Special Use Permit) and 20-510-08 (Special Use Permit - Alcohol): Located on Lot 1 of The Landing (APN: 132-0-470-035).

- 1) **Recommendation:** That the Planning Commission approve the Project, as submitted, finding the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development), and approve Resolution 2020-XX for Planning and Zoning Permit Nos. 20-500-02 (Special Use Permit) and 20-510-08 (Special Use Permit - Alcohol), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to construct a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building, an associated parking lot for 27 vehicles, and landscaping and infrastructure improvements, and the project includes a request to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) License Type 20¹) 7:00 a.m. to 12:00 a.m. (midnight) daily. All project site is a 1.18-acre undeveloped lot located at Lot 1 of Tract 6004 (APN: 132-0-470-035), within District C (West Corridor Commercial) of the RiverPark Specific Plan (RPSP) south of Town Center Drive, to the west of North Oxnard Boulevard and east of North Ventura Road (Attachment A). For purposes of this staff report, the foregoing project description shall be referred to as the “**Project**”. Filed by Conico Inc., Jun Kim, 4520 East Thousand Oaks, CA 91362, designated agent (the “**Applicant**”) on behalf of Shea Properties, LLC, 130 Vantis Suite 200, Aliso Viejo, CA 92656-2691, property owner.

Please see the reduced Project plans (Attachment B) for more details.

¹ ABC License Type 20 (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.

PZ 20-500-02 and 20-510-08, Lot 1 of The Landing at RiverPark
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- 3) **Existing & Surrounding Land Uses:** The Project site is a vacant undeveloped parcel located within District C (West Corridor Commercial) of the RPSP area. Office uses are located to the northwest and northeast of the site. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated below in Exhibit A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional (CR)	RiverPark Specific Plan - West Corridor Commercial (WCC)	Vacant/Undeveloped
North	Public Right-of-Way (Town Center Drive)	Public Right-of-Way (Town Center Drive)	Public Right-of-Way
South	Commercial Regional (CR)	RiverPark Specific Plan - West Corridor Commercial (WCC)	Oakmont Senior Living
East	Commercial Regional (CR)	Riverpark Specific Plan - West Corridor Commercial (WCC)	Vacant/Undeveloped (future site of Chick-Fil-A restaurant/ PZ No. 20-200-08)
West	Commercial Regional (CR)	Riverpark Specific Plan - West Peripheral Commercial (WCC)	Vacant/Undeveloped



Exhibit A

- 4) Background Information:** The proposed development is within Planning District C “West Corridor Commercial District” of the RPSP, which was approved in 2012. Pursuant to Section 2.5.2.3 of the RPSP, Planning District C allows for commercial land uses, including but not limited to retail, restaurants, coffee shops, hotels, banking establishments, and convention facilities. In August 2018, two multi-story hotels were approved through a Development Design Review (DDR) permit (Planning & Zoning Permit Nos. PZ 17-200-07 and 17-200-08) by the Director. Their respective sites are located southeast of this Project site. An existing private street providing access to the hotels from Town Center Drive has been constructed. Additionally, an assisted living facility known as Oakmont Senior Living (Planning & Zoning Permit Nos. 16-200-04 and 16-200-05) has recently finished construction directly south of the Project site, and in June 2020, several additional commercial buildings with drive-throughs to the east of the site along Town Center Drive were approved by the Community Development Director (Planning & Zoning Permit Nos. 19-200-14 and 19-200-17).

The Project lot was created through Planning & Zoning Permit No. 17-300-08 (Tentative Tract Map 6004). On November 27, 2018 the Oxnard City Council adopted Resolution No. 15,181 to subdivide the Project area into six (6) lots for future commercial use within the area known as Planning District C of the RiverPark Specific Plan area. The area is commonly known as The Landing at RiverPark. This Project is the fourth of the 6 commercial projects proposed at The Landing.

The Project was scheduled to be reviewed by the Planning Commission on November 19, 2020. However, the Project was continued to the following Planning Commission date of December 3, 2020. Project conditions found within the Resolutions were updated to reflect both applicant and City review. Specifically, Development Division and Stormwater conditions were replaced within Draft Resolution of Approval - PZ 20-500-02 (Special Use Permit), and Police Condition 51 regarding a uniformed security guard was removed from Draft Resolution of Approval PZ 20-510-08 (Special Use Permit - Alcohol).

- 5) Environmental Determination:** In accordance with the California Environmental Quality Act (CEQA), an environmental impact report (EIR No. 00-03) was prepared to analyze potential impacts associated with the approval and implementation of the RPSP and the anticipated build out of the 701-acre specific plan area. On July 16, 2002, the City Council adopted Resolution No. 12,209, upholding the Planning Commission’s decision certifying the final EIR (State Clearinghouse No. 2000051046), and adopting findings of fact, statement of overriding considerations, and a mitigation monitoring and reporting program.

PZ 20-500-02 and 20-510-08, Lot 1 of The Landing at RiverPark
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In accordance with Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of CEQA. The Project consists of the construction of a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building designed to be consistent with the Commercial Regional (CR) General Plan land use designation, as well as with the West Corridor Commercial District of the RPSP. Additionally, the project includes a request to sell beer and wine for off-site consumption (ABC License Type 20) 7:00 a.m. to 12:00 a.m. (midnight) daily. The proposed development is located on a 1.18-acre site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. Therefore, staff recommends the Planning Commission accept the Notice of Exemption (Attachment C) attached to the staff report.

6) Analysis:

- a) **General Discussion:** The Applicant proposes the construction of a commercial building with an associated parking lot and related site improvements. The Project involves a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building in support of a service station use (Conico Oil). Additionally, the project includes a request to sell beer and wine for off-site consumption (ABC License Type 20) 7:00 a.m. to 12:00 a.m. (midnight) daily.

Access to the site will be provided via an existing private street within The Landing, which was previously approved through Planning & Zoning Permit No. 16-200-04. Reciprocal Easement and Maintenance Agreement No. 20170602-00071677-0 has been recorded with the County of Ventura to allow shared access to the adjacent properties within The Landing.

In accordance with the RPSP, construction of the Project and ability to sell alcohol is subject to approval of Special Use Permits (SUP) by the Planning Commission.

- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Commercial Regional (CR), which allows offices, restaurants, retail sales, and other similar uses. The proposed Project will allow for these types of land uses to be established in the future. Approval of these SUPs have been determined to be consistent with the 2030 General Plan and the property's land use designation.

Consistency with the 2030 General Plan is defined by the relationship between 2030

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General Plan policies 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).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-1.2	II	In-fill development, priority to mixed use	The Project site is within a developed area of the City and qualifies as infill.
CD 9.2	I	Revitalization and Redevelopment	The development will improve an empty lot near the 101-Freeway with a landscaped parking lot and a service station and car wash building.
ER-10.1	I	Promote use of Native and Water Wise Plants and Water Supply Findings for Smaller Projects	The Project incorporates native and water wise plants and is conditioned to comply with City's Landscape and Water Conservation Standards (Ordinance No. 2822) and applicable water conservation requirements of the State of California.
ICS-19.2	I	Police Department Review of Development Projects	The Project was reviewed by the Police Department and their recommendations are incorporated into the conditions of approval.
CD-5.2 SH-6.4	II	Compatible Land Use	With approval of the Special Use Permit, the proposed service station and car wash building are consistent with the allowable Commercial Regional land uses and will be compatible with adjacent uses, and is not anticipated to generate nuisances.
CD-15.6	II	Share of regional taxable sales	The Project will provide new tenant spaces for businesses, which will generate retail tax sales revenue to the City.
CD-14.1 CD-14.2	II	Design review process Development Advisory Committee (DAC) functions	The Development Advisory Committee (DAC) review process led to changes in the Project and/or conditions of approval that meet these Level II policies.
CD-18.1 CD-18.5	II	Attract new businesses Increase the availability of land for new businesses	The Project will provide for more tenant options to businesses/companies to open a new business or relocate to the City.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project.

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- c) **Conformance with RiverPark Specific Plan Standards:** The proposed development is located in the West Corridor Commercial zone district of the RPSP. In accordance with Chapter 7 (Implementation) of the RPSP, the proposed service station and car wash commercial buildings may be permitted with an approved Special Use Permit. The proposed development was reviewed by the Town Master Planner/Architect (TMP) in accordance with Section 7.8.2.4 of the RPSP and has been found to be in conformance with the RPSP.

The RPSP design guidelines for Building Type 6-C (Outparcel Commercial) were utilized for the Project. The Project complies with the development requirements for this building type, as outlined in the table below. The Applicant worked closely with the Development Advisory Committee to ensure building location, massing, height and character is compatible with existing and anticipated development on the subject property and vicinity. The TMP and staff have determined that Project is consistent with the design intent, product type specifications, and design standards of the RPSP, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES ?
Building Envelope			
Lot Coverage	Max: 50%	10.6%	Yes
Building Height	Min: 1 Floor / Max: 5 Floors (75 FT)	1 Floor	Yes
Front Setback	Min: 0 FT	>45 FT	Yes
Side Setback	Min: 10 FT	10 FT	Yes
Rear Setback	10 FT Minimum	10 FT	Yes
Parapet Encroachment	2 FT Max	0 FT	Yes
Canopy/Awning Encroachment	5 FT Max	0 FT	Yes
Building Orientation and Use			
1. Building uses shall be in accordance with Diagram A and the Regulatory Plan. 2. Buildings shall orient to the street. 3. Building uses shall be identifiable from adjacent streets. 4. The main building entrance shall be along the primary street frontage. 5. Entrances other than the main building entrance shall be permitted along secondary street frontages and paseos. 6. Deviations from Development Standards - Refer to		Consistent with all guidelines.	Yes.

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Chapter 7			
Service Requirements			
1. All Services shall be located at the side or rear of the site 2. Service areas such as garbage collection, mechanical equipment, and substations shall be screened from streets or parking.		Service areas and utilities are screened.	Yes
Other Requirements			
Parking Landscape Buffer	10 feet along perimeter of parking and drive aisles	>10 feet	Yes
Off-Street Parking “Auto repair, automobile service station and auto parts sales”	3 spaces for each service bay, plus one space for every 300 square feet of retail parts sales areas = 11 spaces	27 spaces	Yes, with attached Parking Management Study, as recommended by Traffic Engineer
Loading Zones	1 loading zone required As determined by the Director based on the nature of the use and operations	One loading zone	Yes, as recommended by Traffic Engineer

- d) **Site Design, Circulation and Parking:** The Project will be accessed from an existing street to the northwest of the property (Ventura Road), with egress to the northeast of the property through Town Center Drive. The Project will also be accessed from the south through a private street which was previously approved through Planning & Zoning Permit No. 16-200-04.

Primary access to the project site will be provided to the northwest of the property via Ventura Road, through a one-way only driveway. This ingress will allow for access through 2 drive aisles, one to the north of the proposed canopy and one to the south of the canopy, in front of the convenience store. Egress will be provided to the northeast of the property through a shared driveway towards Town Center Drive. Secondary access to the project site will be provided via a private street directly to the east/southeast of the property, sharing access with Lot 2 of The Landing (future site of proposed Chick-Fil-A restaurant).

This permit allowed the development of an access roadway, landscaping, lighting, and off-site improvements, including a new traffic light off of Town Center Drive. The driveway to this Project has been approved by the Traffic Engineer to allow for a sufficient distance from the traffic from that intersection. In addition, a reciprocal access agreement is proposed to allow for access between this property (Lot 1) and the adjacent

property to the east (Lot 2) and future development of the property further to the east (Lot 3).

In accordance with Oxnard City Code (OCC) Section 16-622, parking will be provided at a rate of one space per 300 square feet of gross floor area for an automobile service use. As a result, 27 parking spaces are proposed. No vacuum stations are proposed for the ancillary car wash; therefore, no additional parking was required. However, stacking for the car wash allows for approximately 8 vehicles. Consistent with RiverPark Specific Plan Section 6.2.5.2, a parking management plan (Attachment D) was also incorporated and reviewed to demonstrate that there is sufficient parking as proposed.

- e) **Building Design:** The proposed gasoline station will feature 6 pumps under a canopy located near the center of the property, with a 3,442 square-foot convenience store to the south. A small 1,160 square-foot express car wash is located to the rear of the convenience store, while an ancillary 875 square-foot storage building is tucked into the southwest corner of the property.

The proposed convenience store building features a facade with contemporary stucco and a cultured stone veneer base. In addition, the entryway features a wood-like, dark cherry aluminium siding. Likewise, the proposed car wash and car wash storage building will feature matching stucco and dark grey metal roofing. The entrance and exit facades for the car wash building will also feature the same wood-like aluminum siding. Red-accented metal canopies and metal reveals also provide a break in elevations, consistent with Policy 9 of the Building Design Principles of the City's Design Guidelines.

- f) **Landscaping:** The Project will provide landscape areas throughout the site that will feature low water use, native and regionally adapted plants including grasses, succulents, and trees. Additionally, 50 trees will be added throughout the property, which will assist in meeting the requirement of 1 tree for every 40 feet of property line. Public right-of-way landscaping has already been installed as part of the new traffic light system at the corner of Ventura Road and Town Center Drive.

- g) **Police Department Review:**

The Oxnard Police Department provided a comprehensive report and analysis of the proposed alcohol request (Attachment E) in accordance with City Council Resolution No. 11,896 (Attachment F). The report analyzes the number of establishments selling alcoholic beverages within 350 feet and 1,000 feet of the Project site to determine whether a presumption of undue concentration exists, and whether approval of the SUP is likely to significantly aggravate policing problems. The Police Department's Report is broken down into an analysis of the concentration of alcohol outlets, crime statistics,

PZ 20-500-02 and 20-510-08, Lot 1 of The Landing at RiverPark
Planning Commission Date: December 3, 2020
Page 9 of 12

police and community input, and conclusion. The table below summarizes the findings of the Police Department's Report:

Location	Same type within 350 feet?	Same type within 1,000 feet?	Likely to cause Police problems?	Undue Concentration as defined in Resolution 11,896?	Undue Concentration as defined in §23958.4 Business and Professions Code
901 Town Center Drive (Oakmont of RiverPark Senior Living)	No, it is a Type 63	No, it is a Type 63	No, as conditioned	No	Yes
750 Clyde River Drive (Clearwater at RiverPark Restaurant)	No	No, it is a Type 47	No, as conditioned	No	Yes

Concentration of Alcohol Outlets:

According to the Police report, there are no establishments of the same type located within 1,000 feet of the subject property. There is one establishment located within 350 feet of the subject property (Oakmont of RiverPark Senior Living) that currently operates with a ABC License Type 63² (On-Sale Special Beer and Wine Hospital), and there is one establishment located between 350 feet and 1,000 feet of the subject property (Clearwater at RiverPark Restaurant) that currently operates with ABC License Type 47³ (Off-Sale Beer & Wine).

² ABC License Type 63 (On-Sale Special Beer and Wine Hospital) This license allows for the sale and service of beer and wine to patients or residents of a licensed hospital, convalescent home or rest home.

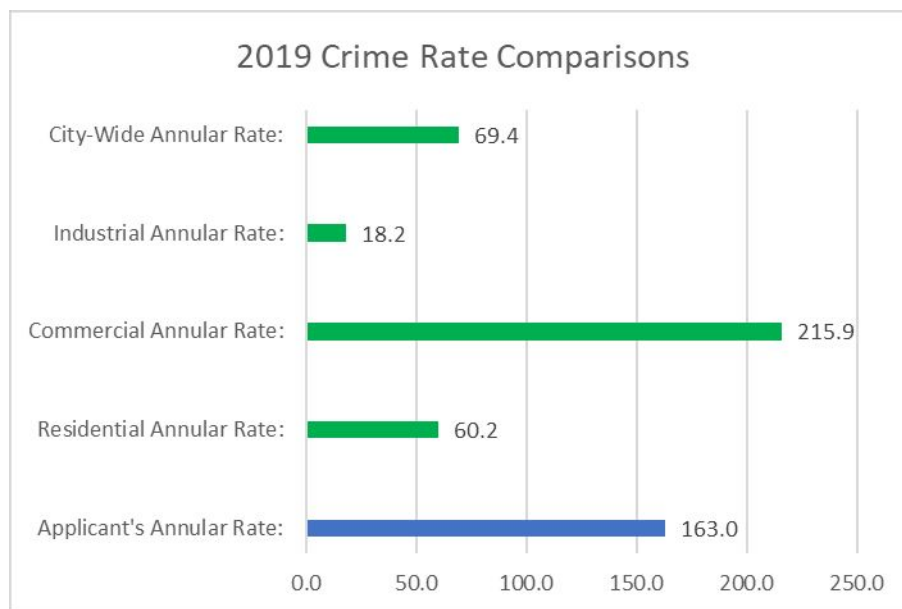
³ ABC License Type 47 (On-Sale General - Eating Place) (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

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Planning Commission Date: December 3, 2020
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The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards, but there is undue concentration under State Standards. However, the presumption of the undue concentration can be rebutted in the interest of public convenience or necessity.

Crime Statistics:

For comparison purposes, the Police Report analyzes the average number of Part I⁴ crimes and Part II⁵ crimes that occur per reporting district (grid) during a selected twelve month period. In the case of this report, all calculations are based on statistics from 2019. The citywide annular average of Part I and Part II crimes per grid is currently 69.4. The average number of Part I and II crimes occurring within 1,000 feet annular area of this package store was 163 during the same twelve month time period. This is 75.5% of the average for commercial properties citywide; therefore, the local crime rate is higher than the city-wide annular rate but lower than the commercial annular rate when compared to other parts of the City. This is best illustrated in the graph below:



Police and Community Input:

The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

⁴ Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.

⁵ Part II crimes include: vandalism, weapons possession, sex offenses, drug abuse violations, driving under the influence, liquor laws, drunkenness, and disorderly conduct.

PZ 20-500-02 and 20-510-08, Lot 1 of The Landing at RiverPark
Planning Commission Date: December 3, 2020
Page 11 of 12

The Neighborhood Chairperson was contacted and briefed concerning this application. She stated that when “The Landing” was proposed during a Community Forum several points were discussed concerning the establishment of the convenience store/gas station. The points which neighborhood members strongly supported included no sales of alcohol beyond midnight and that a security guard would be present during hours of darkness to dissuade homeless loitering. Otherwise, the neighborhood supports the proposed permit.

Conclusion:

As previously discussed, there is no undue concentration of alcohol establishments under the standards established by the City of Oxnard. However, there is undue concentration under the standards established by the State of California. This undue concentration can be rebutted as the site’s crime rate is lower than the citywide average for commercial properties and the business will serve public convenience and necessity.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the service of alcoholic beverages at this business will have little, if any adverse impact on the community or policing services. Several conditions of approval have been incorporated into the draft resolution of approval (Attachment H) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

- 7) **Development Advisory Committee:** The Project was reviewed by the Development Advisory Committee (DAC) on May 27, 2020. Conditions of approval from DAC are included in the attached resolution.
- 8) **Community Workshop and Public Input:** A Community Workshop was held on September 21, 2020. Three members of the community were present at the Community Workshop for this item. One member of the community was opposed to an additional gasoline station within the city. An additional member of the community had comments regarding the site design and location of the convenience store, relative to the public streets.
- 9) **Appeal Procedure:** In accordance with OCC Section 16-525 of the City Code, the Planning Commission’s action on Planning and Zoning Permit Nos. 20-500-02 and 20-510-08 (SUP) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the Planning Division’s Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission’s decision, the decision of the Planning Commission shall be considered final.

PZ 20-500-02 and 20-510-08, Lot 1 of The Landing at RiverPark
Planning Commission Date: December 3, 2020
Page 12 of 12

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Parking Management Plan
- E. Police Department Report
- F. City Council Resolution No. 11,896
- G. Draft Resolution of Approval - PZ 20-500-02 (Special Use Permit)
- H. Draft Resolution of Approval PZ 20-510-08 (Special Use Permit - Alcohol)

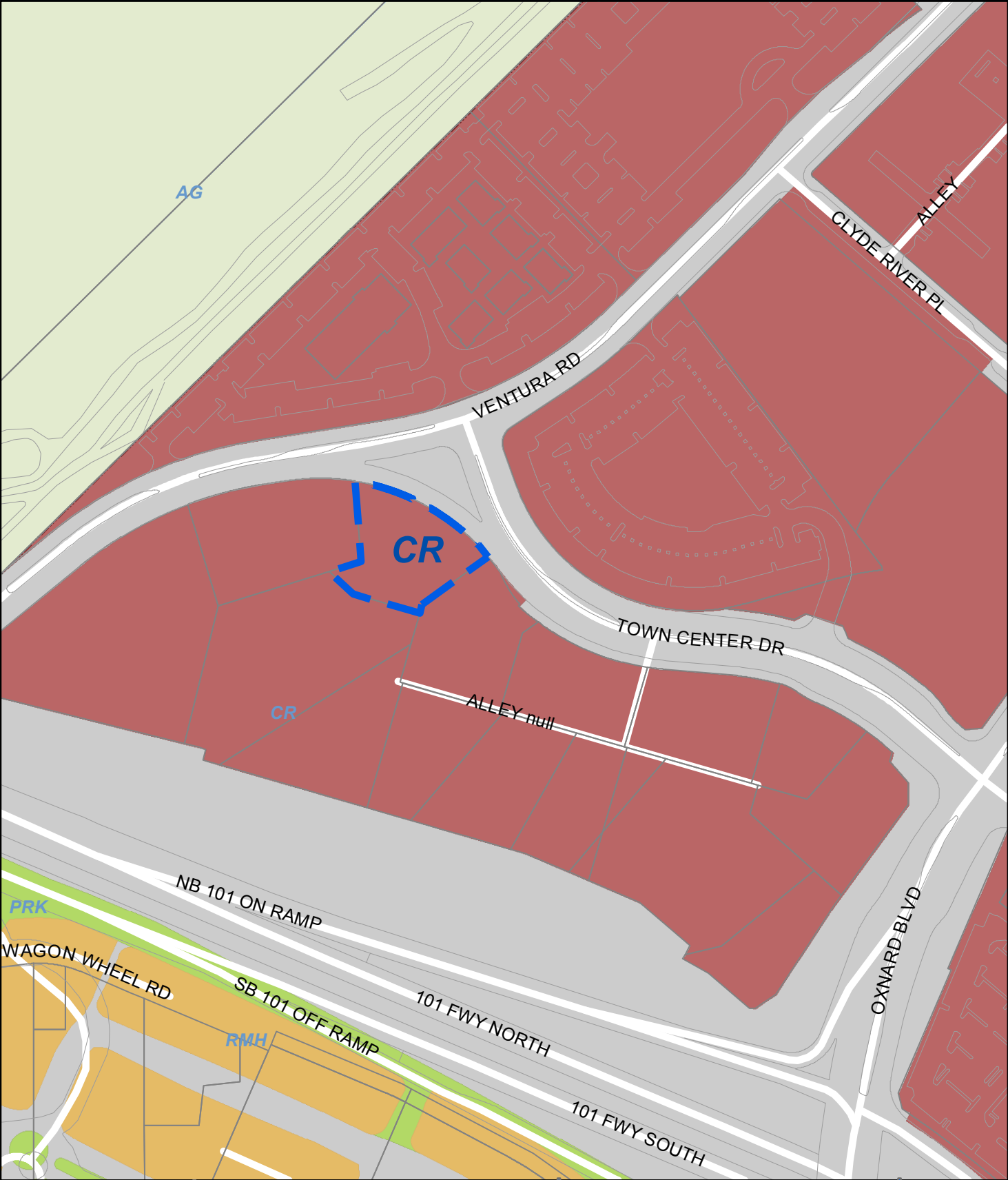
ATTACHMENT A

**MAPS
(VICINITY, GENERAL PLAN, ZONING MAP)**

Vicinity Map

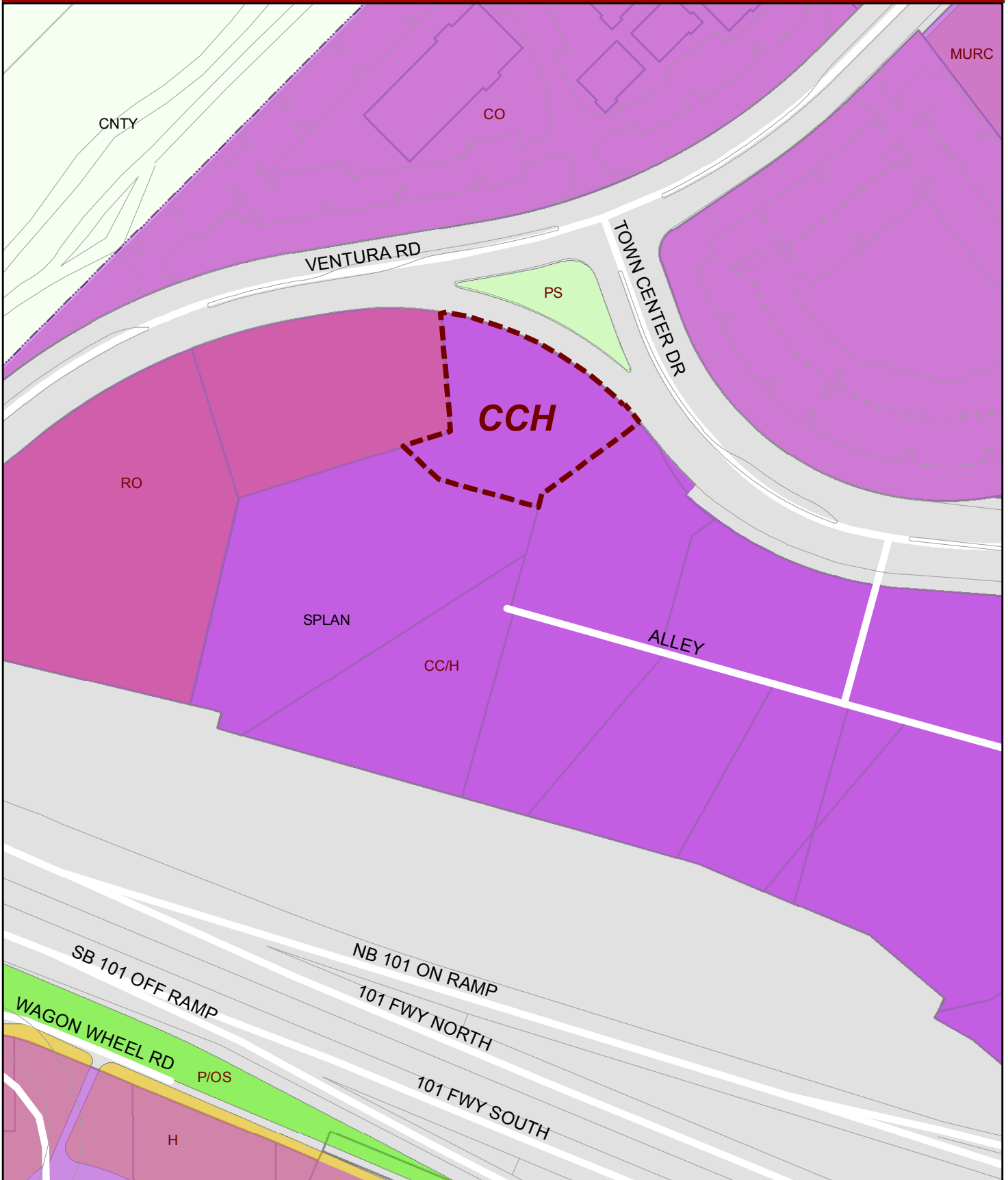


2030 General Plan Land Use Map



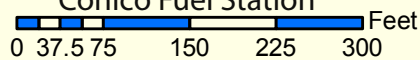
CITY OF OXNARD CALIFORNIA Oxnard Planning October 29, 2020	PZ 20-500-02 Location: Riverpark The Landing APN 13207016 Conico Fuel Station 0 125 250 500 Feet	2030 General Plan Land Use Map	 1:3,000
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Zoning/Specific Plan Map



Oxnard Planning
October 29, 2020

PZ 20-500-02
Location: Riverpark The Landing
APN 13207016
Conico Fuel Station

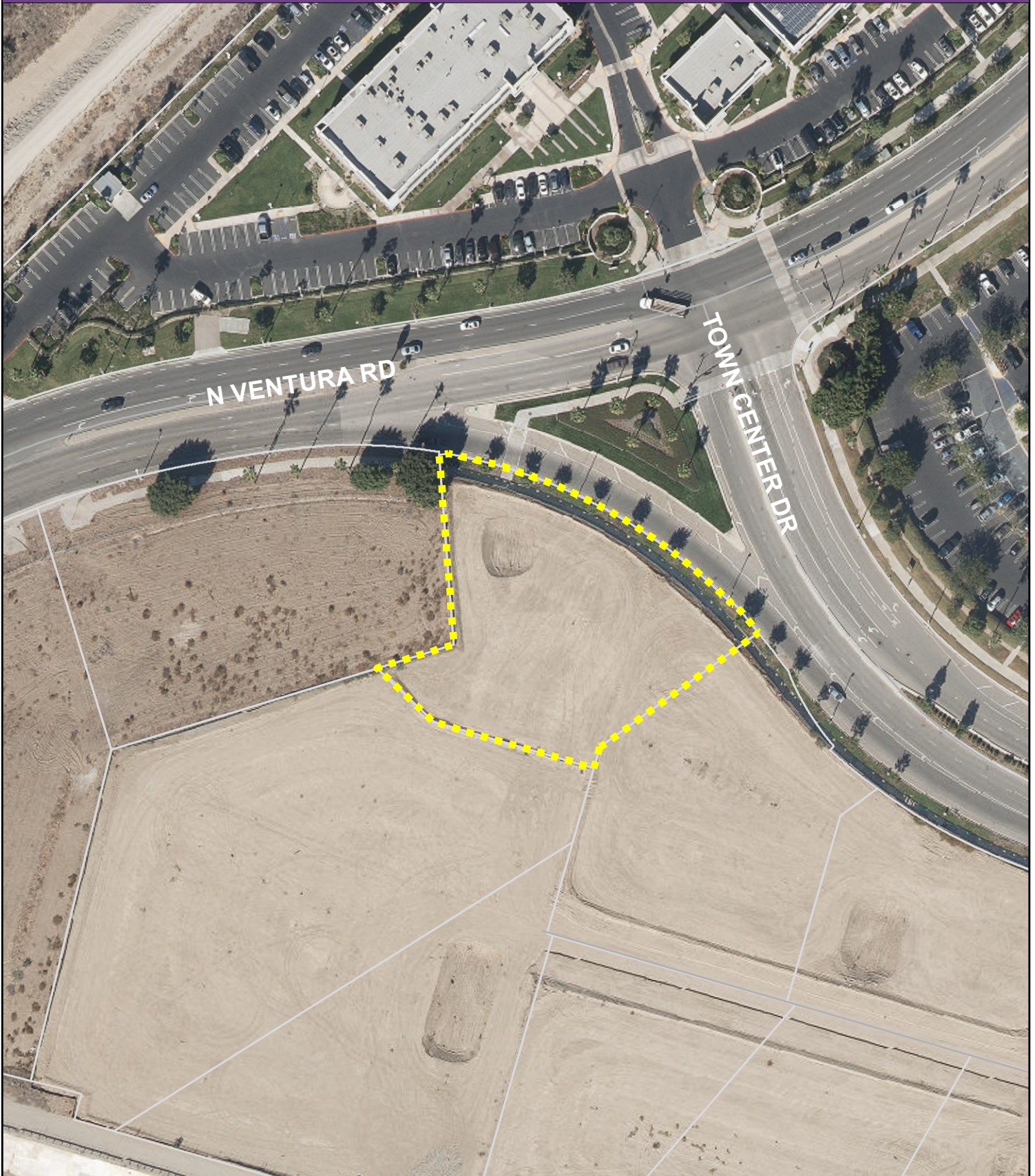


Zoning/Specific Plan Map



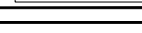
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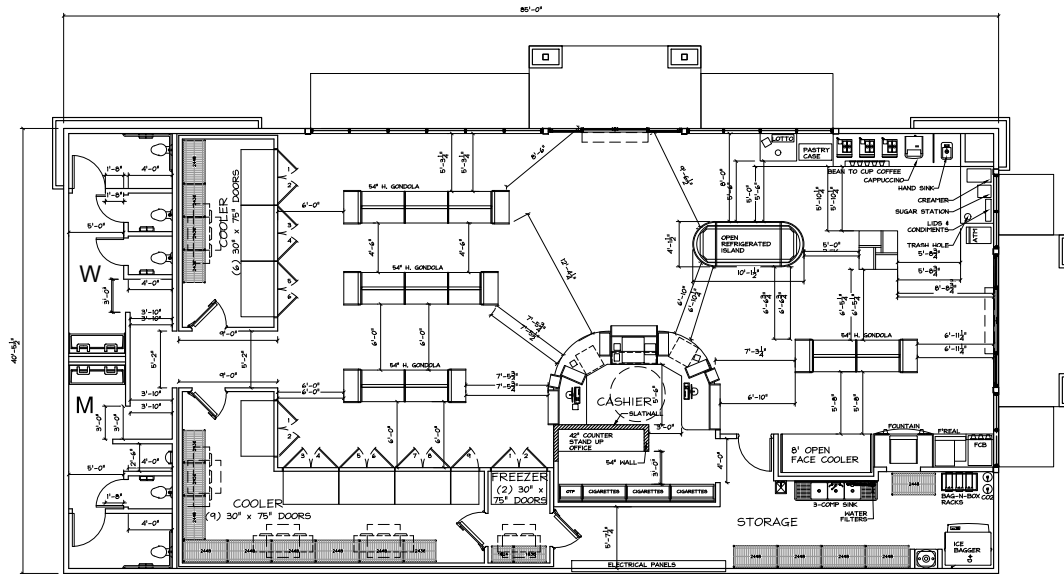
Aerial Map



ATTACHMENT B

REDUCED PROJECT PLANS





APPROVED BY: _____
DATE: _____



200 MAIN STREET, SUITE 1100 | FORT WORTH, TEXAS 76102 | PHONE 817-587-7171

DESIGN PROFESSIONAL CLAIM
THIS DESIGN IS THE PROPERTY OF PARAGON SOLUTIONS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DESIGN WITHOUT THE WRITTEN PERMISSION OF PARAGON SOLUTIONS IS PROHIBITED. PARAGON SOLUTIONS DESIGN INTENTIONS ARE NOT REPRESENTATIVE OF ANY MANUFACTURER'S SPECIFICATIONS. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND REGULATORY APPROVALS. THE USER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE DESIGN FROM UNAUTHORIZED REPRODUCTION OR DISTRIBUTION. THE USER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE DESIGN FROM UNAUTHORIZED REPRODUCTION OR DISTRIBUTION.

CONICO OIL
2790 N. VENTURA RD. OXNARD, CA 93036
STORE LAYOUT PLAN

REVISION	DATE	BY

DRAWN BY: _____ RB
CHECKED BY: _____
DATE: 30 AUG 2019
JOB NUMBER: 3017
SCALE: 3/16" = 1'-0"
SHEET 02 OF 19



FRONT



RIGHT

BIKE RACK BIKE LOCKER

C-STORE EXTERIOR RENDERINGS
3017 | CONICO OIL | LANDING OXNARD



C-STORE EXTERIOR RENDERINGS
3017 | CONICO OIL | LANDING OXNARD

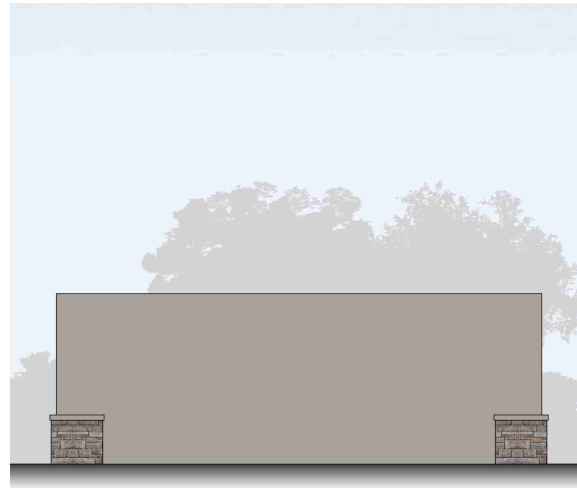
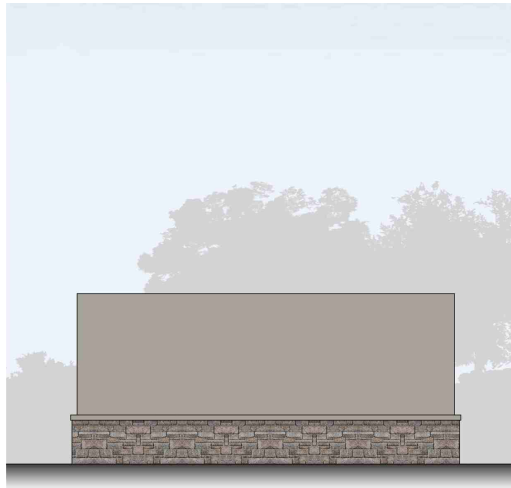


ENTRANCE

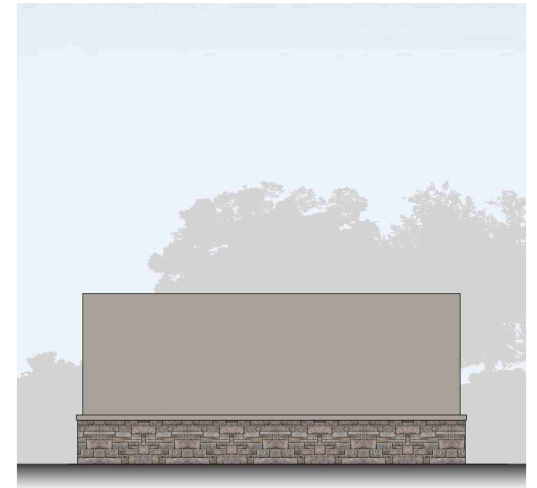


EXIT

CAR WASH EXTERIOR RENDERINGS
3017 | CONICO OIL | LANDING OXNARD

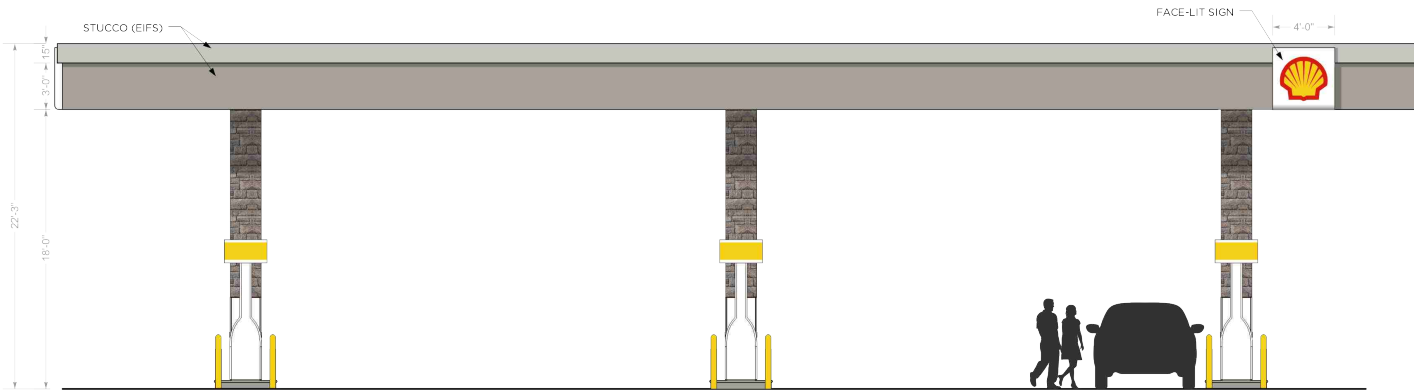


EQUIPMENT ROOM



BACK

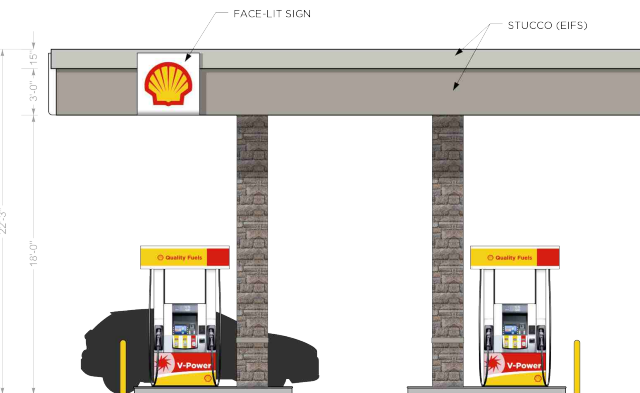
CAR WASH EXTERIOR RENDERINGS
3017 | CONICO OIL | LANDING OXNARD



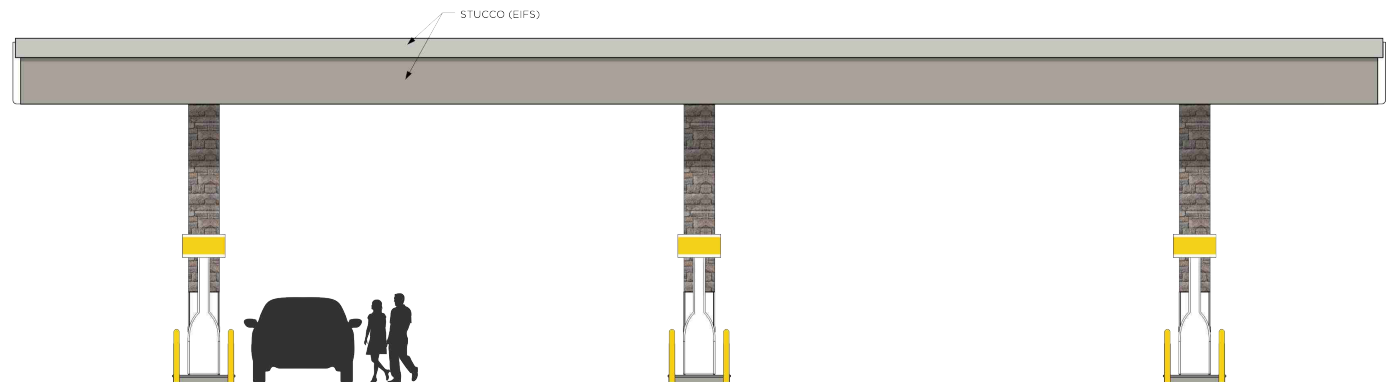
NORTH ELEVATION



EAST ELEVATION

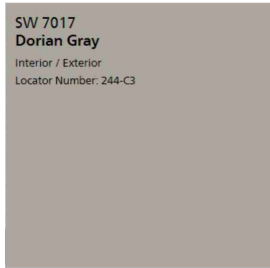


WEST ELEVATION

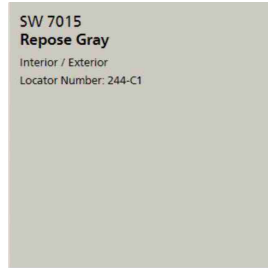


SOUTH ELEVATION

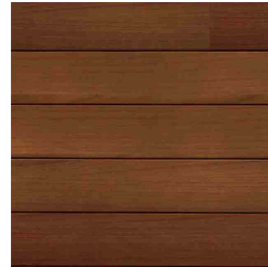
EXTERIOR RENDERINGS - FORECOURT
3017 | CONICO OIL | LANDING OXNARD



MAIN WALL EIFS COLOR
SW 7017 DORIAN GRAY



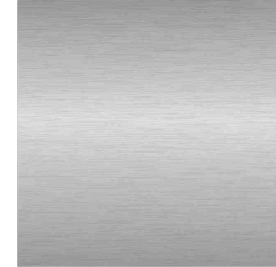
METAL CAPS & CORNICES
SW 7015 REPOSE GRAY



6" ALUMINUM SIDING
LONGBOARD
DARK CHERRY



METAL ROOFING
CHARCOAL GREY



STOREFRONT
ANODIZED ALUMINUM



STONE VENEER
CULTURED STONE
SCULPTED ASHLAR
FERROUS



STONE SILL
CORONADO STONE PRODUCTS
900 SERIES #2 GREY



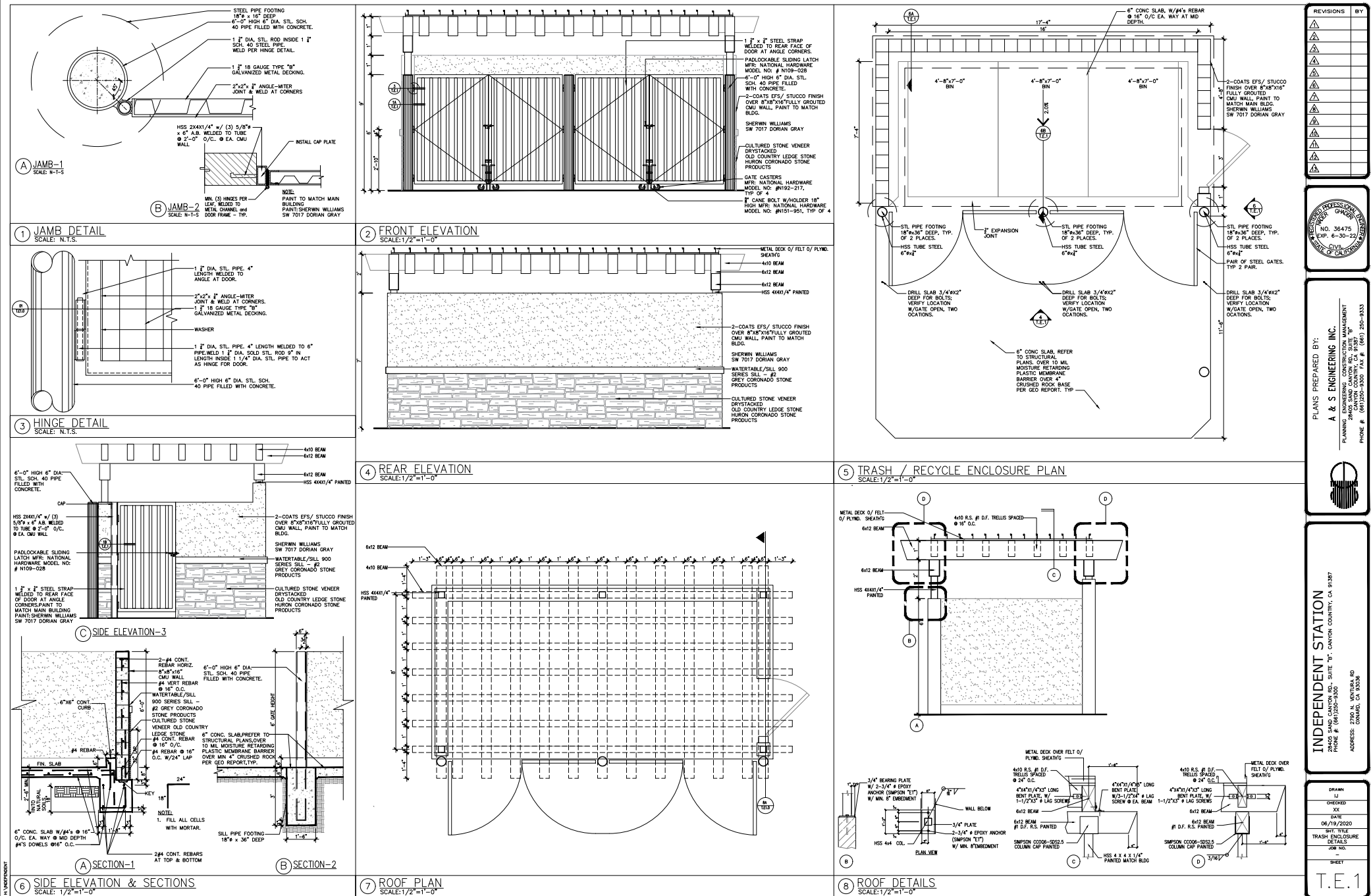
RED ACCENT COLOR
PANTONE 185 C



BLUE ACCENT COLOR
PANTONE 299 C



"SR" GRAY
PANTONE COOL GRAY 11 C





LANDSCAPE NOTES:

3. THE GENERAL CONTRACTOR SHALL LEAVE THIS SITE AT FINISHED GRADE. THE LANDSCAPE CONTRACTOR SHALL REVISE GRADINGS AT A MINIMUM TO ENSURE SMOOTH TRANSITIONS BETWEEN THE EXISTING AND THE PROPOSED GRADINGS.
4. PLANT GUARANTEE: ALL PLANTS SHALL BE GUARANTEED FOR TWELVE MONTHS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING ANY PLANTS THAT DO NOT SURVIVE. IF PLANTS ARE DEAD OR IN AN UNHEALTHY CONDITION BEFORE FINAL ACCEPTANCE, THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING THEM. IF PLANTS ARE DEAD OR IN AN UNHEALTHY CONDITION AFTER FINAL ACCEPTANCE, THIS REPLACEMENT SHALL NOT BE CONSIDERED A GUARANTEED REPLACEMENT.
5. ALL PLANTING SHALL BE PLACED WITHIN A MULCHED PLANTING BED. ALL STRAPPING SHALL BE PLACED WITHIN A MULCHED PLANTING BED. MULCH SHALL BE PLACED WITHIN 18" BALLS PRIOR TO BACKFILLING PLANTING PIT. REMOVE TOP 1" OF BULKUP FROM ROOT ZONE.
6. ALL LANDSCAPE WORK SHALL BE IN ACCORDANCE WITH CURRENT CITY STANDARD DETAILS AND SPECIFICATIONS.
7. SITE LIGHTING SHALL NOT BE PLACED CONFORM WITH PLANTED TREES.
8. THE PROTECTION FENCE TO BE PROVIDED ALONG TREE PRESERVATION AREAS IN ACCORDANCE WITH CITY STANDARDS.
9. COORDINATE ALL WORK WITH SITE LAYOUT AND SITE GRADING, DRAINAGE & UTILITIES.
10. VERIFY LOCATION OF UTILITIES BEFORE PLANTING.
11. MULCH ALL AREAS, THAT ARE NOT SEEDED OR SOODED, WITH PINK BARK MULCH OR COLORED DRAINAGEWOOD MULCH TO A MINIMUM OF 2" DEPTH.
12. THE SELECTION AND INSTALLATION OF PLANTS AND PLANTING METHODS SHALL CONFORM WITH THE STANDARDS OF THE AMERICAN ASSOCIATION OF NURSERYMEN OR THE AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS, WHICHEVER IS MORE SUPPORTIVE.
13. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES, DRAWINGS SHALL RULE.
14. SUBSTITUTIONS SHALL BE SUBMITTED TO LANDSCAPE ARCHITECT FOR APPROVAL. PRIOR TO INSTALLATION, SUBSTITUTIONS MAY REQUIRE ADDITIONAL APPROVAL BY THE CITY OF SAN ANTONIO.
15. ALL LANDSCAPING SOIL AND FILL SHALL BE FREE FROM WEEDS, ROOTS, AND DEBRIS AT ALL TIMES.
16. ALL LARGE SHRUBS SHALL BE ADEQUATELY SUPPORTED, AS NECESSARY USING STAKES AND GUYS, SUCH SUPPORTS SHALL BE DESIGNED SO AS TO PROTECT TREES AND SHRUBS FROM DAMAGE DURING AND AFTER PLANTING. ALL SUPPORT SHALL BE MADE WITH AN ACCEPTABLE COMMERCIAL TREE OF THE PLASTIC OR HOSE COVERED WIRE.
17. THE MAXIMUM GROWTH HEIGHT OF ANY LANDSCAPING WITHIN THE SIGHT TRIANGLE

PLANTING NOTES:

- [illegible]

MAINTENANCE NOTES:

- PLANT MATERIALS**
- ALL BEDDED AND TREES SHALL BE MULCHED TWICE PRIOR TO THE CONTRACT PERIOD WITH A TOP-QUALITY TYPE MULCH IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE SPECIFIC MULCH REQUIREMENTS AS TO THE APPLICATION OF THE CORRECT AMOUNTS AND TYPE TO SUSTAIN HEALTHY AND PROLONGED LIFE OF THE PLANT MATERIALS.
- PRIOR TO MULCHING, ALL DEBRIS AND LEAF MATTERS SHALL BE REMOVED FROM BEDDED AREAS AND DISPOSED OF. ALL TREES AND BEDDED AREAS SHALL BE EDGED PRIOR TO MULCHING. A FINE FREIGHT TYPE WEED CONTROL AND FERTILIZER SHALL BE APPLIED TO ALL BEDDED AREAS PRIOR TO MULCHING THAT IS SITE AND REGION SPECIFIC.
- ALL PLANT MATERIAL SHALL BE PRUNED 4 TIMES PER YEAR [3 DURING THE ACTIVE GROWTH PERIOD AND 1 DURING THE DORMANT SEASON]
- ALL HEDGED MATERIAL SHALL BE PRUNED WITH SHEARS. ALL OTHER PLANT MATERIAL SHALL BE HAND-PRUNED TO MAINTAIN A NATURAL APPEARANCE WITH ALL CUTS BEING MADE WITHIN THE CROWN OF THE PLANT TO MINIMIZE VISUAL CULS. ALL CUTS SHALL BE MADE AND SHARP CUTS SHALL HAVE CORRECTIVE PRUNING PERFORMED DURING THE DORMANT SEASON.
- ALL PLANT MATERIAL SHALL BE CARED FROM UNDOING AN IMPRINTED PESTICIDE OR FERTILIZER PROBLEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REGIONAL AND REGION SPECIFIC TIME FRAMES THAT WILL MAXIMIZE THE EFFECTS OF THE CHEMICAL TO CONTROL ANY PESTS OR PATHOGENS AND THAT WILL MAXIMIZE THE



	EVERGREEN ELM <i>Ulmus parviflorus</i> 20' CA & MATURITY		UTILE BLUE GUM <i>Eucalyptus laevis</i>
	VICTORIAN BOX <i>Sarcococca lucida</i> 18' CA & MATURITY SHEERED TO THEDGE		GIANT WILD YEW <i>Taxus canadensis</i>
	ITALIAN CYPRESS <i>Cupressus sempervirens</i> 10' CA & MATURITY		EVERGREEN FOUNTAIN GRASS <i>Pennisetum Varty</i> Type
	PURPLE LEAF PLUM <i>Prunus acerifolia</i> 'Nero' Variegated 20' CA & MATURITY		ORANGE ANGIATED PAN <i>Anemone</i> 'Orange Peel'
	TUSCANYAN CHAMPAGNE VIVIPARITY <i>Agave americana</i> 'Fountain' 20' CA & MATURITY		PINK ATLANTIC <i>Salix purpurea</i>
	WHITE RED BUD <i>Amelanchier canadensis</i> 20' CA & MATURITY		DAUNT VALLERIE HOLLY <i>Ilex</i> 'Vallerie'
	DAUNT CHERRYBERRY <i>Spiraea alba</i> 'Cherryberry' 20' CA & MATURITY		NEMO HARTWIG <i>Thymus</i> 'Nemo'
	THREE DIAMETER 20' CA & MATURITY		ADAM'S NEEDLE GRASS <i>Monarda</i> 'Adam's Needle'
	DAUNT CHERRYBERRY <i>Spiraea alba</i> 'Cherryberry' 20' CA & MATURITY		DAY LILY <i>Hebe</i> 'Day Lilies'
	THREE DIAMETER 20' CA & MATURITY		CHERRYBERRY <i>Spiraea alba</i> 'Cherryberry'
	THREE DIAMETER 20' CA & MATURITY		BLUE CHALK STICKS <i>Salix purpurea</i>
	THREE DIAMETER 20' CA & MATURITY		TRAILING ROSEMARY <i>Salvia rosmarinifolia</i>
	THREE DIAMETER 20' CA & MATURITY		GIANT URGIO <i>Urgio</i>
	THREE DIAMETER 20' CA & MATURITY		GIANT URGIO <i>Urgio</i>
	THREE DIAMETER 20' CA & MATURITY		GIANT URGIO <i>Urgio</i>
	THREE DIAMETER 20' CA & MATURITY		GIANT URGIO <i>Urgio</i>
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	THREE DIAMETER 20' CA & MATURITY		GIANT URGIO <i>Urgio</i>
	THREE DIAMETER 20' CA & MATURITY		GIANT URGIO <i>Urgio</i>
</			

PRELIMINARY
This document is released for the
purpose of interim review under the
authority of
JOHN C. SCOTT, PLA

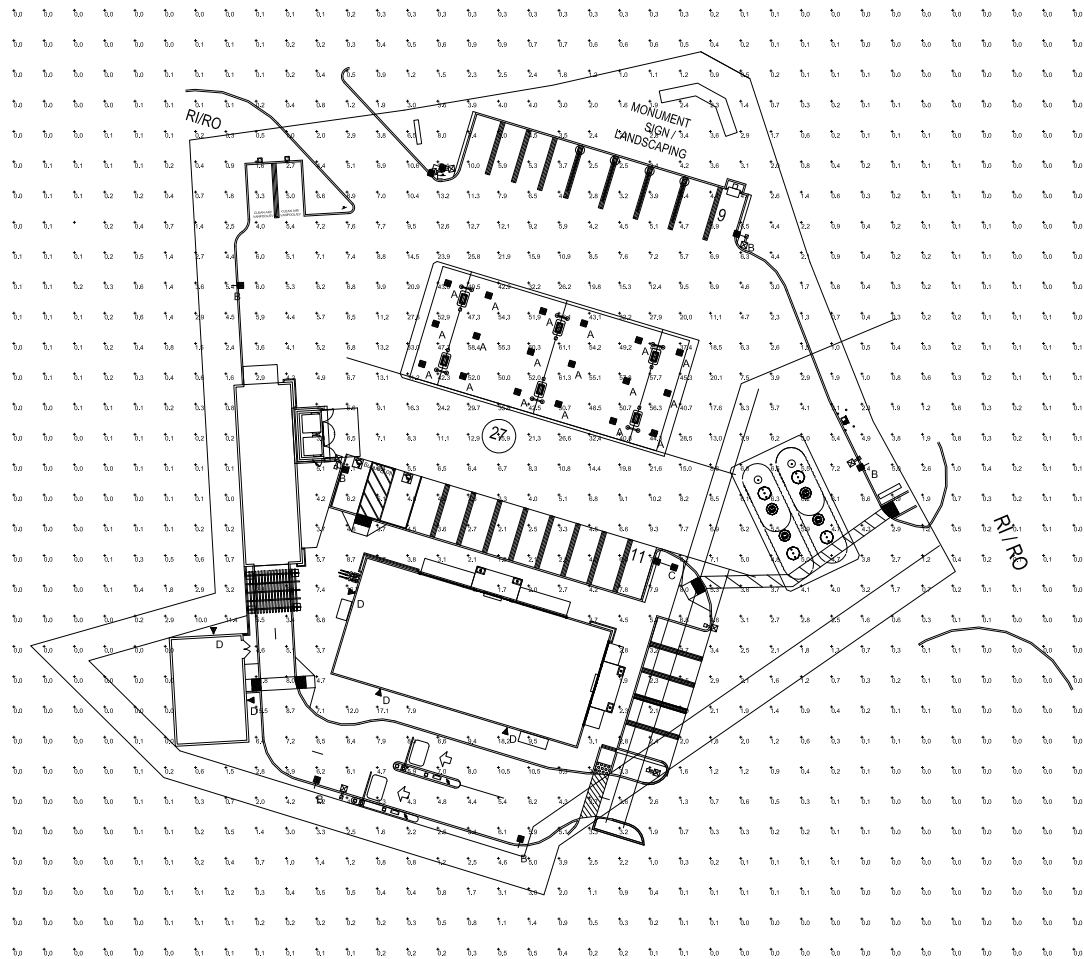
LIC NO. #316

RELEASE DATE - 12/12/2019
It is not to be used for construction,
bidding, or permit purposes.
Multi-Zollars, Inc.-Firm Registration No. F-761

REVISIONS				
MARK	DATE	DESCRIPTION	BY	
				Development Services Department
				ACCEPTED BY: _____ DATE _____
				CITY ENGINEER R.C.E. #6333 _____
				SHEET DRAWING NUMBER _____
REMOVED BY:				DRAWN HORIZ. _____ OF _____
				VERT. _____
				DRAWN BY: _____ SHEET No. _____
				NUMBER OF SHEETS _____
				DATE _____

Based on the information provided, all dimensions and luminaire locations shown represent recommended positions. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

This lighting plan represents Illuminance levels calculated from laboratory data taken under controlled conditions in accordance with The Illuminating Engineering Society (IES) approved methods. Actual performance of any manufacturer's luminaires may vary due to changes in electrical voltage, tolerance in lamp/LED's and other variable field conditions. Calculations do not provide observations such as building, curbs, landscaping, or any other architectural elements unless noted. Future recommendations noted does not include mounting hardware or poles. This drawing is for photometric evaluation purposes only and should not be used on a construction document or as a final document for ordering product.



Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS AT GRADE	Illuminance	Fc	4.22	61.3	0.0	N.A.	N.A.
CANOPY SUMMARY	Illuminance	Fc	46.59	61.3	31.2	1.56	1.96
PARKING AND DRIVE SUMMARY	Illuminance	Fc	7.21	33.0	1.0	7.21	33.00

Luminaire Schedule							
Symbol	Qty	Label	Arrangement	Description	LLF	Arr. Lum. Lumens	Arr. Watts
	18	A	SINGLE	SCV-LED-18L-SC-50 - 15' MH	1.000	15410	103
	6	B	SINGLE	SLM-LED-18L-SIL-FT-40-70CRI-SINGLE ON 18' POLE + 2' BASE	1.000	18843	148.5
	1	C	D180°	SLM-LED-18L-SIL-SW-40-70CRI D180 ON 18' POLE + 2' BASE	1.000	35124	297
	5	D	SINGLE	XWM-FT-LED-96L-40 - 7' MH	1.000	6057	44.7
	1	E	2 @ 90 DEGREES	SLM-LED-18L-SIL-FT-40-70CRI-D90 ON 18' POLE + 2' BASE	1.000	37686	297

Total Project Watts
Total Watts = 3562.5

JOB NO.

RCI-0104

JOB NAME

CISCO
VENTURA & TOWN CENTER
OXNARD, CA

DATE: 11/11/2010 10:10:10 AM

SCALE: 1"=30'

0 20

ATTACHMENT C

NOTICE OF EXEMPTION

OXNARD PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030



NOTICE OF EXEMPTION

Project Name: Conico Oil Gas Station & Alcohol Special Use Permits; Lot 1 of The Landing at RiverPark Planning and Zoning Permit No. 20-500-02 (Special Use Permit) and 20-510-08 (Special Use Permit - Alcohol): A request to construct a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building, an associated parking lot for 27 vehicles, and landscaping and infrastructure improvements, and the project includes a request to sell beer and wine for off-site consumption (Alcohol Beverage Control License Type 20) 7:00 a.m. to 12:00 a.m. (midnight) daily. All project site is a 1.18-acre undeveloped lot located at Lot 1 of Tract 6004 (APN: 132-0-470-035), within District C (West Corridor Commercial) of the RiverPark Specific Plan (RPSP) south of Town Center Drive, to the west of North Oxnard Boulevard and east of North Ventura Road (Attachment A). Filed by Conico Inc., Jun Kim, 4520 East Thousand Oaks, CA 91362, designated agent (the “**Applicant**”) on behalf of Shea Properties, LLC, 130 Vantis Suite 200, Aliso Viejo, CA 92656-2691, property owner.

Finding:

The Planning Division of the Community Development Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ Ministerial Project
- ☒ Categorical Exemption
- ☐ Statutory Exemption
- ☐ Emergency Project
- ☐ Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- ☐ No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of CEQA. The Project consists of the construction of a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building. Additionally, the project includes a request to sell beer and wine for off-site consumption (ABC License Type 20) 7:00 a.m. to 12:00 a.m. (midnight) daily. The proposed development is located on a 1.18-acre site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The Project site has no value as habitat for endangered, rare or threatened species. Additionally, this Project will not result in any significant effects relating to traffic, noise, air quality, or water quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Based on the above exemption and in accordance with CEQA, the Planning Commission has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment and that a Notice of Exemption may be filed.

(Date)

Scott Kolwitz
Planning and Environmental Services Manager

ATTACHMENT D

PARKING MANAGEMENT PLAN

**PARKING MANAGEMENT PLAN
FOR
THE LANDING AT RIVERPARK PROJECT
OXNARD, CALIFORNIA**

MARCH 2020

PREPARED FOR
SHEA PROPERTIES

PREPARED BY

**PARKING MANAGEMENT PLAN
FOR
THE LANDING AT RIVERPARK
OXNARD, CALIFORNIA**

March 2020

Prepared for:

SHEA PROPERTIES

Prepared by:

GIBSON TRANSPORTATION CONSULTING, INC.

555 W. 5th Street, Suite 3375
Los Angeles, California 90013
(213) 683-0088

Ref: J1031d

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Chapter 1

Introduction

Gibson Transportation Consulting, Inc. conducted a shared parking analysis and prepared this Parking Management Plan (PMP) for the northern commercial parcels (Nos. 2-6) within The Landing at Riverpark (Project), which is located within Planning District C of the Riverpark Specific Plan area.

The purpose of the PMP is to ensure that adequate parking facilities and/or management measures have been provided for all uses within the Project. This PMP includes an analysis of the parking requirements for the Project based on established national shared parking guidelines, a summary of the proposed parking supply, and a discussion of recommended parking management measures.

SPECIFIC PLAN REQUIREMENTS

The Riverpark Specific Plan requires that commercial parking in Planning Districts A through E fulfills the minimum off-street parking requirements, but also allows for shared parking where appropriate.

PROJECT DESCRIPTION

The Project is located on the southwest corner of Oxnard Boulevard & Town Center Drive, adjacent to existing commercial and residential development.

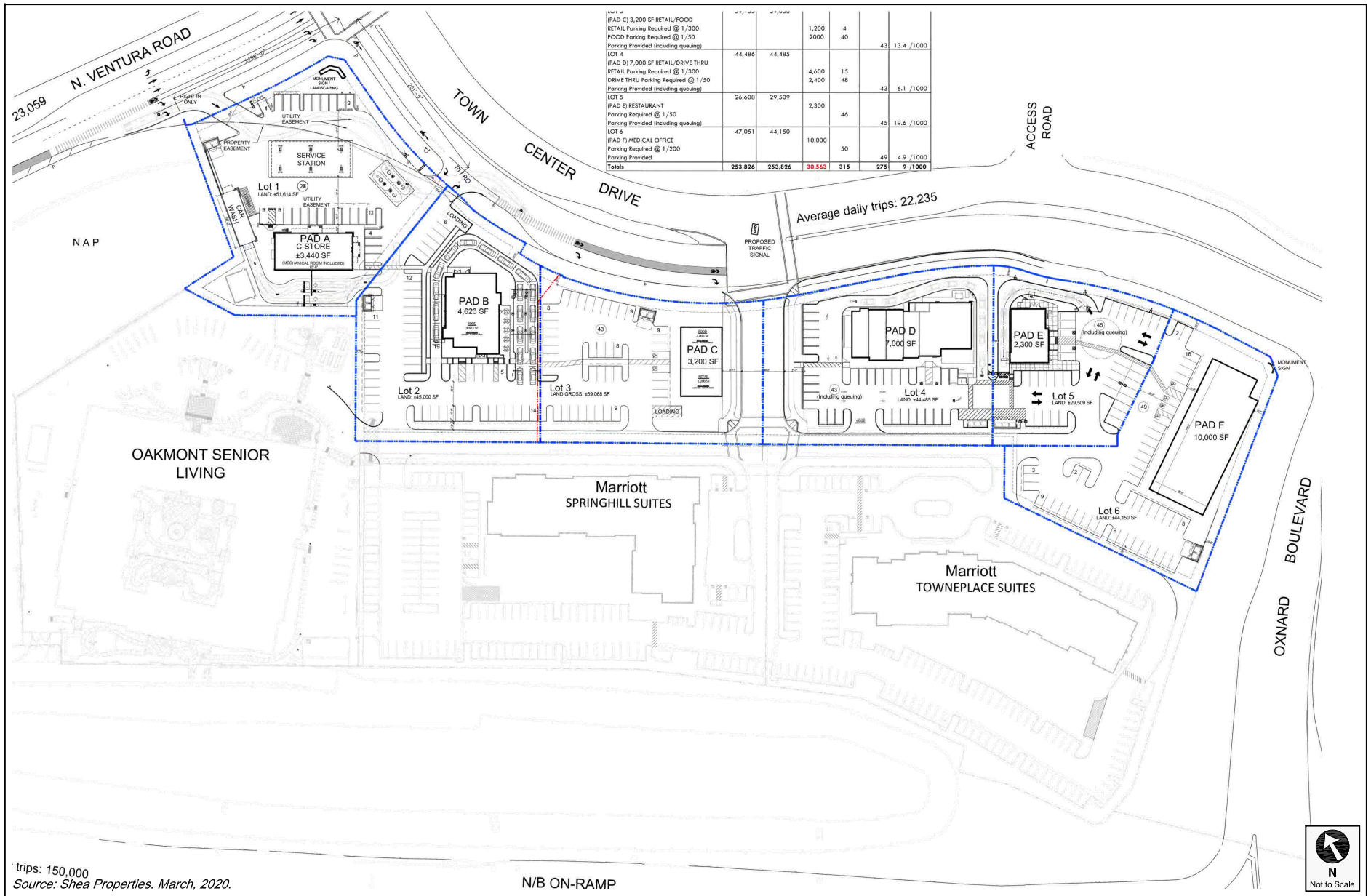
The Project consists of the following land uses:

- 5,200 square feet (sf) of Retail
- 2,800 sf of Restaurant

- 11,123 sf of Fast Food
- 8,000 sf of Medical Office

As proposed, the Project would provide approximately 247 parking spaces for the northern commercial parcels (Nos 2-6). The site plan is illustrated in Figure 1.

This analysis examines the off-street parking requirements, as indicated in *Oxnard, California Code of Ordinances* (City of Oxnard, December 12, 2016) (City Code) and the Riverpark Specific Plan, as well as a parking demand analysis using the *Shared Parking, 2nd Edition* (Urban Land Institute [ULI] and the International Council of Shopping Centers [ICSC], 2005) model. The results of both analyses are presented below.



PROJECT SITE PLAN

FIGURE
1

Chapter 2

Parking Requirement Analysis

CITY CODE PARKING REQUIREMENTS

The City Code has identified the off-street parking requirements of various land uses; in particular, the following parking rates are indicated in City Code Section 16-622:

- Retail – 1.0 space per 250 sf
- Restaurant – 1.0 space per 75 sf (up to 6,000 sf), 1.0 space per 180 sf (greater than 6,000 sf)
- Fast Food – 1.0 space per 50sf
- Medical Office – 1.0 space per 200 sf

These parking rates were applied to the various land use elements of the Project to determine the required amount of off-street parking stalls per the City Code.

As detailed in Table 1, the retail component is required to provide 21 spaces, the restaurant component is required to provide 37 spaces, the fast food component is required to provide 222 spaces, and the medical office component is required to provide 40 parking spaces.

The total off-street parking requirement for the Project, as determined by the City Code, is 320 parking spaces. This parking requirement would not be satisfied by the proposed parking supply of 247 parking spaces.

City Code Summary

As detailed in the analyses above, the Project would not be able to satisfy the City Code off-street parking requirements as currently proposed. The City Code analysis indicates a parking deficit of 73 parking spaces.

It should be noted that the City Code parking requirements are not necessarily reflective of the parking demands experienced with each land use. The analysis assumes that the demand for each land use peaks at the same time; this may lead to the provision of more parking than is needed at any given time. A shared parking analysis, detailed in Chapter 3, was performed to determine the appropriate number of parking spaces to support the Project.

**TABLE 1
CITY CODE PARKING REQUIREMENTS**

Proposed Land Use		Size		Parking Rate [a]	Parking Spaces Required
Retail	Neighborhood/Community Shopping Center	5,200	sf	1 sp/250sf	21
Restaurant	Family Restaurant [b]	2,800	sf	1 sp/75sf (up to 6,000sf)	37
				1 sp/180sf (greater than 6,000sf)	0
Fast Food	Fast Food Restaurant	11,123	sf	1 sp/50sf	222
Medical Office	Medical and Dental Office	8,000	sf	1 sp/200sf	40
TOTAL PARKING SPACES REQUIRED					320
TOTAL PARKING SPACES PROVIDED [c]					247
PARKING SPACES PROVIDED OVER REQUIRED					(73)

Notes:

[a] Parking rates as specified by the City of Oxnard Code of Ordinances, Section 16-622.

[b] Analyzed as Non Fast-Food Restaurant, per the City Code.

Chapter 3

Shared Parking Analysis

The shared parking analysis was performed using the *Shared Parking, 2nd Edition* model. ULI/ICSC describes shared parking as follows:

Shared parking is defined as parking space that can be used to serve two or more individual land uses without conflict or encroachment. The opportunity to implement shared parking is the result of two conditions:

- *Variations in the peak accumulation of parked vehicles as the result of different activity patterns of adjacent or nearby land uses (by hour, by day, by season)*
- *Relationships among land use activities that result in people's attraction to two or more land uses on a single auto trip to a given area or development*

Most zoning codes provide peak parking ratios for individual land uses. While this appropriately recognizes that separate land uses generate different parking demands on an individual basis, it does not reflect the fact that the combined peak parking demand, when a mixture of land uses shares the same parking supply, can be substantially less than the sum of the individual demands. For example, restaurant uses typically peak in the noontime and evening hours while medical office uses peak in the mid-morning and mid-afternoon hours.

SHARED PARKING ASSUMPTIONS

The shared parking model utilizes a series of assumptions, in addition to the base ULI/ICSC data, to develop the parking demand model. This discussion explains the assumptions used in this analysis and describes the background documentation used for each of these factors.

Parking Ratio

The ULI/ICSC methodology requires that each land use select parking ratios; that is, the parking ratio for each land use if used independently. The base parking demand ratios were developed through an extensive research and documentation effort by ULI/ICSC; these base rates reflect a national average. For the purposes of this analysis, the base rates were utilized for the Project for all land uses.

The following are the base ULI/ICSC parking demand rates (weekday/weekend) used for the various components of this study, as mentioned above:

- Community Shopping Center – 3.60/4.00 spaces/thousand sf (ksf)
- Family Restaurant – 10.50/15.00 spaces/ksf
- Fast Food Restaurant – 15.00/14.00 spaces/ksf
- Medical/Dental Office – 4.50/4.50 spaces/ksf

Time of Day

The time of day factor is one of the key assumptions of the shared parking model. This factor reveals the hourly parking pattern of the analyzed land use; essentially, the peak demands are indicated by this factor. ULI/ICSC's research efforts have yielded a comprehensive data set of time of day factors for multiple land uses. As the demand for each land use fluctuates over the course of the day, the ability to implement shared parking emerges.

Weekday vs. Weekend

Each shared parking analysis measured the parking demand on a weekday as well as on a Saturday. Research has indicated that a source for variation in parking demand can be traced to the difference between weekday and weekend demand.

Seasonal Variation

The shared parking analysis in this report was based on the peak month of the year. The total parking demand of the Project was compared over the course of the year; the peak month's demand is reported.

Mode Split and Captive Market

One factor that affects the overall parking demand at each development is the number of visitors and employees that arrive by automobile. It is common that mixed-use projects and districts have patrons/visitors captured within the site itself based on the mixed-use nature of the Project. The mode split accounts for the number of visitors and employees that do not arrive by automobile (transit, walk, and other means) or are internally captured. The mode split and internal capture ratios for the Project were left unadjusted for conservative purposes.

Auto Occupancy

The shared parking analysis for the Project used the national averages for auto occupancy, i.e., the typical number of passengers in each vehicle parking at the site, for all land uses. No changes were made to the ULI/ICSC average rates.

PROJECT SHARED PARKING DEMAND

Tables 2 and 3 detail the input assumptions and results of the Project's shared parking analysis. For each land use, the tables show the base parking demand ratio for a weekday and a Saturday, the mode adjustment (mode split), the non-captive ratio (internal capture), and the peak hour and peak month adjustment ratios (the shared parking model calculates the peak demand to occur at 1:00 PM on a December weekday, the busiest hour of the year for parking demand).

Charts 1 and 2 illustrate the peak hour parking demand occurring during each month of the year for the weekday and weekend, respectively. Chart 3 illustrates the hourly parking demand pattern during the peak month of December.

By component, the model estimates that the busiest hour of the year would experience a combined retail demand of 19 spaces, restaurant demand of 27 spaces, fast food demand of 167 spaces, and medical office demand of 34 spaces. The peak parking demand totals 245 spaces. This parking demand would be satisfied by the proposed parking supply of 247 parking spaces. The results of this analysis are summarized in Table 4.

SHARED PARKING SUMMARY

As illustrated by the shared parking analysis, the proposed parking supply of 247 spaces is sufficient to accommodate the parking needs of the Project.

**TABLE 2
DETAILED SHARED PARKING DEMAND ANALYSIS**

PEAK MONTH: DECEMBER -- PEAK PERIOD: 1 PM, WEEKDAY																		
Projected Parking Supply: 247 Stalls			Weekday					Weekend					Weekday			Weekend		
Land Use	Project Data		Base Mode		Non-Captive Ratio	Project Rate	Unit	Base Mode		Non-Captive Ratio	Project Rate	Unit	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand	Peak Hr Adj	Peak Mo Adj	Estimated Parking Demand
	Quantity	Unit	Rate	Adj				Rate	Adj				1 PM	December		12 PM	December	
Community Shopping Center (<400 ksf) Employee	5,200	sf GLA	2.90 0.70	1.00 1.00	1.00 1.00	2.90 0.70	/ksf GLA /ksf GLA	3.20 0.80	1.00 1.00	1.00 1.00	3.20 0.80	/ksf GLA /ksf GLA	1.00 1.00	1.00 1.00	15 4	0.85 1.00	1.00 1.00	14 4
Family Restaurant Employee	2,800	sf GLA	9.00 1.50	1.00 1.00	1.00 1.00	9.00 1.50	/ksf GLA /ksf GLA	12.75 2.25	1.00 1.00	1.00 1.00	12.75 2.25	/ksf GLA /ksf GLA	0.90 1.00	1.00 1.00	23 4	1.00 1.00	1.00 1.00	36 6
Fast Food Restaurant Employee	11,123	sf GLA	12.75 2.25	1.00 1.00	1.00 1.00	12.75 2.25	/ksf GLA /ksf GLA	12.00 2.00	1.00 1.00	1.00 1.00	12.00 2.00	/ksf GLA /ksf GLA	1.00 1.00	1.00 1.00	142 25	1.00 1.00	1.00 1.00	133 22
Medical/Dental Office Employee	8,000	sf GLA	3.00 1.50	1.00 1.00	1.00 1.00	3.00 1.50	/ksf GLA /ksf GLA	3.00 1.50	1.00 1.00	1.00 1.00	3.00 1.50	/ksf GLA /ksf GLA	0.90 1.00	1.00 1.00	22 12	0.30 1.00	1.00 1.00	7 12
													Customer Employee Residential		202 4 0	Customer Employee Reserved		190 4 0
													Total		247	Total		234

Shared Parking Reduction 7%

12%

TABLE 3
HOURLY PARKING DEMAND SUMMARY

December																								
Weekday Estimated Peak-Hour Parking Demand																								
Projected Parking Supply: 247 Stalls																					Overall Pk	AM Peak Hr	PM Peak Hr	Eve Peak Hr
	Monthly Adj.	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	1 PM	11 AM	1 PM	6 PM
Community Shopping Center (<400 ksf)	100%	-	1	2	5	8	11	14	15	15	15	14	14	14	14	10	8	5	2	-	15	11	15	14
Employee	100%	-	1	2	3	3	4	4	4	4	4	4	4	4	4	4	3	2	1	-	4	4	4	4
Family Restaurant	100%	6	13	15	19	21	23	25	23	13	11	11	19	20	20	20	15	14	13	6	23	23	23	20
Employee	100%	2	3	4	4	4	4	4	4	4	3	3	4	4	4	4	3	3	3	1	4	4	4	4
Fast Food Restaurant	100%	7	14	28	43	78	121	142	142	128	85	78	85	121	114	71	43	28	14	7	142	121	142	121
Employee	100%	4	5	8	10	19	25	25	25	24	18	15	18	23	23	15	10	8	5	5	25	25	25	23
Medical/Dental Office	100%	-	-	22	22	24	24	7	22	24	24	22	19	16	7	4	-	-	-	-	22	24	22	16
Employee	100%	-	-	7	12	12	12	12	12	12	12	12	12	8	4	2	-	-	-	-	12	12	12	8
TOTAL DEMAND	Customer	13	28	67	89	131	179	188	202	180	135	125	137	171	155	105	66	47	29	13	202	179	202	171
	Employee	6	9	21	29	38	45	45	45	44	37	34	38	39	35	25	16	13	9	6	45	45	45	39
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		19	37	88	118	169	224	233	247	224	172	159	175	210	190	130	82	60	38	19	247	224	247	210
ULI base data have been modified from default values.																					247	224	247	210

Footnote(s):

December																								
Weekend Estimated Peak-Hour Parking Demand																								
																					Overall Pk	AM Peak Hr	PM Peak Hr	Eve Peak Hr
		6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM	12 PM	11 AM	12 PM	6 PM
Community Shopping Center (<400 ksf)	100%	-	1	2	6	10	12	14	16	17	17	16	16	16	16	11	9	6	3	-	14	12	14	16
Employee	100%	-	1	2	3	3	4	4	4	4	4	4	4	4	4	3	3	2	1	-	4	4	4	4
Family Restaurant	100%	4	9	16	25	32	32	36	31	23	14	16	22	25	25	23	11	9	5	4	36	32	36	25
Employee	100%	3	5	5	5	6	6	6	6	6	5	5	6	6	6	6	5	4	4	2	6	6	6	6
Fast Food Restaurant	100%	7	13	27	40	73	113	133	133	120	80	73	80	113	106	67	40	27	13	7	133	113	133	113
Employee	100%	3	4	7	9	17	22	22	22	21	15	13	15	20	20	13	9	7	4	4	22	22	22	20
Medical/Dental Office	100%	-	-	22	22	24	24	7	-	-	-	-	-	-	-	-	-	-	-	-	7	24	7	-
Employee	100%	-	-	7	12	12	12	12	-	-	-	-	-	-	-	-	-	-	-	-	12	12	12	-
TOTAL DEMAND	Customer	11	23	67	93	139	181	190	180	160	111	105	118	154	147	101	60	42	21	11	190	181	190	154
	Employee	6	10	21	29	38	44	44	32	31	24	22	25	30	30	22	17	13	9	6	44	44	44	30
	Reserved	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		17	33	88	122	177	225	234	212	191	135	127	143	184	177	123	77	55	30	17	234	225	234	184
ULI base data have been modified from default values.																					234	225	234	184

CHART 1
WEEKDAY MONTH-BY-MONTH ESTIMATED PARKING DEMAND

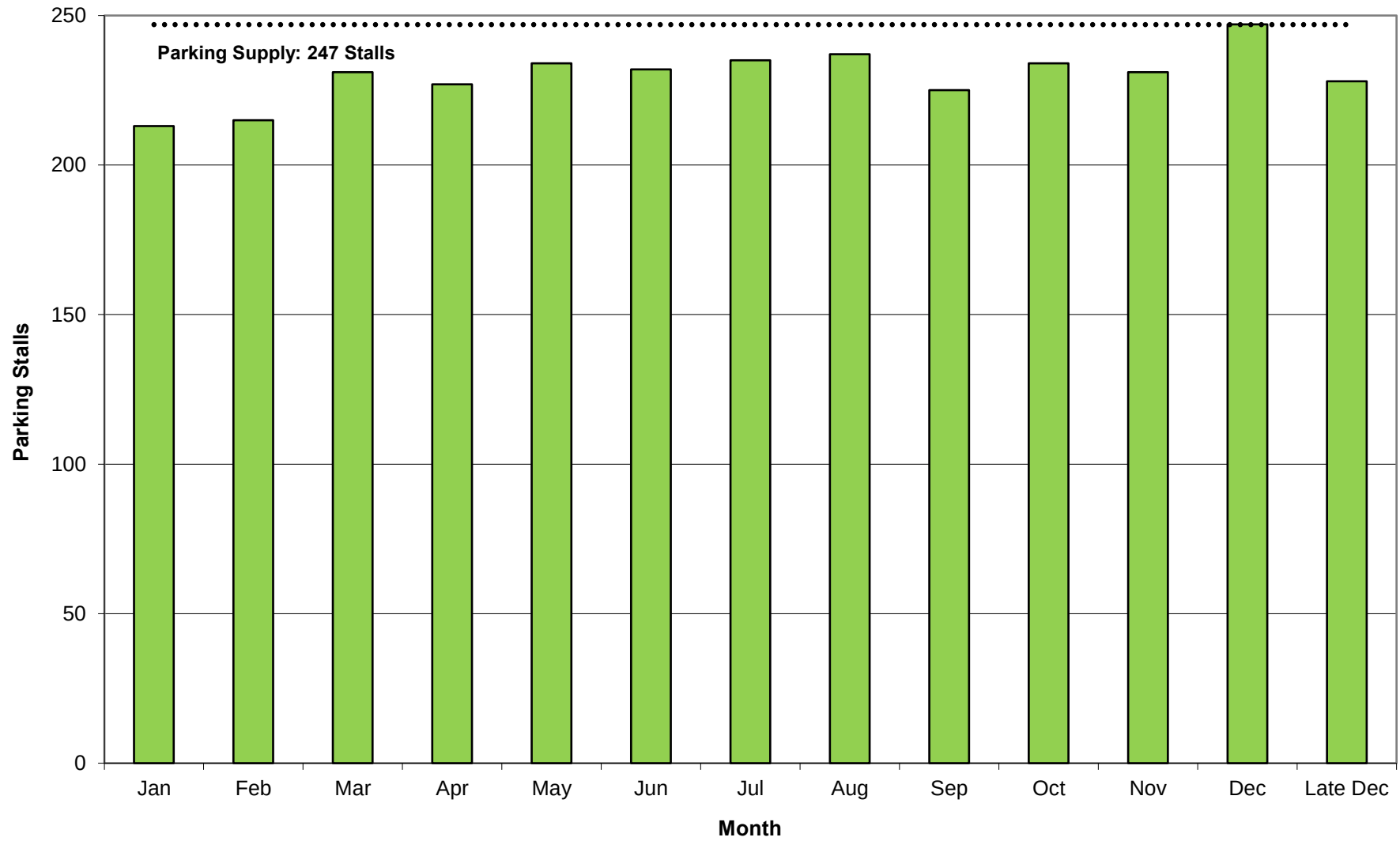


CHART 2
WEEKEND MONTH-BY-MONTH ESTIMATED PARKING DEMAND

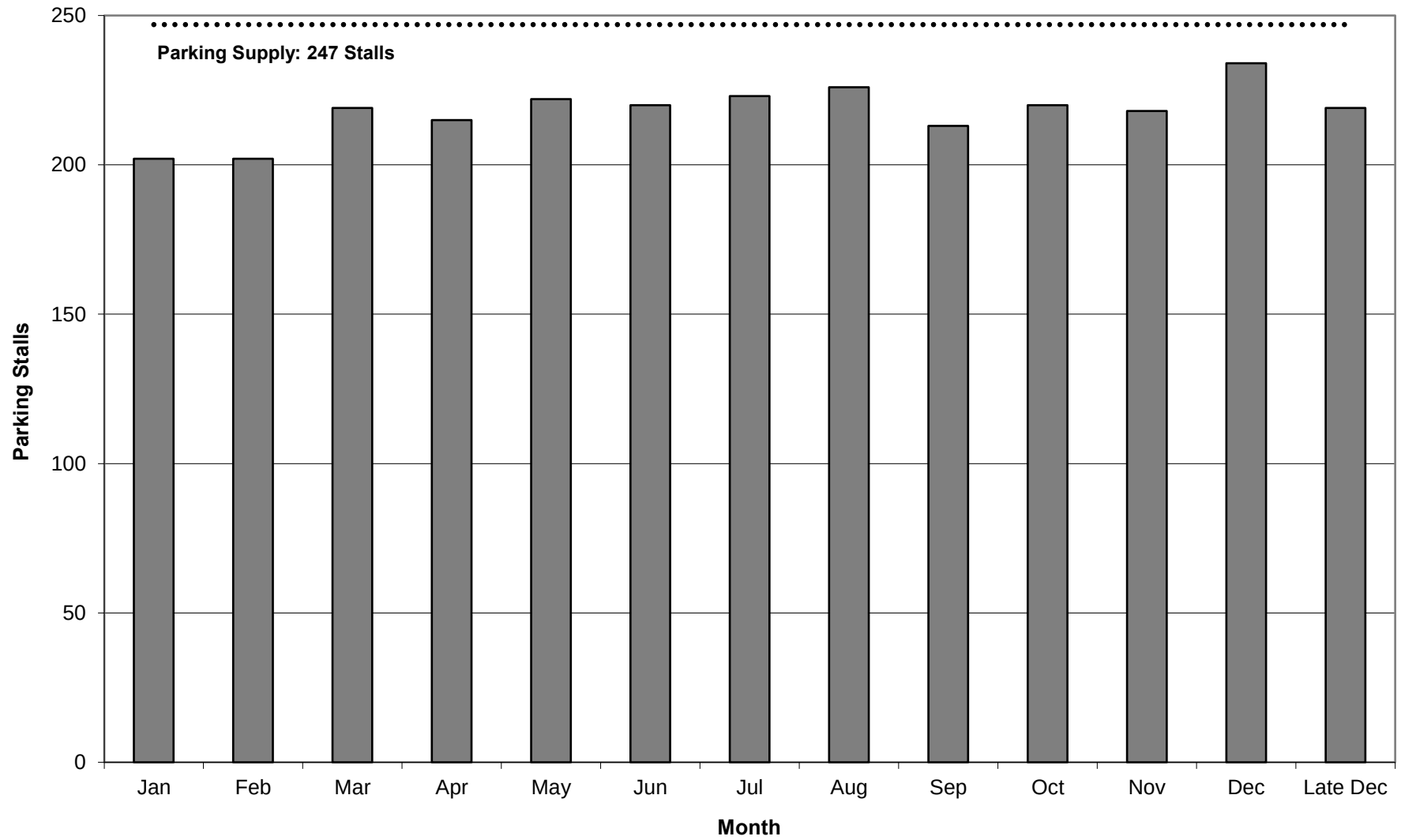
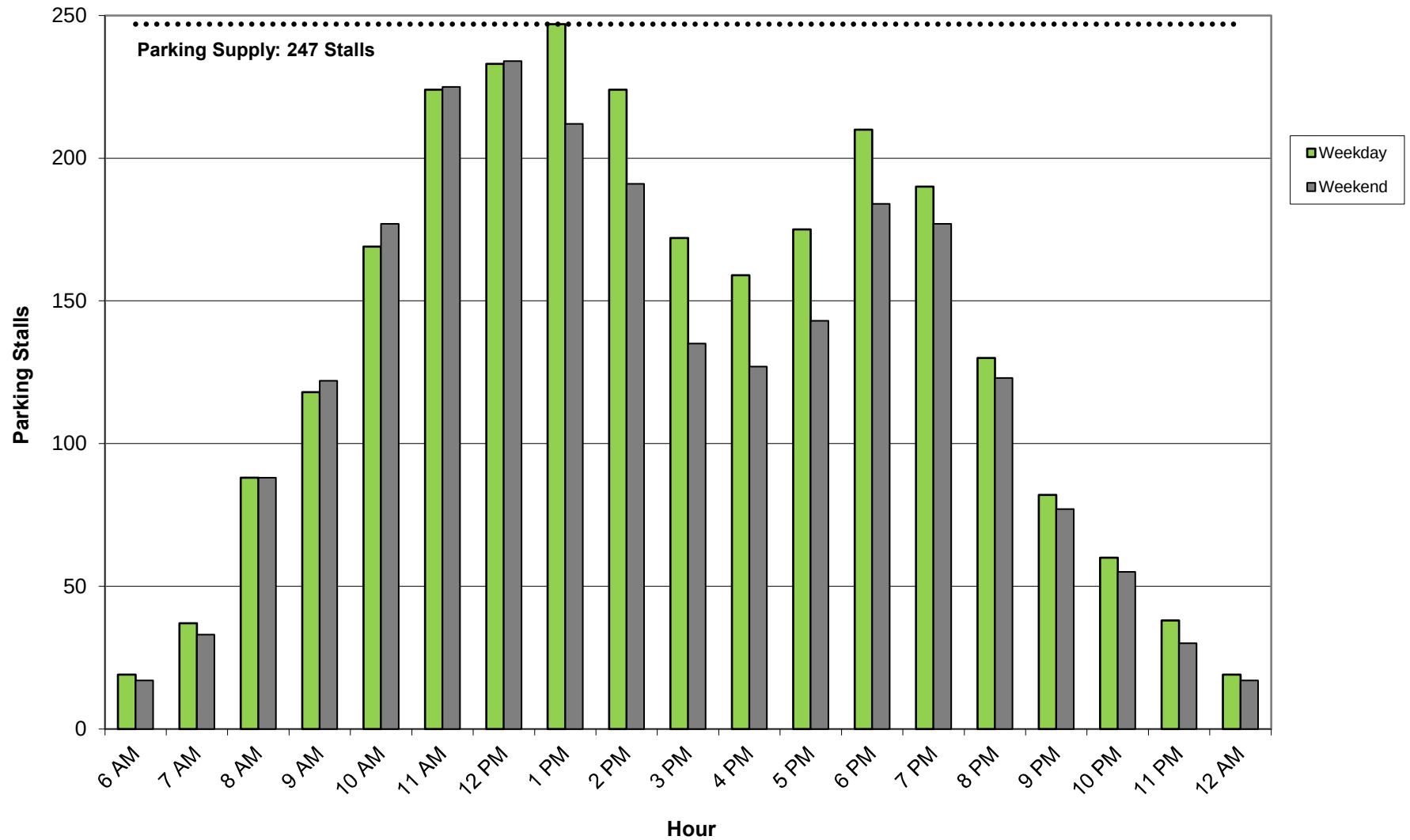


CHART 3
PEAK MONTH DAILY PARKING DEMAND BY HOUR



**TABLE 4
SHARED PARKING DEMAND SUMMARY**

Proposed Land Use		Size		Parking Rate [a]	Parking Spaces Required
Retail	Neighborhood/Community Shopping Center	5,200	sf		19
Restaurant	Family Restaurant	2,800	sf		27
Fast Food	Fast Food Restaurant	11,123	sf		167
Medical Office	Medical and Dental Office	8,000	sf		34
TOTAL PARKING SPACES REQUIRED					247
TOTAL PARKING SPACES PROVIDED					247
PARKING SPACES PROVIDED OVER REQUIRED					0

Notes:

[a] The weekday and weekend parking rates for each land use are described in the report and detailed in Table 3.

Chapter 4

Recommended Parking Management Measures

Based on the results of the ULI/ICSC shared parking analysis, which was conservative in its approach, the Project's proposed parking supply of 247 spaces is sufficient to accommodate the needs of the Project.

Recognizing that the Project land use allocation (i.e., retail vs. restaurant) and related parking needs may change in the future, should the restaurant/fast food space allocation ever exceed 13,923 and/or the total square footage within the norther commercial parcels (Nos. 2-6) exceed the 27,123 sf, it is our recommendation that an updated shared parking analysis be prepared in order to assess the parking needs of the Project under those specific conditions. If it is determined that the parking demand would not be satisfied by the proposed parking supply, additional parking management measures would be required.

References

Oxnard, California Code of Ordinances, City of Oxnard, December 12, 2016.

Shared Parking, 2nd Edition, Urban Land Institute and the International Council of Shopping Centers, 2005.

ATTACHMENT E

POLICE DEPARTMENT REPORT



Police Department

Scott Whitney, Chief of Police

Date: October 1, 2020

To: Scott Kolwitz, Planning Division Manager
Randy Baez, Assistant Planner

From: Alex Arnett, Patrol Support Division Commander
Scott Swenson, Safer Neighborhoods & Alcohol Compliance Specialist

Subject: Conico, The Landing, 751 Town Center Drive
PZ 20-500-02, Alcohol SUP Review (ABC Type 20)

Site Information:

The applicant site is new construction of a gas station and convenience store located on the southeast corner of Ventura Road and Town Center Drive within the RiverPark Neighborhood. The applicant plans to operate the gas station and convenience store 24-hours a day. South of the site is a new construction 333-unit apartment complex, east of the site is The Landing commercial center, to the north, across Town Center Drive is a high-rise office building, and to the west of the site is a two-story office building.

The applicant plans to operate the business 24-hours a day, 7-days a week and is pursuing an Alcohol Beverage Control (ABC) Type 20¹ License to sell beer and wine for off-sale consumption from 6 A.M. to 12 A.M.

Concentration, Crime and Policing Services

Concentration of retail alcohol outlets and crime can have a significant impact on public safety and the delivery of police services. The State of California² and the City of Oxnard³ have established standards to weigh concentration factors, and, when appropriate, mitigations to address those factors. The below charts identify nearby retail alcohol establishments.

¹ Type 20 Off Sale Beer and Wine – (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.

² Concentration Standards for the State of California: §23958.4 Business and Professions Code

³ Concentration Standards for the City of Oxnard: Council Resolution 11,896

Alcohol outlets located within 350 Feet

#	Business Name	Address	A B C T y p e		O n / O f f - S a l e	Premise	Alcohol	Alc oh ol Ho urs *
1	Oakmont of RiverPark	901 Town Center Dr.	63	Y	On	Senior Living	Beer & Wine	7a-1a

Alcohol outlets located between 350 Feet and 1000 Feet

#	Business Name	Address	A B C T y p e		O n / O f f - S a l e	Premise	Alcohol	Alc oh ol Ho urs *
1	Clearwater at RiverPark	750 Clyde River Dr.	47	Y	On	Restaurant	Beer Wine Spirits	7a-1a

Based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards. However, there is undue concentration under State Standards.

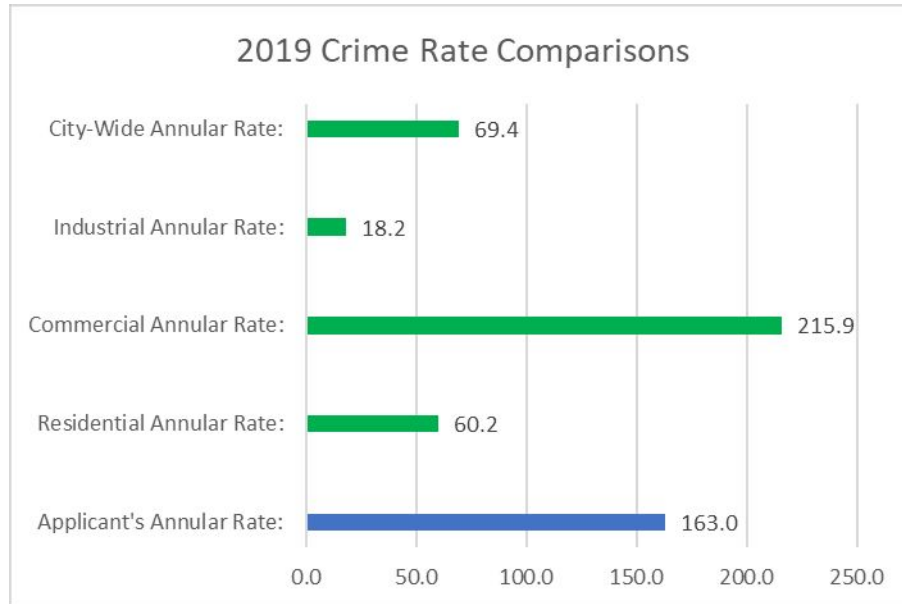
Crime Statistics Review:

For comparison purposes the Police Department calculates the average number of Part I⁴ and II⁵ crimes that occurred during a selected 12-month period. In the case of this report, all calculations are based on statistics from 2019. The average city-wide, annular average of Part I and II crimes is 69.4.

The average number of Part I and II crimes in the applicant's 1000 feet annular area is 128. This is 75.5 % of the average for commercial properties citywide and can be best illustrated in the graph below:

⁴ Part I crimes include: murder, rape, robbery, theft, burglary, auto theft, assault, and arson.

⁵ Part II crime include: other assaults, forgery & counterfeiting, fraud, embezzlement, stolen property, vandalism, weapons, prostitution & commercialized vice, sex offenses, drug abuse violations, gambling, offenses against family and children, driving under the influence, liquor laws, drunkenness, disorderly conduct, vagrancy, all other offenses not specifically identified as Part I or Part II, except traffic violations.



Police Department Input:

The Beat Coordinator who is responsible for the day-to-day monitoring of activity and deployment of police resources for the surrounding area said that the location is not generally considered to be a policing problem and has not required any specific attention.

Community Input

Area Residents:

The Neighborhood Chairperson was contacted and briefed concerning this application. She stated that when “The Landing” was proposed during a Community Forum several points were discussed concerning the establishment of the convenience store/gas station. The points which neighborhood members strongly supported included no sales of alcohol beyond midnight and that a security guard would be present during hours of darkness to dissuade homeless loitering. Otherwise, the neighborhood supports the proposed permit.

Conclusion

Concentration, Public Convenience and Necessity

As previously discussed, there is no undue concentration of alcohol establishments under the standards established by the City of Oxnard. However, there is undue concentration under the standards established by the State of California. This undue concentration can be rebutted as the site’s crime rate is lower than the citywide average for commercial properties and the business will serve public convenience and necessity.

Based on the crime statistics, the assessment from the Beat Coordinator, and the input from the community there is no significant reason to oppose this application. Under the recommended operating conditions, it is believed that the service of alcoholic beverages at this business will have little, if any adverse impact on the community or policing services.

Police Operating Conditions Off-Sale, Convenience Store (Conico, 751 Town Center Drive)

Training

- 1) Permittee and all sellers or servers and their immediate supervisors shall complete a course in Responsible Beverage Service (RBS) approved by the Chief of Police within sixty days of license granting and/or date of employment. Applicant and/or servers can contact the Alcohol Compliance Team at the Oxnard Police Department via email at specialprojects@oxnardpd.org to obtain information on RBS classes. (PL/PD)
- 2) Each permittee shall maintain a record of their employees who have successfully completed the required Responsible Beverage Service Training and make that record available to any representative of the Oxnard Police Department upon demand.

Operations

- 3) The Police Chief or designee may immediately suspend operation of the use(s) approved by this permit pending a hearing on the suspension or revocation of this permit if the Chief determines that there have been significant violations of the conditions associated with the use(s) and/or Alcoholic Beverage Control (ABC) license and/or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions responded to that is associated with the operation of this use for which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing regarding the revocation of the permit by the Community Development Director to be held no more than 30 days after the suspension begins.

Additionally, violations of this permit which can lead to permit suspension can include, but not limited to:

- a) Failure to provide required operational documentation within 30-days when requested by mail or email. This would include, but not limited to quarterly food/alcohol sales, copies of security guard credentials, and proof of server's completion of RBS Training.
 - b) Repeated violations of a specific condition within this document or successor documents or permits.
 - c) Evidence of service of alcoholic beverages to minors.
 - d) Repeated failure to maintain a staff of servers trained in approved Responsible Beverage Service. (PD)
 - e) Sales to habitual drunkards per section 25602(a) Business and Professions Code.
- 4) Permittee shall provide the Oxnard Police Department an email address for a responsible party for the business. This may be the owner, manager or other party who can respond to inquiries for the business. Permittee shall submit an email address to: specialprojects@oxnardpd.org . In the submission, identify the business name, the contact person's name and their role in the business.

Security

- 5) A Security Plan shall be submitted and approved prior to the issuance of building permits. The plan shall include:
 - a. The Security Plan Sheet that identifies the location of each security camera, camera recording and support equipment.
 - b. The Security Plan shall include a chart shall identifying each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).

- 6) Prior to commencing the sale of alcohol permitted by this permit, permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
 - a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
 - b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
 - d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.
 - g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
 - h. All vehicular entrances to the parking facilities shall be monitored by a camera or cameras that are placed to capture images of sufficient quality where the vehicle's license plate, make, model and color can be easily identified.
 - i. A monitor near the customer entrance shall be mounted from the ceiling. The bottom edge of the monitor shall be 7-feet above the floor. Its placement shall provide customer's images upon entry into the business.
 - j. A monitor shall be placed at the cashier's station to allow staff to passively monitor activity at the site via the camera system.
 - k. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)
- 7) Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.
- 8) Other than for emergency purposes, there shall be only one means of customer ingress and egress. (PD)
- 9) Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)

- 10) Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)
- 11) Sales displays shall be no taller than 48-inches except those displays around the interior perimeter of the store. Displays, banners, signs and other materials shall not interfere with clear sightlines in and out of windows or obscure the view of the sales area from the cashier's station.
- 12) Coolers and other sales displays shall not be located near entry or exit points and shall be clearly visible to employees from the cashier's station. (PD)
- 13) Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)
- 14) Permittee shall establish and maintain a cash handling system that reduces the likelihood of robberies and theft. The system shall include the following components and practices:
 - a) A drop safe having a programable access control system. The access control system shall have the capability to restrict access times and record the individual passcode used at each opening of the safe.
 - b) Established cash drawer maximums requiring staff to transfer larger bills into the drop safe.
 - c) Cash drawer preparation and end-of-shift counts shall occur in a secure room away from customer access or view.
- 15) Permittee shall install height gauges at all exit doors. (PD)
- 16) Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

License/Permit

- 17) The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee. (PD)
- 18) Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated

and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)

- 19)The permittee shall participate, when requested and reasonable, in programs and efforts of the Oxnard Police Department to inform and educate the patrons of alcohol establishments on the dangers of driving under the influence of alcohol or drugs. (PD)
- 20)A copy of these conditions must be maintained on the premises and made available upon the demand of any representative of the Oxnard Police Department at all times. (PL/PD)

Site Management

- 21)Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)
- 22)The permittee shall maintain areas for which the business has reasonable control around the premises free of litter and graffiti.
- 23)The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons in or about the area. (PL/PD)
- 24)No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors and any pay phones installed inside shall be blocked from incoming calls. (PL/PD)
- 25)Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)
- 26)There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)
- 27)Windows shall remain clear of signage, posters, advertisements, or any other item that interferes with clear sightlines into the business. No display or other object near, on or adjacent to the windows shall appear above 48-inches above the floor.
- 28)The permittee shall post prominent, permanent signs indicating that loitering, open containers, and/or the consumption of alcoholic beverages is prohibited. These signs shall be posted in the parking lot and other adjacent areas under

Permittee's reasonable control, including exterior common walkways and corridors. (PD)

- 29) There shall be no amusement machines or video devices maintained on the premises at any time. (PD)
- 30) Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)
- 31) There shall be no self-service displays of any type of tobacco or vaping product including, but not limited to cigarettes, cigars and smokeless tobacco. (PD)
- 32) The permittee's internet presence shall be consistent with these conditions. Any site or internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that conflict with the provisions set forth in this permit and/or the ABC license. (PD)

Alcohol Control

- 33) Alcohol sales shall be limited to 7 a.m. to 12 a.m. (midnight). If the business operates during hours beyond 7 a.m. to 12 a.m. (midnight) all displays and refrigerators containing alcoholic beverages shall be secured with an approved locking system during the hours when alcohol sales is prohibited so as to prevent customer access to these products.
- 34) Single sales of alcoholic beverages shall be restricted as listed below:
 - a) Other than specialty beers and micro-brews, beer, malt beverages and wine coolers in containers of 64oz in volume or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities. The sale of mass-produced, low priced beer or malt liquor in single servings is prohibited (PD)
 - b) No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madiera, Muscat and Vermouth are permitted). (PD)
- 35) No open floor displays of alcoholic are allowed, including but not limited to "beer mountains" and portable coolers. (PD)

- 36) No temporary or permanent open displays of alcoholic beverages are permitted near customer entry/exit points. This includes stacked boxes, beer can “mountains” or cases containing alcohol beverages, portable coolers, promotional displays or any other alcohol displays where there is a clear, easy or unobstructed path to any entry or exit.
- 37) Employees involved in the sale of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report for work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances.

SPECIAL POLICE CONDITIONS

- 38) The coolers containing alcoholic beverages shall be in close proximity to the cashier’s station. The cashier’s station door shall be located adjacent to the coolers containing alcoholic beverages.
- 39) The permittee shall have a uniformed security guard on-duty during hours of darkness when alcoholic beverages are offered for sale to discourage loitering and other similar site problems.

The Chief of Police or his/her designee may withdraw or re-establish the requirement under this condition if circumstances at the site justify such changes. Circumstances that would justify a letter to suspend this requirement would include a six-month period without complaints from the community or other evidence of problem activities such as uncorrected graffiti, non-customers loitering, or other activities that may adversely impact the perceived safety at the site. Re-establishment of the provisions of this condition may be made by the Chief of Police or his/her designee by means of a letter if any of the aforementioned problem activities emerge. The permittee has the right to meet and confer with the Chief of Police or his/her designee over issues tied to this condition and may request a hearing before a hearing officer as authorized by City Code.

ATTACHMENT F

CITY COUNCIL RESOLUTION No. 11,896

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 11.896

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF OXNARD ADOPTING STANDARDS FOR
DETERMINING APPLICATIONS FOR SPECIAL USE
PERMITS TO SELL ALCOHOLIC BEVERAGES

WHEREAS, any person wishing to sell alcoholic beverages in the State of California must obtain a license to do so from the Department of Alcoholic Beverage Control; and

WHEREAS, Business and Professions Code Section 23790 provides that the Department of Alcoholic Beverage Control shall not issue a retail license "for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city"; and

WHEREAS, the City of Oxnard has enacted zoning ordinances restricting the sale of alcoholic beverages to certain zones and requiring that a person wishing to sell alcoholic beverages in such zones first obtain a special use permit; and

WHEREAS, section 34-147 of the Oxnard City Code provides in part:

"Before a special use permit may be granted, the applicant must show and the planning commission must find that the proposed use is in conformance with the general plan and other adopted standards and that the following conditions are met:

"(a) The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed special use permit shall be granted where the commission finds such use will adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare."

WHEREAS, based on the experience of the Police Department that there is a relationship between crime and the consumption of alcohol and that establishments selling alcohol are incompatible with certain adjacent uses, the City Council wishes to adopt standards for determining when granting applications for special use permits to sell alcoholic beverages would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the public health, safety and general welfare; and

WHEREAS, this resolution applies only to the determination required by subsection (a) of section 34-147 of the City Code, and does not dispense with the requirement that in order to grant a special use permit to sell alcoholic beverages the application must satisfy the remainder of section 34-147; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning and Environmental Services Manager provided public notice of the intent of the City to adopt a negative declaration for the adoption of this resolution ("the project"), and the City Council has considered the proposed negative declaration, together with any comments received during the public review process, finds on the basis of the initial study and any comments received that there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and approves the negative declaration.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. City Council Resolution No. 8597 is repealed.

2. The Planning and Environmental Services Division of the Development Services Department shall refer to the Police Department applications for special use permits to sell alcoholic beverages at retail. The Police Department shall prepare and submit to the secretary of the Planning Commission, at least ten calendar days before the date set for hearing on the special use permit, a written report on the following matters:

(a) The name and address and a description of the type of all establishments selling alcoholic beverages within 1,000 feet of the location for which the special use permit is applied. As used in this resolution, "the type" refers to the nature of the business (e.g., grocery store, liquor store, bar or restaurant), not to the type of State Alcoholic Beverage Control license issued to or sought for the business.

(b) The annual number of incidents involving police responses within 1,000 feet of the location for which the special use permit is applied and how this number compares to the City average of police responses.

(c) The likelihood that granting the application will create or significantly aggravate police problems at or near the subject location.

(d) A list of conditions recommended for inclusion in the special use permit to minimize police problems if the application is granted. One such condition shall be that the applicant provide Responsible Beverage Sales and Service (RBSS) training to all operators and employees of the establishment within 30 days of their employment. The applicant may apply to the Police Department for a waiver of RBSS training for temporary or short-term employees.

3. The Planning Commission shall consider the report, as well as any other relevant evidence, in determining whether, under subsection (a) of section 34-147 of the City Code, granting an application for a special use permit to sell alcoholic beverages at retail would adversely affect or be materially detrimental to adjacent uses, buildings or structures or to the

Resolution No. 11,896
Page 3

public health, safety or general welfare. Before making such determination, the Planning Commission shall make the following findings, as well as any other relevant findings:

(a) The proposed use is not likely to create or significantly aggravate police problems within 1000 feet of the location for which the special use permit is applied; and

(b) The proposed use will not result in or add to an undue concentration of establishments selling alcoholic beverages at retail within 1000 feet of the location for which the special use permit is applied. For purposes of making this determination, there is a presumption that an undue concentration will result or be added to if the establishment for which the special use permit is applied will be located less than 350 feet from another establishment of the same type, and there is a presumption that an undue concentration will not result or be added to if the establishment for which the special use permit is applied will be located 350 feet or more from another establishment of the same type. However, either presumption may be rebutted by a preponderance of the evidence, based on the facts of the particular case.

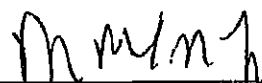
4. All of the procedures and other matters contained in section 34-146 et seq. of the City Code apply to applications for special use permits to sell alcoholic beverages at retail.

PASSED AND ADOPTED this 6th day of February, 2001, by the following vote:

AYES: Councilmembers Maulhardt, Pinkard, Zaragoza, Holden and Lopez.

NOES: None.

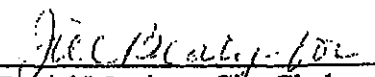
ABSENT: None.



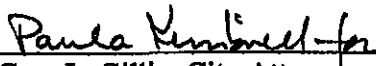
Dr. Manuel M. Lopez, Mayor

ATTEST:

APPROVED AS TO FORM:



Daniel Martinez, City Clerk



Gary L. Gillig, City Attorney

ATTACHMENT G

DRAFT RESOLUTION

**PZ 20-500-02
(SPECIAL USE PERMIT)**

RESOLUTION NO. 2020 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-500-02 (SPECIAL USE PERMIT) TO ALLOW FOR THE CONSTRUCTION OF A 3,442 SQUARE-FOOT GAS STATION AND CONVENIENCE STORE BUILDING WITH A 1,160 SQUARE-FOOT CAR WASH BUILDING, AND AN 875 SQUARE-FOOT CAR WASH EQUIPMENT STORAGE BUILDING WITH AN ASSOCIATED PARKING LOT FOR 27 VEHICLES AND, LANDSCAPE AND INFRASTRUCTURE IMPROVEMENTS ON A 1.18-ACRE UNDEVELOPED LOT LOCATED LOT 1 OF TRACT 6004 (APN: 132-0-470-035), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY JUN KIM ON BEHALF OF PROPERTY OWNER SHEA PROPERTIES, LLC, 130 VANTIS SUITE 200, ALISO VIEJO, CALIFORNIA 92656-2691.

WHEREAS, on April 22, 2020, Jun Kim, (the “**Applicant**”) on behalf of property owner Shea Properties, submitted a request to allow for the construction of a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building on a 1.18-acre undeveloped lot located Lot 1 of Tract 6004 (the “**Project**”); and

WHEREAS, on November 19, 2020, the Planning Commission of the City of Oxnard (“**Planning Commission**”) was scheduled to conduct a duly noticed public hearing to consider the Applicant’s request to approve Planning and Zoning Permit No. 20-500-02 (Special Use Permit) to construct a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building, an associated parking lot for 27 vehicles, and landscaping and infrastructure improvements, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, on November 19, 2020, the Project was continued to the following Planning Commission date of December 3, 2020. Project conditions found within the Resolutions were updated to reflect both applicant and City review. Specifically, Development Division and Stormwater conditions were replaced within Draft Resolution of Approval - PZ 20-500-02 (Special Use Permit); and

WHEREAS, on December 3, 2020, the Planning Commission conducted a duly noticed public hearing to consider the Applicant’s request to approve Planning and Zoning Permit No. 20-500-02 (Special Use Permit) to construct a 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building, an associated parking lot for 27 vehicles, and landscaping and infrastructure improvements, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 32 Categorical

Exemption (Section 15332). Further, the project does not trigger any of the Exceptions to the Exemptions (15300.2) to defeat the Exemption:

- A. Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is located within the 2030 General Plan land use designation of Commercial Regional (CR) and within the West Corridor Commercial District of the RiverPark Specific Plan. The Project is surrounded by commercial and residential development. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

- B. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Special Use Permit Permit request for construction of a 3,442 square-foot gas station and convenience store, 1,160 square-foot car wash building and 875 square-foot car wash equipment storage building and associated site improvements on a 1.18-acre site is consistent with the 2030 General Plan and the RiverPark Specific Plan and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the RiverPark Specific Plan for consistency and CEQA for any potential impacts. Therefore, the project will have no significant impact.

- C. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Special Use Permit Permit request for construction of a 3,442 square-foot gas station and convenience store, 1,160 square-foot car wash building and 875 square-foot car wash equipment storage building and associated site improvements on a 1.18-acre site will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The Project will not alter the commercial and residential character of the surrounding development and the property does not contain any unusual environmental

characteristics as the property will be surrounded on all sides by commercial development. Therefore, the Project will not have a significant effect on the environment due to unusual circumstances.

- D. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The Project is not located in or adjacent to a state designated scenic highway.

- E. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

- F. Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site is undeveloped and does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF OXNARD:

SECTION 1. Based on the entire record before the Community Development Director and all written and oral evidence presented, including the Special Use Permit Staff Report and all attachments thereto, the Community Development Director finds:

1. **The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.**

As described in the Staff Report, the Applicant proposes the construction of a commercial building with an associated parking lot and related site improvements. The Project involves a 3,442 square-foot gas station and convenience store, 1,160 square-foot car wash building and 875 square-foot car wash equipment storage

building. As conditioned, the commercial buildings have been designed to meet the required developments standards identified in the West Corridor Commercial District of the RiverPark Specific Plan. Therefore, the proposed use is in compliance with the 2030 General Plan and other adopted policies of the City of Oxnard.

2. **The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, pursuant to the 2030 General Plan land use designation “Commercial Regional,” the proposed use of the project site as a gasoline station and car wash and associated site improvements, is an allowed use. The surrounding uses are characterized by commercial uses, which are predominantly restaurant and residential uses. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

3. **The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this Resolution.**

As proposed and conditioned, the project will meet the development standards of the RiverPark Specific Plan to ensure that development is adequately proportional to the size of the property. The project site is a vacant 1.18-acre lot. Pursuant to the RiverPark Specific Plan, the Project has been designed to be consistent with the maximum building height, front, side and rear setbacks, lot coverage, parking standards, and roof top equipment standards. The project site is a through-lot with frontages on both Ventura Road and Town Center Drive, with additional access to the spine road. The building is located close to Town Center Drive, but the building does not directly orient to the street and the main building entrance has been designed to face the parking lot and not either Ventura Road or Town Center Drive. The Project meets all RiverPark Specific Plan Building Orientation and Use Guidelines except for Guidelines 2 and 4; however, the Community Development Director is authorizing these deviations pursuant to RiverPark Specific Plan Section 7.9.2.2. The Community Development Director and Planning Commission find the building cannot be located closer to the street due to existing underground utilities which cannot be moved without considerable expense and the building cannot be constructed on top of these utilities. The Community Development Director and Planning Commission also find these deviations do not involve a numerical standard, but the deviation is consistent with the spirit and intent of the plans and does not adversely affect surrounding properties as the main building entrance has been designed to connect to a linear walkway which links to adjacent commercial

buildings. Pursuant to the City of Oxnard Landscape Standards, the proposed development includes landscaping within the front yard. Given these circumstances, the site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards.

4. **The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.**

As described in the Staff Report, the project will be accessed from an existing private street to the south, as well as Town Center Drive to the northeast and Ventura Road to the northwest. The parking lot will provide parking for 27 vehicles. The commercial building is required to provide 11 parking spaces, based on a formula of 1 space per 300 gross square feet of building area for automobile uses. Consistent with the RiverPark Specific Plan Section 6.2.5.2, a parking management plan was also incorporated and reviewed to demonstrate that there is sufficient parking as proposed. The City bicycle and vehicle parking requirements are being met. The project also includes a Parking Management Plan and reciprocal access agreement with the adjacent lots of The Landing. Therefore, the site will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic the proposed commercial building is anticipated to generate.

5. **The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

As described in the Staff Report, the proposed project is considered infill development that has been found to be consistent with anticipated development for this site. Furthermore, the project site will be served by existing water and sewer lines found within the spine road (located to the south of the property). A media filter and dry well system are proposed to collect trash, debris, sediment, oil and grease that would otherwise drain or runoff from the parking lot to the south of the commercial building and the lot. Therefore, the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (construction of a commercial building) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15332 (Class 32) of the State CEQA Guidelines. The Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 20-500-02 (Special Use Permit 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 Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

[CONDITIONS OF APPROVAL ON FOLLOWING PAGE]

Note: The abbreviations below identify the City department or division responsible for determining compliance with these standard conditions. The first department or division listed has responsibility for compliance at plan check, the second during inspection and the third at final inspection, prior to issuance of a certificate of occupancy, or at a later date, as specified in the condition. If more than one department or division is listed, the first will check the plans or inspect the project before the second confirms compliance with the condition. The italicized code at the end of each condition provides internal information on the source of each condition: Some are standard permit conditions (e.g. *G-1*) while some are taken from environmental documents (e.g. *MND-S2*).

DEPARTMENTS AND DIVISIONS			
CA	City Attorney	PL	Planning
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Landscape Design	CE	Code Enforcement

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated December 3, 2020, (“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”). 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. (PL, *G-2*)
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Planning Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
9. 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 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)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)

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13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, *G-13*)
14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, *G-14*)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

16. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, *PK-2*)
17. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, *PK-3*)
18. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, *PK-4*)
19. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, *PK-5*)
20. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, *PK-6*)
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*)
22. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

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23. 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)
24. 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)

LANDSCAPE SPECIAL CONDITIONS

25. Planting and irrigation must be provided for within the public right of way.
26. 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 prior to the issuance of building permits. (PL/PK)
27. All landscaping and irrigation shall comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards. (PL/PK)
28. The final landscape plan shall be reviewed and approved by the City's Landscape Architect prior to the issuance of a building permit.

PLANNING DIVISION STANDARD CONDITIONS

29. 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)
30. 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)
31. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by Resolution of the Community Development Director in all sets of construction documents and specifications for the project. (PL, PL-3)

32. Before the City issues building permits, Developer shall provide to the Planning Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Community Development Director. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
33. Developer acknowledges that because of population limitations placed on the City by the Air Quality Management Program, approval of this permit does not guarantee that the City will issue building permits. The City's issuance of building permits may be delayed as a result of implementation of an air quality plan. (PL, PL-5)
34. 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)
35. 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)
36. 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)
37. 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)
38. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
39. 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*)

40. Due to 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*)
41. 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*).
42. 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*)
43. 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*)
44. 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*)
45. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
46. 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*)

PLANNING DIVISION SPECIAL CONDITIONS

47. 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)

48. Developer shall remove any and all graffiti from the project premises 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.
49. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval of the Planning 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)
50. Applicant shall screen, to the satisfaction of the Planning Manager, any HVAC equipment visible from the public right-of-way. Screening plants shall be consistent with other species on the property and a minimum size of five gallons. (PL)
51. Applicant shall seek approval for the proposed monument sign under separate building permit. (PL)
52. Prior to building permit issuance, the developer shall provide a public improvement plan which identifies, and includes, a connection to the city fiber optic infrastructure according to city specifications pursuant to the Fiber Network Master Plan as adopted by the City Council on May 5, 2020. Initial installation of fiber optic infrastructure shall be the responsibility of the Developer and shall occur at the time that roadways are constructed unless a mutually agreed upon process is determined in consultation with the City's Information Technology Department.
53. Design measures to avoid vehicle and pedestrian/bicycle conflicts shall be maintained. Direct pedestrian entry through the front of the building shall be maintained from streets and sidewalks to the building entrance. Well articulated pedestrian routes and zones shall be maintained on the site, linking building entrances and parking areas. Car wash drive-through lanes should be maintained to minimize conflicts with pedestrian walkways, bicycle routes, and paths of travel. Drive-through lanes that obstruct a pedestrian pathway between parking areas or sidewalks and entries into the building should maintain a pedestrian crossing that is delineated by landscaping, striping, curbing, and raised or decorative paving to separate pedestrian and vehicular access and circulation to the satisfaction of the Community Development Director.
54. Consistent with the applicant-provided project description, Car Wash operations shall be restricted as follows: (PL)
 - (A) 7:00 A.M. to 10:00 P.M.

55. Loading and unloading for car wash delivery items shall occur during non-peak hours (7:00 A.M. - 9:00 A.M. and 4:00 - 6:00 P.M. Monday - Friday) within the loading and unloading area on site. (PL)
56. When the car wash is non-operational (after hours), access into the car wash structure shall be secured with the approved roll up doors, to block access into the drive through was area. (PL)
57. Car wash operator is restricted from playing music on the outside of the car wash facility (PL).
58. No signage shall be placed on the southerly elevation of the car wash facility (facing the senior living facility).
59. Prior to the issuance of a Building Permit, the Applicant/Operator is to submit a draft Transportation Demand Management Plan (TDMP) that identifies how the internal circulation of the gas station and carwash shall be managed, back-ups are avoided, and conflicting turning movements are to be avoided. The TDMP should describe solutions that are available through personnel, technology and/or temporary and permanent barriers. For instance, the Applicant may propose using roving staff with mobile ordering devices when the uses exceed the designed capacity. Prior to the issuance of a Certificate of Occupancy, the Community Development and Public Works Departments shall approve the TDMP.
60. After implementation of the TDMP, and upon the determination of the Community Development or Public Works Departments that the TDMP created for the uses are not functioning effectively, or upon any future modification or expansion of the uses, the TDMP shall be comprehensively re-evaluated by the Community Development and Public Works Departments. This TDMP re-evaluation work effort shall be accompanied by a filing fee determined by the Community Development Director and Public Works Director to address staff review time by Community Development and Public Works staff.
61. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property as directed by the City Inspector. (DS)
62. Developer shall construct a waste enclosure, with a roof and level concrete pad for the storage of at least three containers out of view of the public street. Developer shall provide a concrete apron in front of the enclosure to facilitate proper servicing. Enclosure gates must be constructed to allow eight (8) feet of clear space to allow passage of the City issued containers. (DS)
63. Lot fine grading shall be designed and constructed in compliance with City Standard Plate 601 or as otherwise approved by the City Engineer. (DS)

PLANNING DIVISION ENVIRONMENTAL MITIGATIONS

64. The following Mitigation Measures originally set forth in the Reporting/Monitoring Program, adopted for the RiverPark Specific Plan and Environmental Impact Report approved in April, 2002 with the City of Oxnard, lead agency, shall be fully complied with at all times. The measures shall be included as conditions of required permit action, and compliance shall result in potential impacts reduced to a level of less than significant and there shall be no residual impacts from the proposed project. Proposed mitigation for those impacts is as follows:

Biological Resources

Mitigation Measure 4.4-1:

Prior to issuance of a grading permit for the project site, and within 15 days prior to construction or site preparation activities that would occur during the nesting/breeding season of native bird species potentially nesting on the site (February through July), the applicant shall retain the services of a qualified biologist. The biologist must, at a minimum, have a degree in biology or related field, and five years field experience in identification of flora and fauna in the southern California region, and be recognized as qualified by appropriate regulatory agencies. The biologist shall conduct on-site surveys to determine if active nests of special-status and common bird species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code, are present within 100 feet of the construction zone. If active nests are found on or immediately adjacent to the site, a minimum 100-foot buffer area (300 feet for raptors) shall be temporarily fenced around the nest site. No construction activities or project-related activities shall be permitted within this nest zone until the young birds have fledged, as determined by the biologist.

REPORTING/MONITORING PROGRAM:

Method of Review Verification: Field Surveys

Monitoring Milestone: Prior to issuance of grading permit

Responsible Agency: Planning & Environmental Services

Mitigation Measure 4.9-1:

On-site construction activities shall be limited to between the hours of 7:00 AM and 6:00 PM, and exclude Sundays..

REPORTING/MONITORING PROGRAM:

Method of Review Verification: Field inspection

Monitoring Milestone: During grading & construction

Responsible Agency: Community Development

Mitigation Measure 4.9-2:

Staging areas shall be provided on-site to minimize off-site transportation of heavy construction equipment. These staging areas shall be located to maximize the distance to residential areas.

REPORTING/MONITORING PROGRAM:

Method of Review Verification: Field inspection

Monitoring Milestone: During grading & construction
 Responsible Agency: Community Development

Mitigation Measure 4.9-3:

Construction equipment is fitted with modern sound-reduction equipment.

REPORTING/MONITORING PROGRAM:

Method of Review Verification: Field inspection

Monitoring Milestone: During grading & construction

Responsible Agency: Community Development

Mitigation Measure 4.9-4:

When construction operations occur adjacent to occupied residential areas, additional noise reduction measures shall be implemented, including, but are not limited to, changing the location of stationary construction equipment, shutting off idling equipment and notifying adjacent residences in advance of construction work.

REPORTING/MONITORING PROGRAM:

Method of Review Verification: Field inspection

Monitoring Milestone: During grading & construction

Responsible Agency: Community Development

Standard Air Quality

65. Developer shall ensure that all construction equipment is maintained and tuned to recommended manufacturer's specifications. (MND, C-1)
66. 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)
67. 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)
68. 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)
69. 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)
70. 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)

71. 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)
72. 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)

Standard Cultural Resources

73. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (MND, E-1)

DEVELOPMENT DIVISION STANDARD CONDITIONS

74. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at the time the City issues building permits. (DS-1)
75. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall show the proposed structural section and design T.I. on the site improvement plans. (DS-2)

76. Developer shall have the site improvement plans prepared on standard Community Development Division mylars by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and the original ink-on-mylar plans filed with the Community Development Division. (DS-3)
77. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drainage from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
78. Developer shall protect building pads from inundation during a 1% chance (100year) storm. (DS-5)
79. Before connecting the project to existing sewer and water service laterals, Developer shall inspect (pothole or video) existing lateral(s) and arrange for City staff to view inspection results. Developer shall make repairs to such facilities as determined necessary by City staff. Developer shall bring all existing water services into compliance with current City standards including removal of unused water or sewer laterals by disconnection at the main. (DS-7)
80. 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)
81. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
82. 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)
83. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility services provider. (DS-12)
84. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code and shall post security satisfactory to the Finance Director, guaranteeing the installation

and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)

85. 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)
86. Prior to issuance of a site improvement permit, Developer shall provide to the Community Development Division a compact Disc (CD) or USB portable drive 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 or USB portable drive containing all changes that occur during construction. (DS-16)
87. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
88. 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 Community Development Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
89. 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)
90. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
91. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
92. 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)

93. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
94. 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)
95. 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)
96. 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)
97. 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)
98. 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)
99. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
100. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents (as determined appropriate by the Development

- Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)
101. 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)
 102. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
 103. 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)
 104. 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)
 105. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
 106. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
 107. 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)
 108. 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)

109. 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)
110. 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)
111. 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)
112. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access agreement with the adjacent property owner. (DS-103)
113. 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:

114. Developer's drainage report shall include calculations demonstrating that the project is protected from a 1% chance (100-year) storm event based on the most recent data available, including but not limited to, the CLOMR being processed by the Oxnard Village Project. The analysis shall include both the before floodwall and after floodwall construction evaluations in the CLOMR. (DS)
115. The onsite storm drain system shall be privately owned and maintained. (DS)

116. Developer shall remove portions of the onsite storm drain system that will no longer be used by the project. (DS)
117. This development is located within the Riverpark Specific Plan which meets exemption criteria allowing the project to provide stormwater quality treatment in accordance with the requirements of the July 2000 Municipal Separate Storm Sewer System (MS4) and associated 2002 Technical Guidance Manual ("TGM") based on the exception criteria included in the 2010 MS4 permit and associated 2011 TGM. Site improvements shall be designed to intercept and effectively prevent pollutants from discharging to the public storm drain system or other offsite conveyance systems. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of an infrastructure improvement permit. (DS)
118. Developer shall implement onsite (privately maintained) stormwater quality mitigations that comply with the recommendations of the "Stormwater Quality Management Plan for Riverpark". (DS)
119. Developer shall design and implement a plan to promote stormwater infiltration for this project. Project shall route roof runoff (all structures) to infiltration devices. Infiltration plan shall be designed to the satisfaction of the City Engineer prior to issuance of a grading or site improvement permit. (DS)
120. Fueling areas (gas stations) shall be designed in compliance with Site-Specific Control Measure S-7 of Section 4 of the 2002 TGM. These requirements include, but are not limited to: 1) Fuel dispensing area (as defined in the TGM) must be paved with concrete; 2) Fuel dispensing area must be covered by a solid canopy; 3) Fuel dispensing area must be designed to prevent storm drain flow through; 4) Canopy downspouts must not drain onto the fuel dispensing area; 5) Fueling area must be graded to drain towards a dead-end sump. (DS)
121. Owner shall maintain fuel dispensing areas using dry cleanup methods such as sweeping for removal of litter and debris, or use of rags and absorbents for leaks and spills. Fueling areas shall never be washed down unless the wash water is collected and disposed of properly. This requirement shall be included in the project's Stormwater Quality Control Measures Maintenance and Operations Plan. (DS)
122. Owner shall "spot clean" leaks and drips routinely. Leaks are not considered cleaned up until the absorbent is picked up and disposed of properly. This requirement shall be included in the project's Stormwater Quality Control Measures Maintenance and Operations Plan. (DS)
123. Developer shall redesign the onsite grading and drainage system to provide stormwater treatment for roof runoff and all landscaped areas of the site. (DS)

124. 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”) to treat all stormwater runoff from this site 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)
125. Developer shall list all grading or air quality related environmental mitigation measures on the grading plan cover sheet. Developer shall cause all project contractors to comply with these mitigations during all phases of construction. (DS)
126. Developer shall abandon all existing sewer laterals to the site that aren’t proposed for use by the project. (DS)
127. Developer shall reorient the proposed sewer lateral for the project to join the public main perpendicularly or in the direction of wastewater flow. (DS)
128. Developer shall relocate proposed private onsite utilities to avoid placement within the City’s waterline easement. Any encroachments into the easement shall be as perpendicular as possible and require prior approval from the City Engineer. (DS)
129. Developer shall design the foundation of the proposed canopy structure to provide a minimum of 5-feet of clearance from the City’s waterline. The foundation shall also be designed in a manner that eliminates any structural load within 2-feet of the edge of the pipe. The final design of the foundation is subject to approval of the City Engineer. (DS)
130. Developer shall provide proof of recordation of CC&Rs (or similar document) that provides evidence of reciprocal vehicular access and utility services between this lot and the lot(s) that provide utility services and vehicular access to Town Center Drive. The CC&Rs shall assign maintenance responsibilities and are subject to approval of the Development Services Manager. (DS,TR)
131. Developer shall construct the full width of the proposed curb cut on Town Center Drive as a part of this project. Improvements shall also include the full width (26-feet minimum) of the associated drive aisle that connects the Town Center Driveway to the access road approximately 125-feet south of the project. The drive aisle location is indicated on the engineering site plan. (DS)
132. Developer shall provide written approval from the adjacent property owner for the proposed improvements that encroach onto the adjacent property. (DS)

TRAFFIC DIVISION SPECIAL CONDITIONS:

133. Developer shall design and construct the proposed driveway along Ventura Road to accommodate one-way, right-in only and shall be restricted as such perpetually. Final signing and striping shall be approved by the City Traffic Engineer. (TR)
134. Developer shall install STOP signs and associated pavement markings at the intersection of the proposed North-South main drive aisle. Final signing and striping shall be approved by the City Traffic Engineer. (TR)
135. Developer shall install STOP sign and pavement marking at the interaction of the Oakmont Senior Living site's drive aisle with the access road on the northbound direction. (TR)
136. Developer shall remove the existing W74 sign located at the southwest corner of the intersection of Town Center Drive and The Landing's main access road. The existing R8-3a sign shall then be raised to top of the existing pole. (TR)
137. Developer shall install directional signs indicating the entrance to the car wash facility. Final signing shall be approved by the City Traffic Engineer. (TR)

STORMWATER QUALITY CONDITIONS

138. This development is located within the Riverpark Specific Plan which meets exemption criteria allowing the project to provide stormwater quality treatment in accordance with the requirements of the July 2000 Municipal Separate Storm Sewer System (MS4) (Board Order No. 00-108; NPDES Permit No. CAS004002) and associated 2002 Technical Guidance Manual ("TGM") based on the exception criteria included in the 2010 MS4 permit and associated 2011 TGM. Site improvements shall be designed to intercept and effectively prevent pollutants from discharging to the public storm drain system or other offsite conveyance systems. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of an infrastructure improvement permit. Compliance with the statewide trash amendments to the MS4 permit will be required. (DS-78)
139. Developer shall construct three-bin trash enclosures (one bin for refuse, one bin for recycle use, and one bin for organics) 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 Community Development 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)
140. Developer shall construct three-bin trash enclosures (one bin for refuse, one bin for recycle use, and one bin for organics) with a solid non-combustible roof (8-foot minimum

clearance) that prevents stormwater from entering the refuse bins. Developer shall provide a traffic rated drainage inlet within the enclosure to catch all enclosure wash water. Subject to technical department review, this drain shall connect to the sanitary sewer system via a grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Community Development 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-80)

141. Developer's engineer shall submit written confirmation that the project landscape drawings comply with the landscape requirements of the Technical Guidance Manual for Stormwater Quality Control Measures for all landscape based stormwater quality best management practices. (DS-84)
142. 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)
143. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit. The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)
144. 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. Priority Land Use is high density residential, industrial, commercial, mixed urban, and public transportation stations. 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)

ENVIRONMENTAL RESOURCES DIVISION

145. 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 “Environmental Resources Division Construction and Demolition Waste Management Plan” (“C&D Plan”) to the City for review and approval. The C&D Plan shall provide that at least 65% of the waste generated on the project be diverted from the landfill. The C&D Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The C&D Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The C&D 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 appropriate C&D Plan form as defined by the Environmental Resources Division.
146. Developer shall follow the approved “Environmental Resources Division Construction and Demolition Waste Management 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 project activity, Developer shall complete and submit the “Environmental Resources Division Construction and Demolition Waste Management Report” (“C&D 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 C&D Report prior to issuance of a certificate of occupancy.
147. 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.
148. To be in compliance with state law, developer shall make provisions to divert a minimum of 50%, with an aim of diverting 75% to achieve the new state diversion goal, of the waste material generated during occupancy through source reduction, recycling, reuse, and organics collection programs. Developer shall submit an “Environmental Resources Division Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. The Occupancy Plan must clearly state how recyclable and organic material will be managed on site to be in compliance with applicable state law, including what service provider(s) will manage/transport materials to appropriate facilities. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy.
149. Developer shall dispose of sewage and solid waste from the project by City’s wastewater

and solid waste systems in a matter approved by the City Engineer.

FIRE DEPARTMENT STANDARD CONDITIONS

150. 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*)
151. 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*)
152. 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*)
153. 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*)
154. 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*)
155. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
156. 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*)
157. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
158. 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*)

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159. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
160. 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*)
161. 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*)
162. Developer shall install in each structure in the project 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*)
163. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)
164. 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*)

POLICE DEPARTMENT CONDITIONS

165. Graffiti shall be removed within 48-hours of application. (PD)
166. Police recommends graffiti/etching-resistant film application on accessible windowpanes. (PD)
167. Exterior security lighting shall be on photocells and shall be on during all hours of darkness. 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)
168. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)
169. 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)
170. Outdoor lighting instruments shall not be placed in close proximity of parking lot trees. In the event outdoor lighting instruments and trees are in close proximity an additional sheet

will be required illustrating light and tree placement showing trees with a 20-year maturity. (PD)

171. 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. Luminaires used in the photometric calculations shall only include those instruments mounted 8-feet or more above walking/driving surface. This plan shall be submitted and approved prior to the issuance of building permits. (PD)
172. Porte Cocheres shall be illuminated between 15 and 30 foot-candles with a gradual drop off transition to adjacent parking/walking areas having illumination of 4 to 7 foot-candles. (PD)
173. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment. (PD)
174. Trees shall not be located where they would conflict with lighting instruments. Appropriate proximity is based on a tree's canopy size at twenty-year maturity. (PD)
175. Creeping fig or similar climbing vine shall be used to dissuade the application of graffiti on CMU walls. This specifically includes trash enclosures. (PD)
176. Any tenant business selling firearms, alcoholic beverages, tobacco products, cannabis, controlled substances as defined in the California Health and Safety Code, or providing banking, check cashing, or money wire services shall have and maintain a security camera system approved by the Police Department. The tenant, property manager, or property owner can contact specialprojects@OxnardPD.org for current security camera system requirements. (PD)
177. Any business required to have a security camera system shall maintain the system to current industry standards as accepted by the Oxnard Police Department. (PD)
178. On-site security or CCTV to monitor facility during off-hours is recommended. (PD)
179. The parking lot will need to comply with the outdoor lighting code and guideline. (PD)

LIGHTING CODE & GUIDELINES

- (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 following exceptions:

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- i. 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.
- ii. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.

(C) Oxnard City Code Section 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 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.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day of December 2020.

Deirdre 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 on 3rd day of December 2020, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

ATTACHMENT H

DRAFT RESOLUTION

**PZ 20-510-08
(SPECIAL USE PERMIT - ALCOHOL)**

RESOLUTION NO. 2020 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-510-08 (SPECIAL USE PERMIT - ALCOHOL), TO ALLOW A PROPOSED SERVICE STATION CONVENIENCE STORE (CONICO OIL) WITH A 3,442 SQUARE-FOOT GAS STATION AND CONVENIENCE STORE, TO SELL BEER & WINE FOR OFF-SITE CONSUMPTION (ALCOHOL AND BEVERAGE CONTROL LICENSE TYPE 20) ON A 1.18-ACRE PROPERTY, LOCATED LOT 1 OF TRACT 6004 (APN: 132-0-470-035), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY JUN KIM ON BEHALF OF PROPERTY OWNER SHEA PROPERTIES, LLC, 130 VANTIS SUITE 200, ALISO VIEJO, CALIFORNIA 92656-2691.

WHEREAS, on April 22, 2020, Jun Kim, (the “**Applicant**”) on behalf of property owner Shea Properties, submitted a request to sell beer and wine for off-site consumption (Alcohol Beverage Control (ABC) License Type 20¹) 7:00 a.m. to 12:00 a.m. (midnight) daily from a proposed 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building on a 1.18-acre undeveloped lot located Lot 1 of Tract 6004 (the “**Project**”); and

WHEREAS, on November 19, 2020, the Planning Commission of the City of Oxnard (“**Planning Commission**”) was scheduled to conduct a duly notice public hearing to consider an application for Planning and Zoning Permit No. 20-510-08 (Special Use Permit - Alcohol) and Planning and Zoning Permit No. 20-500-02 (Special Use Permit), filed by Jun Kim in accordance with Section 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, on November 19, 2020, the Project was continued to the following Planning Commission date of December 3, 2020. Project conditions found within the Resolutions were updated to reflect both applicant and City review. Specifically, Police Condition 51 regarding a uniformed security guard was removed from Draft Resolution of Approval PZ 20-510-08 (Special Use Permit - Alcohol); and

WHEREAS, on December 3, 2020, the Planning Commission conducted a duly noticed public hearing to consider the Applicant’s request to approve Planning and Zoning Permit No. 20-510-08 (Special Use Permit - Alcohol) and Planning and Zoning Permit No. 20-500-02 (Special Use Permit), filed by Jun Kim in accordance with Section 16-530 through 16-553 of the Oxnard City Code and City Council Resolution No. 11,896; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 32 Categorical

¹ ABC License Type 20 (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.

Exemption (Section 15332). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is located within the 2030 General Plan land use designation of Commercial Regional (CR) and within the West Corridor Commercial District of the RiverPark Specific Plan. The Project is surrounded by commercial and residential development. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed Special Use Permit request for alcohol is consistent with the 2030 General Plan and the Oxnard City Code and is compatible with the physical scale and character of other commercial development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General Plan and the Municipal Code for consistency and CEQA for any potential impacts. Therefore the project will have no significant cumulative impact.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed Special Use Permit request for alcohol will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the commercial and residential character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by commercial development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway

officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

The project is not located in or adjacent to a State designated scenic highway.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

- (f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

The project site is undeveloped and does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

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 is in conformance with the City of Oxnard 2030 General Plan and the elements thereof and other adopted standards.

As described in the Staff Report, the subject site is within District C (West Corridor Commercial) of the RiverPark Specific Plan (RPSP), with a 2030 General Plan designation of Commercial Regional (CR). The proposed 3,442 square-foot gas station and convenience store building with a 1,160 square-foot car wash building, and an 875 square-foot car wash equipment storage building and request to sell beer and wine for off-site consumption (ABC License Type 20) 7:00 a.m. to 12:00 a.m. (midnight) daily is consistent with the General Plan and zoning designation. Both components of the proposed Project (gas station and ability to sell alcohol) are subject to approval of Special Use Permits by the Planning Commission pursuant to RiverPark Specific Plan. Therefore, the proposed sale of alcohol is in conformance with the 2030 General Plan and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

- 2) The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.**

As described in the Staff Report, the Project will allow the sale of beer for off-site consumption from a proposed gas station. According to the Police report, there are no establishments of the same type located within 1,000 feet of the subject property. There is one establishment located within 350 feet of the subject property (Oakmont of RiverPark Senior Living) that currently operates with a ABC License Type 63 (On-Sale Special Beer and Wine Hospital), and there is one establishment located between 350 feet and 1,000 feet of the subject property (Clearwater at RiverPark Restaurant) that currently operates with ABC License Type 47 (Off-Sale Beer & Wine).

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards, but there is undue concentration under State Standards. However, the presumption of the undue concentration can be rebutted in the interest of public convenience or necessity. As conditioned, the Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. As such, this Project meets this finding.

- 3) The proposed use will not result in or add to an undue concentration of off-site consumption establishments selling alcoholic beverages within 350 feet of the subject location.**

As described in the Staff Report, and Oxnard Police Department Alcohol SUP Report, there are no establishments of the same type located within 1,000 feet of the subject property. There is one establishment located within 350 feet of the subject property (Oakmont of RiverPark Senior Living) that currently operates with a ABC License Type 63 (On-Sale Special Beer and Wine Hospital).

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards, but there is undue concentration under State Standards. However, the presumption of the undue concentration can be rebutted in the interest of public convenience or necessity. This finding is rebutted by a preponderance of evidence, which shows that the business will be in a well-established, well-maintained commercial center where the crime rate is below the average for other parts of the City. Therefore, this Project meets this finding.

- 4) The proposed use is not likely to create or significantly aggravate police problems within 1,000 feet of the location for which the special use permit is applied.**

As described in the Staff Report, and Oxnard Police Department Alcohol SUP Report, there are no establishments of the same type located within 1,000 feet of the subject

property. There is one establishment located within 350 feet of the subject property (Oakmont of RiverPark Senior Living) that currently operates with a ABC License Type 63 (On-Sale Special Beer and Wine Hospital), and there is one establishment located between 350 feet and 1,000 feet of the subject property (Clearwater at RiverPark Restaurant) that currently operates with ABC License Type 47 (Off-Sale Beer & Wine).

The Police Department has determined that based on the proximity of the businesses listed, there is not an undue concentration under the established City Standards, but there is undue concentration under State Standards. However, the presumption of the undue concentration can be rebutted in the interest of public convenience or necessity. This finding is rebutted by a preponderance of evidence, which shows that the business will be in a well-established, well-maintained commercial center where the crime rate is below the average for other parts of the City. Therefore, this Project meets this finding.

The Project will not create, or significantly aggravate police problems within 1,000 feet of the location for which the Special Use Permit is requested, as discussed in the Staff Report and Oxnard Police Department Alcohol SUP Report. Based on the crime statistics, the input from the community and the Beat Coordinator, there is no reason to oppose this application. As such, this Project meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (construction of a commercial building) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15332 (Class 32) of the State CEQA Guidelines. The Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby approves Planning and Zoning Permit 20-510-08 (Special Use Permit - Alcohol), 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 Section 16-545 of the Oxnard City Code.

SECTION 5. The Secretary shall certify the adoption of this Resolution.

[CONDITIONS OF APPROVAL ON FOLLOWING PAGE]

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 December 3, 2020, (“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, Applicant 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. Applicant agrees, as a condition of adoption of this resolution, at Applicant'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).
5. 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).
6. Applicant 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, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, G-8).
7. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, G-10).
8. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the Project property (FD, G-12).
9. Applicant 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).
10. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the Oxnard City Code (CA, G-14).

PLANNING DIVISION SPECIAL CONDITIONS

11. This permit shall automatically be void 12 months from the date of issuance of the Certificate of Occupancy of the proposed building, unless the Applicant has received a License Type 20 from the State Department of Alcoholic Beverage Control to sell alcoholic beverages on the Project property (PL).

12. Unless the use is inaugurated no later than 12 months from the date of issuance of the Certificate of Occupancy of the proposed building and is diligently pursued thereafter, this approval will expire pursuant to the Oxnard City Code Section 16-553.

POLICE DEPARTMENT CONDITIONS - TRAINING

13. Permittee and all servers and their immediate supervisors shall complete a course in Responsible Beverage Service (RBS), or equivalent, approved by the Chief of Police within sixty days of license granting and/or date of employment. Applicant and/or servers can contact the Alcohol Compliance Team at the Oxnard Police Department via email at specialprojects@oxnardpd.org to obtain information on RBS classes. (PL/PD).
14. Each permittee shall maintain a record of their employees who have successfully completed the required Responsible Beverage Service Training and make that record available to any representative of the Oxnard Police Department upon demand.

POLICE DEPARTMENT CONDITIONS - OPERATIONS

15. The Police Chief or designee may immediately suspend operation of the use(s) approved by this permit pending a hearing on the suspension or revocation of this permit if the Chief determines that there have been significant violations of the conditions associated with the use(s) and/or Alcoholic Beverage Control (ABC) license and/or there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions responded to that is associated with the operation of this use for which the Chief determines is detrimental to the public safety or health. The Chief shall immediately inform the Planning and Environmental Services Manager of the suspension and the manager shall schedule a hearing regarding the revocation of the permit by the Community Development Director to be held no more than 30 days after the suspension begins.

Additionally, violations of this permit which can lead to permit suspension can include, but not limited to:

- a. Failure to provide required operational documentation within 30-days when requested by mail or email. This would include, but not limited to quarterly food/alcohol sales, copies of security guard credentials, and proof of server's completion of RBS Training.
- b. Repeated violations of a specific condition within this document or successor or permits.
- c. Evidence of service of alcoholic beverages to minors.
- d. Repeated failure to maintain a staff of servers trained in approved Responsible Beverage Service. (PD)
- e. Sales to habitual drunkards per section 25602(a) Business and Professions Code.

16. Permittee shall provide the Oxnard Police Department an email address for a responsible party for the business. This may be the owner, manager or other party who can respond to inquiries for the business. Permittee shall submit an email address to: _____. In the submission, identify the business name, the contact person's name and their role in the business.

POLICE DEPARTMENT CONDITIONS - SECURITY

17. A Security Plan shall be submitted and approved prior to the issuance of building permits. The plan shall include:
 - a. The Security Plan Sheet that identifies the location of each security camera, camera recording and support equipment.
 - b. The Security Plan shall include a chart identifying each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).
18. Prior to commencing the sale of alcohol permitted by this permit, permittee shall install a video surveillance system that shall be maintained at a reasonable industry standard and shall be operated 24-hours a day to monitor, at a minimum, the entrances and exits, any centralized point of sale and areas immediately surrounding the exterior of the business. Any video system installed to meet the requirement of these conditions shall meet the below minimum standards:
 - a. Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Greyscale images are required for infra-red lighting.
 - b. Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - c. Cameras shall have sufficient low light capture ability to clearly monitor persons conducting transactions.
 - d. The video system shall utilize a Digital Video Recorder (DVR). VHS and other formats are prohibited.
 - e. The video system shall allow recording, live viewing and playback of recorded video for a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.
 - g. At a minimum, one camera shall be dedicated to capturing head and upper body images of each person entering any door to the business. Cameras dedicated to this purpose shall be mounted at 7-feet above the floor.
 - h. All vehicular entrances to the parking facilities shall be monitored by a camera or cameras that are placed to capture images of sufficient quality where the vehicle's license plate, make, model and color can be easily identified.
 - i. A monitor near the customer entrance shall be mounted from the ceiling. The bottom edge of the monitor shall be 7-feet above the floor. Its placement shall provide customer's images upon entry into the business.
 - j. A monitor shall be placed at the cashier's station to allow staff to passively monitor activity at the site via the camera system.

- k. During normal business hours, the licensee shall provide access to the digital recordings for any and all law enforcement purposes as determined by the City of Oxnard. (PD)
- 19. Failure to maintain the video surveillance system in good working order can be grounds for suspension of this permit. The permittee shall provide video records to the Chief of Police or his/her designee in a timely manner upon request.
- 20. Other than for emergency purposes, there shall be only one means of customer ingress and egress. (PD)
- 21. Permittee shall establish responsible cash handling procedures to reduce the likelihood of robberies and theft. (PD)
- 22. Permittee shall bolt down or otherwise secure all cash registers to service counters in order to prevent the entire device from being stolen during a burglary or robbery. (PD)
- 23. Sales displays shall be no taller than 48-inches except those displays around the interior perimeter of the store. Displays, banners, signs and other materials shall not interfere with clear sightlines in and out of windows or obscure the view of the sales area from the cashier's station.
- 24. Coolers and other sales displays shall not be located near entry or exit points and shall be clearly visible to employees from the cashier's station. (PD)
- 25. Any rear door of the premises shall be equipped on the inside with an automatic locking device, shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation. (PD)
- 26. Permittee shall establish and maintain a cash handling system that reduces the likelihood of robberies and theft. The system shall include the following components and practices:
 - a. A drop safe having a programmable access control system. The access control system shall have the capability to restrict access times and record the individual passcode used at each opening of the safe.
 - b. Established cash drawer maximums requiring staff to transfer larger bills into the drop safe.
 - c. Cash drawer preparation and end-of-shift counts shall occur in a secure room away from customer access or view.
- 27. Permittee shall install height gauges at all exit doors. (PD)
- 28. Permittee shall equip each point of sale with a silent robbery alarm that complies with Oxnard City Ordinance No. 2601 or develop and implement critical incident protocols

that provide an efficient method for alerting police and others to a potential threat without unnecessarily putting the employees at risk. (PD)

POLICE DEPARTMENT CONDITIONS - LICENSE/PERMIT

29. The subject Alcoholic Beverage Control License shall not be exchanged for any other type of Alcoholic Beverage Control License without Planning Department review and approval by the Police Chief or designee. (PD)
30. Upon any individual transfer (person-to-person) of the subject Alcoholic Beverage Control License, or if the business is ever deemed a nuisance as defined in the Oxnard City Code, a review of the existing SUP shall be initiated and conditions may be added or removed as appropriate to mitigate existing or potential problems. (PD)
31. The permittee shall participate, when requested and reasonable, in programs and efforts of the Oxnard Police Department to inform and educate the patrons of alcohol establishments on the dangers of driving under the influence of alcohol or drugs. (PD)
32. A copy of these conditions must be maintained on the premises and made available upon the demand of any representative of the Oxnard Police Department at all times. (PL/PD)

POLICE DEPARTMENT CONDITIONS - SITE MANAGEMENT

33. Any graffiti painted or marked upon the premises or on any adjacent area under the control of Permittee shall be removed or painted over within twenty-four (24) hours of being applied. (PL/PD)
34. The permittee shall maintain areas for which the business has reasonable control around the premises free of litter and graffiti.
35. The area surrounding premises under the reasonable control of Permittee (including the rear of the business) shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons in or about the area. (PL/PD)
36. No pay phone on the exterior of the premises shall be allowed within 100 feet of the front or rear doors and any pay phones installed inside shall be blocked from incoming calls. (PL/PD)
37. Permittee shall regularly police the area under Permittee's control and shall not permit the loitering of persons about the premises. (PL/PD)
38. There shall be no advertising of alcoholic beverages visible from the outside of the establishment, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. (PL/PD)

39. Windows shall remain clear of signage, posters, advertisements, or any other item that interferes with clear sightlines into the business. No display or other object near, on or adjacent to the windows shall appear above 48-inches above the floor.
40. The permittee shall post prominent, permanent signs indicating that loitering, open containers, and/or the consumption of alcoholic beverages is prohibited. These signs shall be posted in the parking lot and other adjacent areas under Permittee's reasonable control, including exterior common walkways and corridors. (PD)
41. There shall be no amusement machines or video devices maintained on the premises at any time. (PD)
42. Prominent signs shall be posted throughout the business, in effect, "No persons under 21 will be sold alcoholic beverages" and "Valid ID is required to purchase or possess alcoholic beverages". (PD)
43. There shall be no self-service displays of any type of tobacco or vaping product including, but not limited to cigarettes, cigars and smokeless tobacco. (PD)
44. The permittee's internet presence shall be consistent with these conditions. Any site or internet presence reasonably controlled by the permittee shall not advertise or illustrate circumstances or activities that conflict with the provisions set forth in this permit and/or the ABC license. (PD)

POLICE DEPARTMENT CONDITIONS - ALCOHOL CONTROL

45. Alcohol sales shall be limited to 7:00 a.m. to 12:00 a.m. (midnight). If the business operates during hours beyond 7:00 a.m. to 12:00 a.m. (midnight) all displays and refrigerators containing alcoholic beverages shall be secured with an approved locking system during the hours when alcohol sales is prohibited so as to prevent customer access to these products.
46. Single sales of alcoholic beverages shall be restricted as listed below:
 - a. Other than specialty beers and microbrews, beer, malt beverages and wine coolers in containers of 64oz in volume or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities. The sale of mass-produced, low priced beer or malt liquor in single servings is prohibited. (PD)
 - b. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles (Port, Sherry, Saki, Marsala, Madeira, Muscat and Vermouth are permitted). (PD)

47. No open floor displays of alcohol are allowed, including but not limited to “beer mountains” and portable coolers. (PD)
48. No temporary or permanent open displays of alcoholic beverages are permitted near customer entry/exit points. This includes stacked boxes, beer can “mountains” or cases containing alcoholic beverages, portable coolers, promotional displays or any other alcohol displays where there is a clear, easy or unobstructed path to any entry or exit.
49. Employees involved in the sale of alcoholic beverages shall not be allowed to consume alcoholic beverages at any time during their shift. Employees shall not report for work with evidence of having consumed any intoxicants such as alcohol, illegal drugs or controlled substances.

POLICE DEPARTMENT SPECIAL CONDITIONS

50. The coolers containing alcoholic beverages shall be in close proximity to the cashier’s station. The cashier’s station door shall be located adjacent to the coolers containing alcoholic beverages.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 3rd day of December, 2020, by the following vote:

 Deirdre 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 on the 3rd day of December, 2020, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioner(s):

 Scott Kolwitz, Secretary