



**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Vyto Adomaitis, Community Development Director

FROM: Joe Pearson II, Senior Planner

DATE: June 23, 2021

SUBJECT: **Project Name: 941 Mandalay Single-Family Home;** Planning and Zoning Permit No. 20-400-05 (Coastal Development Permit) to allow for the construction of a new beachfront single-family residence located at 941 Mandalay Beach Road (APN: 191-0-051-355); Lot 26 of Tract No. 4380.

- 1) **Recommendation:** That the Community Development Director ("**Director**"):
 - a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303(a) (New Construction or Conversion of Small Structures); and
 - b) Adopt Resolution PZ 20-400-05 approving Planning and Zoning Permit No. 20-400-05 (Coastal Development Permit), subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to construct a two-story, 6,678 square-foot single-family dwelling on a vacant 5,000 square-foot lot. The proposed home includes 5,636 square feet of living space, a 1,042 square-foot two-car garage, and 209 square feet of deck space. The Project is located at 941 Mandalay Beach Road (APN: 191-0-051-355) within the Residential Existing (REX) land use designation and Beachfront Residential (R-BF) zoning district within the Coastal Zone (Attachment A). For the purposes of this Staff Report, the foregoing project description shall be referred to as the "**Project.**" Filed by James and Dori Sandefer, 2933 Stafford Road, Thousand Oaks, CA 91361 ("**Owner**" and "**Applicant**").

Please see the reduced Project plans (Attachment B) for more details).
- 3) **Authority:** Pursuant to Oxnard City Code Section 17-25(C)(1) Coastal Development Permits within the R-BF zone are subject to the approval of the Community Development Director.
- 4) **Existing & Surrounding Land Uses:** The subject property is an undeveloped 5,000 square-foot lot. The subject property has a Local Coastal Plan Land Use Designation of "Residential Existing" (REX) and a zoning designation of Beachfront Residential (R-BF). The following table describes the Land Use and Zoning Designations of the Project site and existing land uses immediately adjacent to the site, which are also illustrated on the attached maps:

Location	Local Coastal Plan Land Use Designation	Zoning Designation	Existing Land Use
Project Site	Residential Existing (REX)	Residential Beachfront (R-BF)	Vacant

North	Residential Existing (REX)	Residential Beachfront (R-BF)	Single-family residence
South	Residential Existing (REX)	Residential Beachfront (R-BF)	Single-family residence
East	Residential Existing (REX)	Single Family Beach (R-B-1)	Mandalay Beach Road, single-family residences
West	Recreation Area (REC)	Coastal Recreation (RC)	Public Beach

5) **Background Information:**

- a) On April 5, 1988, the City Council approved the Oxnard Shores Settlement Agreement to settle a dispute regarding public beach access within the Coastal Zone.
- b) On April 12, 1988, the City Council approved Tentative Subdivision Map for Tract No. 4380 and an associated Development Agreement.
- c) On October 17, 1989, Oxnard City Council approved Tract Map No. 4380, which created the subject lot.
- d) On October 31, 1989, the Oxnard Shores Settlement Agreement was recorded as Document No. 89-174512 of Official Records of Ventura County.

The above actions established the seaward property lines for the parcels that were part of the Settlement Agreement, dedicated the land between these property lines and the mean high tide to the public for recreational uses, and created vertical access paths to the beach. The beach access paths are spaced in such a manner that build-out of Tract No. 4380 would not preclude convenient public access to the beach. Additionally, Tract No. 4380 includes parcels to be used for beach access (Parcels P, Q, and R). The Settlement Agreement also established that owners of the lots within Tract 4380 shall have the right to develop lots into single dwelling units in accordance with the development standards outlined in the R-BF zone district.

- 6) **Environmental Determination:** In accordance with Section 15303(a) of the California Environmental Quality Act (CEQA) Guidelines, projects involving *"New Construction or Conversion of Small Structures,"* including one single-family residence in a residential zone, may be found to be exempt from the requirements of CEQA. The project consists of construction of one single-family dwelling on a legal lot of record which is zoned to allow this use. There are no exceptions found within Section 15300.2 that defeat the Exemption. Staff has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is Categorically Exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document. Therefore, staff recommends that the Community Development Director accept the Notice of Exemption (Attachment C) attached to the staff report.

7) **Analysis:**

- a) **General Discussion:** In accordance with Section 17-25(C)(1) of the Coastal Zoning Ordinance and the Oxnard Shores Settlement Agreement, construction of the Project is subject to approval of a Coastal Development Permit by the Community Development Director.
- b) **Local Coastal Plan Consistency:** The proposed project's consistency with the Local Coastal Plan is discussed in the following table:

POLICY	DISCUSSION
Local Coastal Policy No. 3 (p. III-5): <i>All urban development shall be restricted to the area within the urban-rural boundary, as defined by Map 1 and the Land Use Map.</i>	The subject property is within an urban area as noted on Map 6 in the Coastal Land Use Plan. Furthermore, the Coastal Land Use Map specifically notes that urban residential uses are concentrated in the Oxnard Shores area (p. II-3). Therefore the Project is consistent with this policy.
Local Coastal Policy No. 6 (p. III-10): <i>...only uses permitted in areas designated on the land use map with the Resource Protection Zone.</i>	The subject property is not in an area that is designated as environmentally sensitive, there is not sensitive habitat or native vegetation on-site, and there are no wetlands in the vicinity of the proposed development. Therefore the Project is consistent with this policy.
Local Coastal Policy No. 39 (p. III-24): <i>All applications for grading and building permits and subdivisions shall be reviewed for threats from hazards such as seismic activity, liquefaction, tsunami run-up, seiche, beach erosion, flood, storm wave run-up, and expansive soils. Geologic reports may be required in known hazard areas. Appropriate mitigation measures shall be applied to minimize threats from any hazards.</i>	The beachfront property is subject to threats from seismic activity, liquefaction, tsunami run-up, beach erosion, and storm wave run-up. A <i>Coastal Hazard and Wave Run-up Study</i> (GeoSoils, Inc. October 10, 2020) were prepared for the Project. The structure will be built on piles and elevated above the storm wave run-up threat (see Condition of Approval No. 56). The piles will be driven deep enough to address the liquefaction and beach erosion threats. Additionally, the engineering for the structure will be reviewed in accordance with the California Building Code and all recommendations made in the <i>Coastal Hazard and Wave Run-up Study</i> will be incorporated to address potential threats of natural hazards to the maximum amount possible. Additionally, a raised livable area and breakaway wall panels on the ground floor are incorporated into the engineering to mitigate the threat of natural hazards (see Condition of Approval No. 58). Therefore the Project is consistent with this policy.
Local Coastal Policy No. 40 (p. III-25): <i>If new development is located within the 100-year flood and storm wave run-up area...it shall be designed and engineered to withstand the effects of the flooding and wave run-up without the use of seaways or other protective structures...Any person developing property within the 100-year flood line shall agree to indemnify and hold the City harmless from any liability or damages resulting from the construction of his development...Any development located on the beach shall be designed to assure lateral access.</i>	The structure will be elevated on the piles at a height sufficient to allow storm waves to run under and around the structure through breakaway panels (see Condition of Approval No. 58). This design prevents the need for protective devices, such as rock or concrete barriers, in the event of a storm with significant wave run-up. Pursuant to the Oxnard Shores Settlement Agreement, the proposed development would not block lateral access along the coastline. The project does not require a protective barrier that would block lateral access. Given that every beachfront structure is inherently prone to natural hazards, such as catastrophic storm events and tsunami, the City of Oxnard requires that the Developer agree to indemnify and hold the City harmless from any liability (see Condition of Approval No. 6). Therefore the Project is consistent with this

	policy.
Local Coastal Policy No. 72 (p III-53): <i>Public access to and along the shoreline and the Inland Waterway shall be required as a condition of permit approval for all new developments between the shoreline and the first public roadway inland from the shore, except as provided.....Exceptions for vertical access-ways may be made when adequate vertical access exists nearby (500 feet).</i>	The subject property is approximately 100 feet south of a 15-foot wide vertical beach access owned by the State Lands Commission known as Parcel "F" of Tract No. 4380. Similarly, sufficient access exists along the shoreline, as this lot was established pursuant to the terms of the Oxnard Shores Settlement Agreement. Therefore the Project is consistent with this policy.

- c) **Conformance with Coastal Zoning Development Standards:** The proposed project has been evaluated for consistency with applicable development standards of the Beachfront Residential (R-BF) zone, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLY?
Off-street parking (OCC 16-622(F))	Two garage spaces for up to five bedrooms.	Two garage spaces for five bedrooms.	Yes
Minimum and maximum bottom of structure (OCC 17-25(D)(1))	The minimum elevation of the bottom of the lowest structural member shall be +14 feet NGVD, or one foot above the calculated maximum wave run-up or wave crest elevation, whichever produces the highest elevation. The maximum elevation of the bottom shall be +17 NGVD, unless a coastal engineering report substantiates the need for a higher elevation based on wave runup and wave force ratio.	The bottom of the lowest structural member is +18.5 feet NGVD, which is consistent with the recommendations found in the <i>Coastal Hazard and Wave Run-up Study</i> produced for the project site by GeoSoils, Inc. (GeoSoils, Inc. October 10, 2020).	Yes
Maximum building height (OCC 17-25(D)(2))	For lots wider than 33 feet wide, two stories, not to exceed 25 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of the roof. In no case shall the top of the roof elevation exceed +47.0 feet NGVD.	Two stories at 25 feet from the bottom of the lowest shore parallel horizontal structural member to the highest peak of the roof. Peak roof height is 43.5 feet NGVD.	Yes
Garage floor elevation (OCC 17-25(D)(3))	Minimum elevation of +13.0 feet NGVD, and	Floor elevation of +13.0 feet NGVD, with a downward	Yes

	shall be high enough to provide a minimum downward slope of 2% for the driveway surface towards the street.	slope of 4% for the driveway surface towards the street.	
Minimum lot width (OCC 17-25(D)(4))	30 feet	40 feet existing	Yes
Front yard setback (seaward/west) (OCC 17-25(D)(5)(b)(i))	0 feet - none	0 feet - none	Yes
Rear yard setback (OCC 17-25(D)(5)(b)(ii))	15 feet to structure with minimum 20 feet to center of garage door	15 feet to structure and 20 feet to center of garage door	Yes
Side yard setback (OCC 17-25(D)(6))	For lots greater than 33 feet wide: five feet.	Five feet on both the northern and southern sides.	Yes
Special Requirements (OCC 17-25(E)(2))	No fences, walls, or hedges may be permitted as lot enclosures.	Project does not include fences, walls, or hedges designed as lot enclosures	Yes
Special Requirements (OCC 17-25(E)(3))	Minimum distance between a garage door and the most parallel rear property line shall be 20 feet.	Project includes a garage door located 20 feet from the rear property line.	Yes
Special Requirements (OCC 17-25(E)(5))	All dwellings shall be constructed on pilings.	Proposed dwelling will be constructed on pilings (see Condition of Approval No. 56).	Yes

- d) Site Design, Circulation and Parking:** The proposed development on the 5,000 square-foot lot has been designed to maximize available space; the proposed residence will be located with a zero-setback along the western (front) property line, 15 feet from the eastern (rear) property line, and five feet from each side property line.

The project site will be accessed from a new driveway off Mandalay Beach Road. The driveway will be constructed of concrete to match the walkway leading to the front entrance. The proposed project will be subject to conditions of approval which require conformance with the approved plans and applicable permits for any future modifications (Condition Nos. 2 and 11).

In accordance with Section 17-49(B) of the Local Coastal Zoning Ordinance, parking will be provided in the proposed 1,042 square-foot two-car garage.

- e) Building Design:** The proposed five bedroom single-family dwelling features a East Coast Traditional architectural style with an exterior primarily composed of a white color lap siding and white board and batt siding. The building is designed with a porch and a deck off the Southern side and two decks off the western (Ocean) side. The balconies feature an ornate wood railing. The breakaway panels are designed with a wood lattice over an open steel mesh. The building features a pitched roof design with elk asphalt shingles. The proposed materials, colors, and architectural embellishments are

complementary to existing development in the vicinity of the project site. A walkway is provided along the south elevation from Mandalay Beach Road to the front door.

- f) **Landscaping and Open Space:** Landscaping is proposed within planter boxes at the front of the property adjacent to the sidewalk on both sides of the driveway. Two *Washingtonia robustas* (Mexican Fan Palm) and groundcover will be planted in the northern landscape area, and a different groundcover will be planted in the southern landscape area. The proposed project will be subject to conditions of approval (Condition Nos. 2 and 23) to require *Washingtonia robusta* be planted. *Washingtonia robusta* is a consistent street tree along Mandalay Beach Road and Capri Way. The project will also be subject to a condition of approval (Condition No. 18) to require the applicant to submit a landscape plan for review and approval with the building permit.
- g) **Beach Access:** The subject lot is 100 feet south of a 15-foot wide beach access pathway (Parcel F of Tract 4380) which connects the beach to Mandalay Beach Road. The subject property contains an eight foot public utility easement along the rear (street side) property line. Since the structure will be constructed on piles and raised above the potential storm wave run-up, there will be no need for protective devices such as rock or concrete barriers which would preclude lateral access along the shore. Similarly, approximately 125 feet of vertical access is provided between the residence and ocean, as this lot was established pursuant to the terms of the Oxnard Shores Settlement Agreement.
- 8) **Community Workshop and Public Input:** On February 8, 2021, a Community Workshop was held for the project. For the meeting the applicant mailed notices to property owners within the Oxnard Shores Neighborhood and posted a notice of the meeting on the project site with a brief description and contact information for the case planner and the applicant. During the February 8, 2021 Community Workshop, twelve interested members of the public were in attendance to ask questions about the proposed project. These questions pertained to the size and design of the proposed residence. During the Community Workshop, no one expressed opposition to the proposed project.
- 9) **Appeal Procedure:** In accordance with Section 17-58(I) of the City Code, the Community Development Director's decision may be appealed to the Planning Commission within ten working days following notice of the decision of the Director to the applicant and interested parties. 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 Planning Commission is not filed within 10 working days of the Community Development Director's decision, the decision of the Community Development Director shall be considered final and a Notice of Final Action shall be filed on the 11th working day with the California Coastal Commission (CCC).

Attachments:

- A. Maps (Vicinity, Aerial, Local Coastal Plan, Zoning)
- B. Reduced Project Plans
- C. CEQA Notice of Exemption
- D. Resolution of Approval PZ No. 20-400-05 (941 Mandalay Single Family Home)

ATTACHMENT A

MAPS

(VICINITY, AERIAL, LOCAL COASTAL PLAN, ZONING)

Vicinity Map



PZ 20-400-05

North
Pacific Ocean

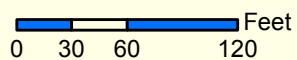


2030 General Plan Land Use Map



Oxnard Planning
January 19, 2021

PZ 20-400-05
Location: 941 Mandalay Beach Rd
APN: 1910051355



2030 General Plan Land Use Map



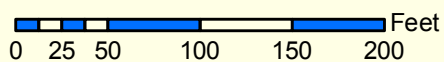
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Zoning/Specific Plan Map



Oxnard Planning
January 19, 2021

PZ 20-400-05
Location: 941 Mandalay Beach Rd
APN: 1910051355



Zoning/Specific Plan Map

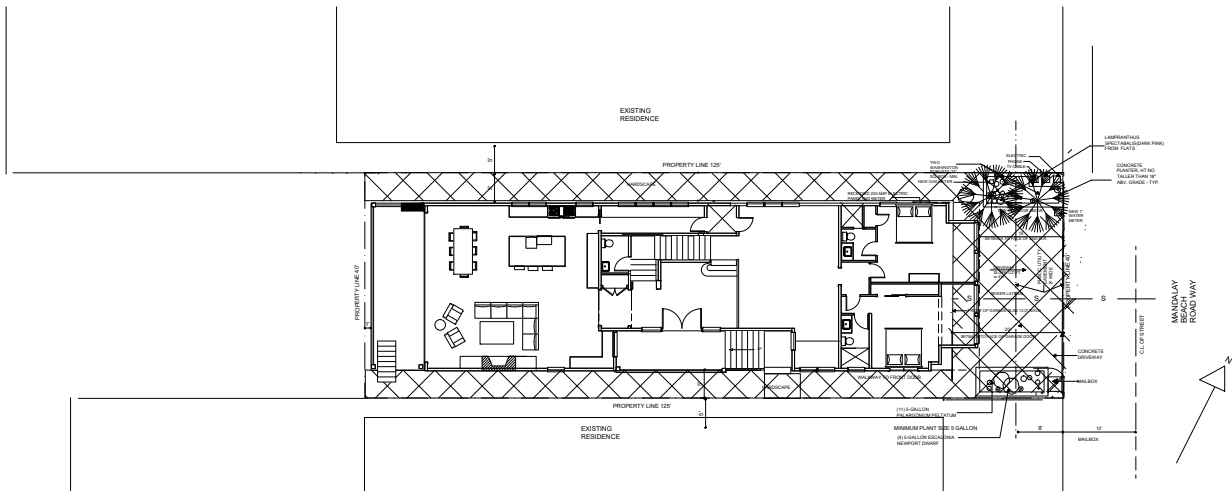


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ATTACHMENT B

REDUCED PROJECT PLANS



SITE PLAN/LANDSCAPE PLAN

PROJECT INFORMATION

PROJECT ADDRESS:
941 MANDALAY BEACH ROAD
OXNARD, CA 93003

A.P.N.
191-0-051-355

OWNER:
JIM SANDEFER CONSTRUCTION
5450 RALSTON STREET #1058
VENTURA, CA 93003
(805) 207-4894
sandefer@gmail.com

ZONING:
R-BF

DESCRIPTION:
NEW TWO STORY SINGLE FAMILY RESIDENCE WITH ATTACHED
THREE CAR GARAGE, TWO DECKS AND COVERED ENTRY.

CONSTRUCTION:
TYPE V NON-BATED

OCCUPANCY:
R-3

LOT SIZE:
5000 S.F.

SQUARE FOOTAGE:
FIRST FLOOR HABITABLE 2696 S.F.
SECOND FLOOR HABITABLE 2940 S.F.
TOTAL HABITABLE 5636 S.F.
COVERED ENTRY PORCH & STEPS 232 S.F.
SECOND FLOOR COVERED DECK 1 64 S.F.
SECOND FLOOR COVERED DECK 2 145 S.F.
TOTAL DECKS 209 S.F.
GARAGE 1042 S.F.

SETBACKS:
FRONT 0', REAR 15' & 20' AT GARAGES, SIDES 5'

MAXIMUM HEIGHT:
25' FROM BOTTOM OF LOWEST HORIZONTAL MEMBER

LOT COVERAGE:
FIRST FLOOR HABITABLE 2696 S.F.
COVERED ENTRY PORCH & STEPS 232 S.F.
TOTAL AREA 2928 S.F. OR 59%

ARCHITECT & CONTACT PERSON:
MARTHA PICCIOTTI
CA LICENSE #C18513
404 N. CATALINA STREET
VENTURA, CA 93001
(805) 641-3221
mpdesign@charter.net

REVISIONS	BY
12-30-20	

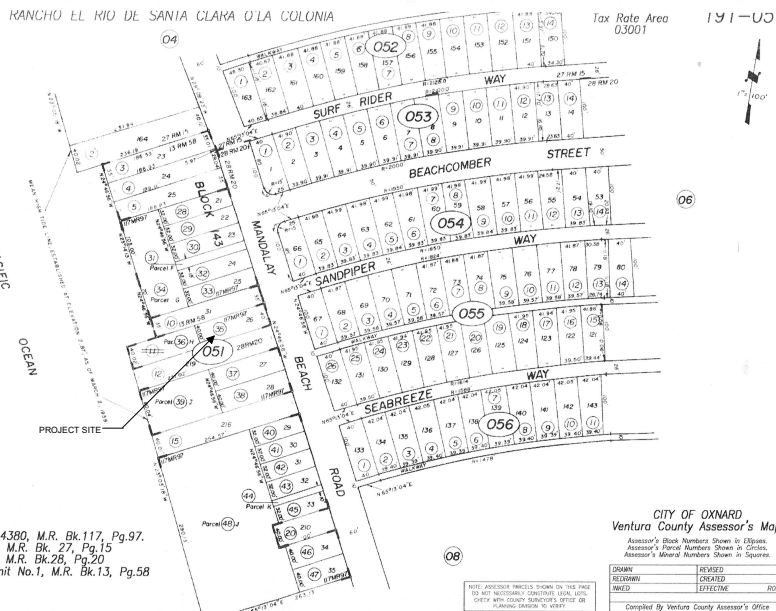
PICCIOTTI
MARTHA PICCIOTTI ARCHITECT
LICENSE # C18513
DESIGN
404 NORTH CATALINA STREET
VENTURA, CA 93001
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MPDESIGN@CHARTER.NET

NEW RESIDENCE
FOR
DORI AND JIM SANDEFER
941 MANDALAY BEACH ROAD
OXNARD

PARCEL MAP
SITE PLAN/
LANDSCAPE PLAN
PROJECT INFORMATION

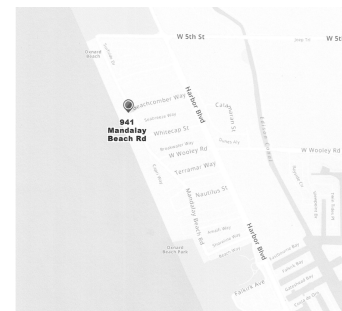
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DATE 11-10-20
JOB
SHEET

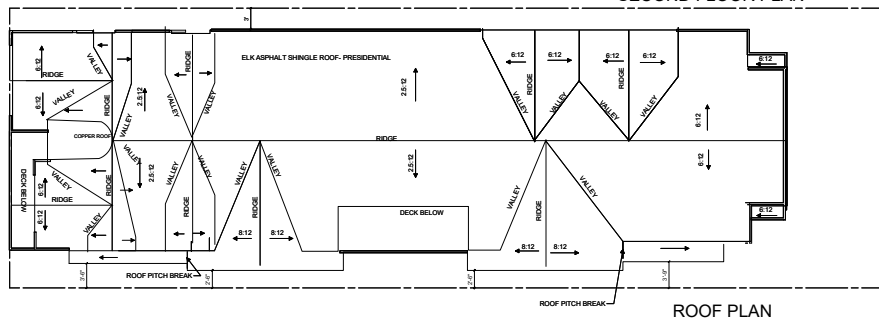
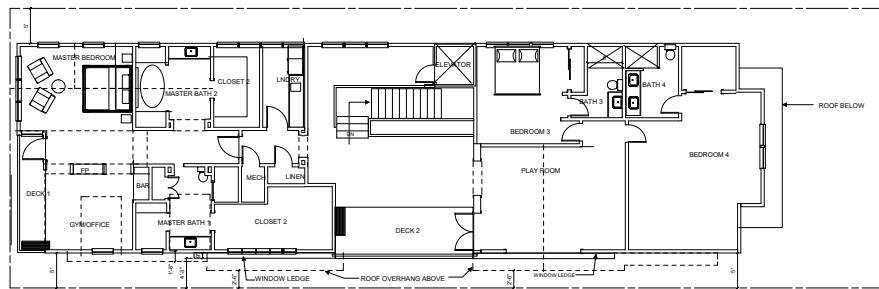
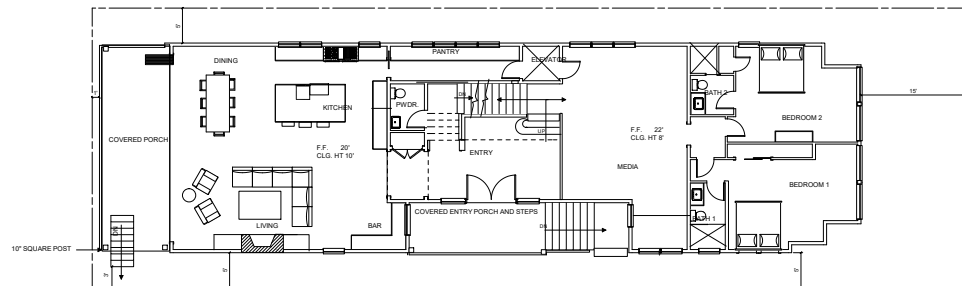
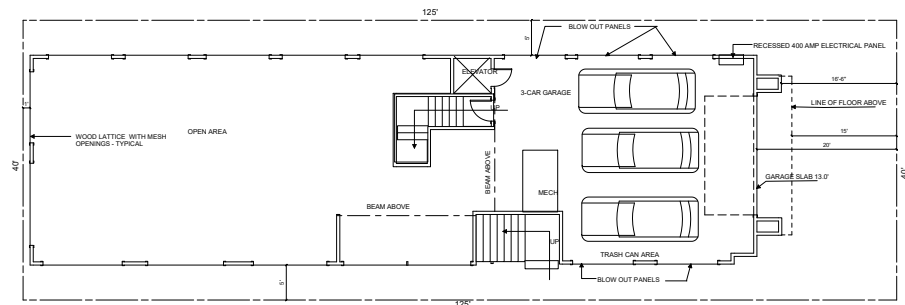
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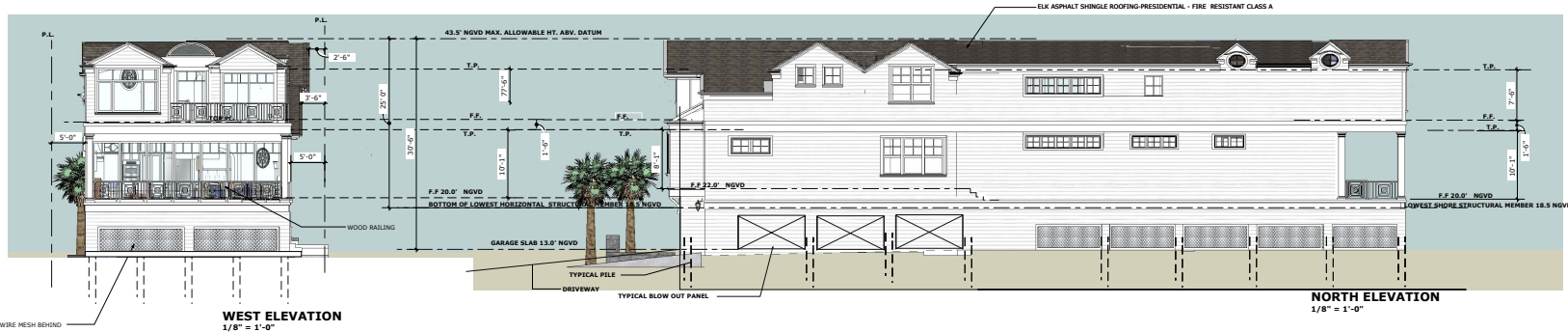
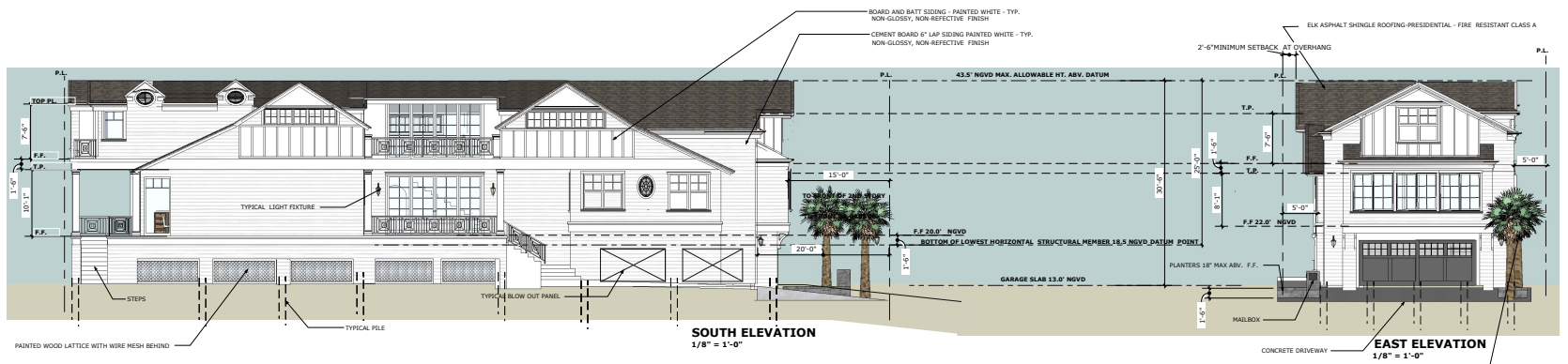


Par. Tract 4380, M.R. Bk.117, Pg.97.
Tract 1056, M.R. Bk. 27, Pg.15
Tract 1216, M.R. Bk.28, Pg.20
Mandalay Unit No.1, M.R. Bk.13, Pg.58

CITY OF OXNARD
Ventura County Assessor's Map.
Assessor's Block Numbers Shown in Ellipse.
Assessor's Parcel Numbers Shown in Circles.
Assessor's Mosaic Numbers Shown in Squares.
DRAWN BY: [Signature]
CHECKED BY: [Signature]
DATE: 11-10-20
EFFECTIVE: 11-10-20
Compiled By: Ventura County Assessor's Office



[illegible]



SOUTHWEST VIEW
N.T.S.



SOUTH VIEW
N.T.S.



SOUTHEAST VIEW
N.T.S.



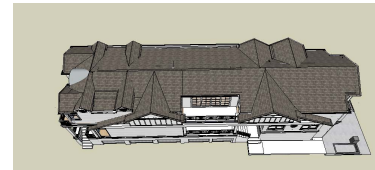
EAST VIEW
N.T.S.



NORTHWEST VIEW
N.T.S.



NORTHEAST VIEW
N.T.S.



OVERVIEW FROM SOUTH
N.T.S.

REVISIONS	
12/30/20	

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SANDEFER RESIDENCE
941 MANDALAY BEACH ROAD
OXNARD, CA 93035

ELEVATIONS

DRAWN BY	
SCALE: 1/8" = 1'-0"	
DATE: 11/10/20	

3

ATTACHMENT C

CEQA NOTICE OF EXEMPTION

NOTICE OF CEQA EXEMPTION

Project Description: **941 Mandalay Single-Family Home;** PZ No. 20-400-05 (Coastal Development Permit) - A request to construct a two-story, 6,678 square-foot single-family dwelling on a vacant 5,000 square-foot lot. The proposed home includes 5,636 square feet of living space, a 1,042 square-foot two-car garage, and 209 square feet of deck space. The Project is located at 941 Mandalay Beach Road (APN: 191-0-051-355) within the Residential Existing (REX) land use designation and Beachfront Residential (R-BF) zoning district within the Coastal Zone. Filed by James and Dori Sandefer, 2933 Stafford Road, Thousand Oaks, CA 91361 (“Owner” and “Applicant”).

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 15303(a) of the California Environmental Quality Act (CEQA) Guidelines, projects involving “*New Construction or Conversion of Small Structures*,” including one single-family residence in a residential zone, may be found to be exempt from the requirements of CEQA. The project consists of construction of one single-family dwelling on a legal lot of record which is zoned to allow this use. There are no exceptions found within Section 15300.2 that defeat the Exemption. The Community Development Director has determined that there is no substantial evidence that the project may have a significant effect on the environment, the project is Categorical Exempt from the provisions of CEQA, and there is no requirement to prepare an environmental document.

(Date)

Scott Kolwitz
Planning & Environmental Services Manager

ATTACHMENT D
RESOLUTION No. 20-400-05
(COASTAL DEVELOPMENT PERMIT)

RESOLUTION NO. PZ 20-400-05

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-400-05 (COASTAL DEVELOPMENT PERMIT), TO AUTHORIZE THE CONSTRUCTION OF A TWO-STORY 6,678 SQUARE-FOOT SINGLE FAMILY DWELLING ON A VACANT 5,000 SQUARE-FOOT LOT. THE PROPOSED HOME INCLUDES 5,636 SQUARE FEET OF LIVING SPACE, A 1,042 SQUARE-FOOT TWO-CAR GARAGE, AND 209 SQUARE FEET OF DECK SPACE. THE PROJECT IS LOCATED AT 941 MANDALAY BEACH ROAD (APN: 191-0-051-355) WITHIN THE OXNARD SHORES NEIGHBORHOOD IN THE BEACHFRONT RESIDENTIAL (R-BF) ZONING DISTRICT AND WITHIN THE COASTAL ZONE, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY PROPERTY OWNERS JAMES AND DORI SANDEFER.

WHEREAS, on December 1, 2020, James and Dori Sandefer (the “**Applicant**” and/or “**Developer**”) submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to construct a 6,678 square-foot single-family dwelling on a vacant 5,000 square-foot lot. The proposed home includes 5,636 square feet of living space, a 1,042 square-foot two-car garage, and 209 square feet of deck space, and associated amenities and infrastructure on a vacant 5,000 square foot beachfront lot, located at 941 Mandalay Beach Road; 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 3 Categorical Exemption (Section 15303(a)). 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/Local Coastal Plan land use designation of Residential Existing (REX) within the Residential Beachfront (R-BF) zone. The Project is surrounded by residential development to the north, south and east. 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 Coastal Development Permit request for construction of a 6,678 square-foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,000 square foot beachfront lot is consistent with the 2030 General Plan, Local Coastal Plan and the Oxnard City Code and is compatible with the physical scale and character of other residential development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General, Local Coastal Plan and the Oxnard City 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 Coastal Development Permit request for construction of a 6,678 square-foot, two-story, single-family house with associated amenities and infrastructure on a vacant 5,000 square foot beachfront lot 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 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 residential 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 as confirmed by staff on June 7, 2021.

- (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.

WHEREAS, on **June 23, 2021**, the Community Development Director of the City of Oxnard (“**Director**”) conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 20-400-05 (Coastal Development Permit), filed by James Sandefer in accordance with 17-57(B)(5) of the Oxnard City Code; and

WHEREAS, the Community Development Director finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Director of the City of Oxnard:

SECTION 1. Based on the entire record before the Community Development Director and all written and oral evidence presented, the Community Development Director finds, after due study, deliberation and public hearing that the following circumstances exist:

1. **The proposed use is conditionally permitted within the subject sub-zone and complies with all of the applicable provisions of Chapter 17 of the Oxnard City Code.**

The proposed single-family beachfront residence is permitted in the R-BF sub-zone with a Coastal Development Permit, per Sections 17-25(C)(1) and 17-57(B)(5). As discussed in the Staff Report, the project complies with all applicable provisions of Chapter 17 of the Oxnard City Code.

2. **The proposed use would not impair the integrity and character of the sub-zone in which it would be located.**

The subject sub-zone is specifically designed for the development of single-family beachfront residences. The project site is a vacant lot that is generally surrounded by single-family residences. The development will comply with the development standards of the R-BF zone and as a result will be compatible with existing single-family beachfront residences in the surrounding area, in regard to its size, bulk, scale, and use. Therefore, the project will not impair the integrity and character of the R-BF sub-zone.

3. **The subject site in terms of location and intensity of use would be physically suitable and would protect and maintain adjacent coastal resources for the land use being proposed.**

The project site is comprised of an infill lot specifically intended for single-family beachfront development. As discussed in the Staff Report, the project meets all pertinent development standards, such as building height and protection of public beach access, and the project has been evaluated and designed in the context of threats from seismic activity, liquefaction, tsunami run-up, beach erosion, and storm wave runup. Therefore, the project is designed to protect and maintain adjacent coastal resources.

4. **The proposed use would be compatible with the land uses presently on the subject property.**

The project site is currently a vacant lot. The vacant lot is specifically intended for single-family beachfront development. Therefore, the proposed single family dwelling would be compatible with the land use presently on the subject property.

5. **The proposed use would be compatible with existing and future land uses within the sub-zone and the general area in which the proposed use would be located.**

The proposed beachfront single family dwelling is allowed in the RB-F subzone. The surrounding lots are developed with single family dwellings. Allowed future uses on the adjacent RB-F lots include single-family dwellings. Therefore, the proposed single family dwelling will be compatible with the surrounding existing single-family beachfront development and future land uses within the subzone and general area in which the proposed project would be located.

6. **There are adequate public services for the proposed use, including, but not limited to, fire and police protection, water, sanitation and public utilities and services to insure that the proposed use would not be detrimental to public health and safety.**

The project site is an infill property that has access to public services. The proposed development would be compatible with surrounding development and would not require significant expansion of existing public services. The surrounding development has adequate fire, police, water, sanitation, and utility services. Therefore, there are adequate public services for the proposed use to ensure that the proposed use will not be detrimental to public health and safety.

7. **The proposed use will provide a type and level of public access consistent with the access policies and standards of the Oxnard Coastal Land Use Plan.**

The project site is located 100 feet to the south of an existing 15-foot wide public

easement for access to the beach (Parcel F, Tract 4380). The project will not impede public access to the beach. Therefore, the proposed project will provide public access consistent with the Oxnard Coastal Land Use Plan.

- 8. The proposed use would be appropriate in light of an established need, based upon the underlying goals and objectives of specific Oxnard Coastal Land Use Plan (LCP) policies, applicable to the proposed location.**

Continued construction of single-family residences on vacant beachfront lots indicates a market demand and active interest from residents who desire to live along the beach. The development is in the Oxnard Shores area, which the LCP designates specifically for urban residential uses. Therefore, the proposed use is appropriate in light of an established need, based upon the goals and objectives on the Oxnard Coastal Land Use Plan.

- 9. The proposed use would be consistent with all of the applicable policies of the certified Oxnard Coastal Land Use Plan.**

The project site is located on a vacant lot within a developed area. The project provides needed housing near the coast without endangering local resources. As discussed in the Staff Report, the proposed use is consistent with all of the applicable policies for single-family beachfront development in the certified Oxnard Coastal Land Use Plan.

SECTION 2. In accordance with Section 15303 (Class 3) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “new construction... of small structures” may be found to be exempt from the requirements of CEQA. 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 Community Development Director hereby approves Planning and Zoning Permit 20-400-05 (Coastal Development Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Community Development Director shall be final unless an appeal of the action is filed in accordance with the provisions of Section 17-58(H) of the Oxnard City Code.

CONDITIONS OF APPROVAL

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	Public Works, 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 June 23, 2021, (“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 change to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”). A minor change may be granted for minimal changes to the extent of use or size of structures or of the design, materials or colors of structures or masonry walls, found to be in substantial conformance with the approved plans. Substantial conformance shall be determined by the Planning and Environmental Services Manager. A Coastal Development Permit Amendment shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 24 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. A one time extension to this permit may be granted for a maximum of 12 additional months. The request for the extension shall be applied for prior to the expiration of the permit (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 and

Environmental Services Manager allows the 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. (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 and Environmental Services Manager. (PL, G-8)
9. Developer shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
10. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).
16. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, G-16)
17. The subject Coastal Development Permit shall not become effective until 10 working days have elapsed without appeal to the Planning Commission following the notice of the decision of the Director to the Developer. Such notice to the Developer shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, G-17)

LANDSCAPE STANDARD CONDITIONS

18. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Planning Division and obtain approval of such plans. (PK/DS, PK-2)
19. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
20. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensure compliance. (PK, PK-4)
21. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
22. 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

23. Landscaping shall consist of (2) 8’ brown trunk *Washingtonia robustas*, with 5 gallon (minimum) colorful shrubs and colorful ground covers which conform to City Landscape requirements. (PK)

FIRE DEPARTMENT STANDARD CONDITIONS

24. 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)
25. 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)
26. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, F-6)
27. 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)
28. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer’s specifications. The detector shall be hardwired with a battery backup. (FD, F-17)

FIRE DEPARTMENT SPECIAL CONDITIONS

29. Fire sprinkler coverage is required for:
- a. Patios, overhangs or any other projections that are 48” or more from the structure.
 - b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
 - c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.
30. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping, shall have access to a public right-of-way without re-entering the structure.

POLICE DEPARTMENT STANDARD CONDITIONS

31. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - 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 to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
32. 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.
33. Should an alarm system be installed, it shall be compliant with Oxnard City Code 11-95 through 11-100. Motion detection burglary or intrusion alarm systems shall utilize "Dual Technology" sensors capable of differentiating between human movement and non-human movement.
34. Lighted street address fixture is required.

PLANNING DIVISION STANDARD CONDITIONS

35. 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)
36. 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)

37. Before the City issues building permits, Developer shall provide to the Planning and Environmental Services Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
38. 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*)
39. 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*)
40. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, *PL-11*)
41. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code 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*)
42. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
43. Because of water limitations placed upon the City by its water providers, approval of this permit does not guarantee that the City will issue building permits. Issuance of building permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, *PL-15*)
44. 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*).
45. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building

colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)

46. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
47. Developer shall provide automatic garage door opener for the garage. (PL/B, *PL-20*)
48. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
49. Additions and patio covers shall conform to the requirements of the R-BF zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)
50. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
51. All construction activities shall occur only between the hours of 7:00 am to 6:00 pm Monday through Saturday in accordance with Section 7-188(D) of the Oxnard City Code.

PLANNING DIVISION SPECIAL CONDITIONS

52. Developer shall not obstruct pedestrian or vehicular traffic on Mandalay Beach Road or the associated sidewalk during construction and maintenance activities. (PL)
53. Developer shall maintain the construction site free of litter and the accumulation of construction debris. (PL)
54. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g., landscaping or other building elements) from public right of ways, to the maximum extent feasible.
55. 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)
56. Developer shall construct the improvements on driven pilings in accordance with Exhibit 6 of the settlement agreement in Oxnard Shores Oceanfront Lot Owners Association, et al. v. City of Oxnard, et al.. (PL/DS)

57. Developer acknowledges and agrees to complete the following steps to mitigate the impacts associated with pile driving:

- a. Developer shall distribute a written notice to all property owners within a 300-foot radius of the subject property informing them of the upcoming pile driving and providing the name and contact information for the Foreman and/or Developer. This notice shall be distributed no less than 60 days prior to pile driving. The City shall furnish an updated mailing list with a 300-foot radius in an electronic format to the Developer within two weeks of the Developer requesting the mailing list. The City will not charge additional fees for the updated electronic mailing list. The Developer will be responsible for the costs associated with mailing the notifications. The Developer shall furnish a copy of the pile driving notification and a signed statement confirming mailed notices were sent to all property owners who were on the City furnished updated mailing list to the City at the preconstruction meeting referenced below. Developer shall also provide Planning Manager and Deputy Building Official with a written notification confirming that the notice has been completed prior to issuance of a building permit;
 - b. Prior to issuance of a building permit, Developer shall coordinate and attend a preconstruction meeting with the Building and Engineering Division to verify and review all pile driving requirements. Attendees shall include the pile driving/drilling Foreman, Developer, Deputy Inspector, Deputy Building Official and Case Planner. The request for this meeting shall be made to the Building and Engineering Division by the Developer or their designee and include a minimum 72 hours notice in advance of the meeting;
 - c. Developer shall prepare and submit a predrilling and noise mitigation plan for approval during the plan review process. This plan shall consist of: 1) an identification of methods used to reduce the driving duration, force, and resulting vibration impacts to surrounding properties during pile driving; and 2) an identification of methods used to reduce the noise impacts to surrounding properties during pile driving, including detailed description of any noise reduction techniques or equipment proposed, as verified by an acoustical report, technical report, or other objective data;
 - d. Developer shall limit pile driving activities to the hours of 9:00 a.m. through 4:30 p.m., Monday through Friday; and
 - e. Developer acknowledges that the approval of the Building Official is conditional and may be revoked immediately if the aforementioned requirements are not completed and strictly adhered to during construction. (PL/B, PL-50)
58. Developer shall provide breakaway panels painted to match the structure that cover approximately 50% of the linear area between the first floor of the structure and the sand below in order to screen the pilings. (PL)

59. Developer shall provide mailbox detail that is theme-coordinated with the architecture of the building, subject to approval by the Planning and Environmental Services Manager. (PL)
60. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, within 24 hours of its appearance. The surface of such affected areas shall be matched to blend in with the underlying colors and/or design, and shall not look like a paint patch. (PL)
61. 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). (PL)
62. 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)
63. Plans submitted by Developer with building permit applications shall include mailbox design with details that incorporate architectural design features that complement the building, subject to approval by the Planning and Environmental Services Manager. (PL)
64. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)

ENVIRONMENTAL RESOURCES DIVISION

65. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Plan" ("Plan") to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method used; destination of material including the hauler name and facility location. Developer shall use the Plan form.
66. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged

materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.

67. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
68. 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.

BUILDING AND ENGINEERING DIVISION STANDARD CONDITIONS

69. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)
70. Developer shall protect building pads from inundation during a 1% chance (100 year) storm. (DS-5)
71. 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)
72. 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)
73. 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)
74. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)
75. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
76. 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)
77. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)

78. 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)
79. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)

BUILDING AND ENGINEERING DIVISION SPECIAL CONDITIONS

80. The Developer shall take sufficient precautions during construction to prevent ocean wave run-up from passing through the project site and into the street right-of-way. Failure to take adequate precautions will result in Developer being assessed street cleanup costs. (DS)
81. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter, or asphalt paving adjacent to property as directed by the Construction Services Inspector. (DS)
82. Driveway shall be designed and constructed in accordance with City Standard Plate No. 115 modified to provide a 4-foot wide minimum American with Disabilities Act (ADA) compliant pedestrian path along the public sidewalk. Developer shall grant the City a sidewalk easement, if necessary, to construct the ADA path behind the drive. (DS)
83. The Developer's architect and engineer shall provide written certification that the structure complies with all Federal Emergency Management Agency (FEMA) requirements including, but not limited to, the Floodplain Management Chapter of the Oxnard City Code. This shall include, but not be limited to, the filing of a FEMA "elevation certificate." (DS)
84. Developer shall have the building plans prepared such that the lowest horizontal portion of the structural members of the lowest floor is elevated above the Base Flood Elevation (BFE) as required by the City Municipal Code Section 18-39. (DS)
85. Developer shall submit a Letter of Drainage Assessment describing the disposition of surface runoff and drainage will not be directed to the neighboring lots. (DS)
86. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare and submit an erosion control plan to the City for review and approval. (DS)

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this 23rd day of June, 2021.

Vyto Adomaitis, Community Development Director

**COMMUNITY DEVELOPMENT DIRECTOR
STAFF REPORT**

TO: Vyto Adomaitis, Community Development Director

FROM: Randy Baez, Associate Planner

DATE: June 23, 2021

SUBJECT: **Project Name: Chick-Fil-A at the Landing at RiverPark;** Planning and Zoning Permit No. 20-200-08 (Development Design Review Permit) to allow for the construction of a 2,707 square-foot restaurant with a drive-through, located Town Center Drive (Lot 2 of The Landing) approximately 160 feet southeast of the North Ventura Road / Town Center Drive intersection (APN: 132-0-470-175)

- 1) **Recommendation:** That the Community Development Director (“**Director**”):
 - a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects); and
 - b) Adopt Resolution PZ 20-200-08 approving Planning and Zoning Permit No. 20-200-08, subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to permit the construction of a 2,707 square-foot restaurant, partially covered outdoor patio with a drive-through with a 2-lane, 26-vehicle capacity, an associated parking lot for 39 vehicles, and landscaping and infrastructure improvements on a 1-acre project site located on Lot 2 of Tract 6004, within the West Corridor Commercial District of the RiverPark Specific Plan (RPSP) (Attachment A). The project includes a Shared Parking and Management Plan. For purposes of this staff report, the foregoing project description shall be referred to as the “**Project**”. Filed by Dynamic Real Estate Partners, Kelly Harrison, 2000 Center Street, Suite 303, Berkeley CA 94704, designated agent (the “**Applicant**”) on behalf of Shea Properties, LLC, 130 Vantis Suite 200, Aliso Viejo, CA 92656-2691 (the “**Property Owner**”).

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

- 3) **Existing & Surrounding Land Uses:** The Project site is a vacant undeveloped parcel located within the RPSP area. 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)	Vacant/Undeveloped (future site of hotel/ PZ No. 17-200-07)
East	Commercial Regional (CR)	Riverpark Specific Plan - West Corridor Commercial (WCC)	Vacant/Undeveloped
West	Commercial Regional (CR)	Riverpark Specific Plan - West Corridor Commercial (WCC)	Vacant/Undeveloped (future site of service station/ PZ No. 20-500-02)

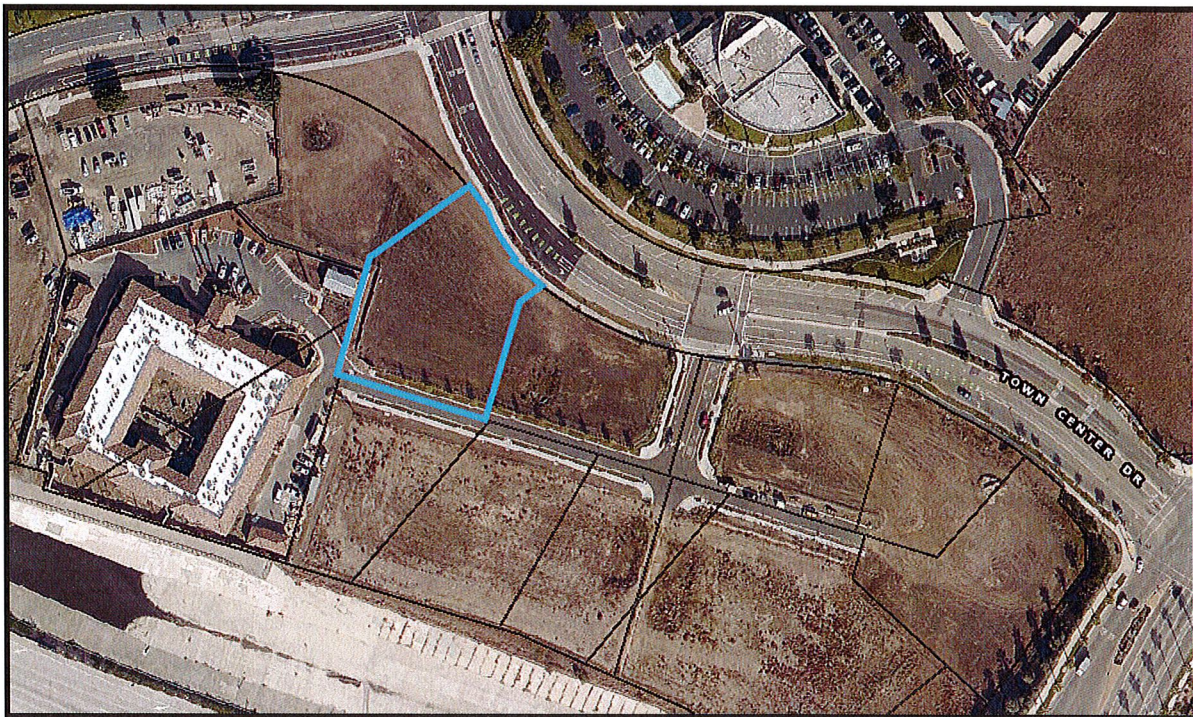


Exhibit A

- 4) **Background Information:** The proposed development is within Planning District C “West Corridor Commercial District” of the RiverPark Specific Plan (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 directly south 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 been constructed and began operation to the west of the hotel Project site. On June 4, 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). On December 3, 2020, a gas station and convenience store (and associated Alcohol Special Use Permit) directly to the west of the site along Town Center Drive was approved by the Planning Commission (Planning & Zoning Permit Nos. 20-500-02 and 20-510-08).

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 third of the 6 commercial projects proposed at The Landing.

- 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.

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 2,707 square-foot restaurant, partially covered outdoor patio with a drive-through with a 2-lane, 26-vehicle capacity, an associated parking lot for 39 vehicles, and landscaping and infrastructure improvements 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 RiverPark Specific Plan. The proposed development is located on a 1-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 Director 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 2,707 square-foot commercial building with an associated drive-through in support of a restaurant use (Chick-Fil-A).

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 RiverPark Specific Plan, construction of the Project is subject to approval of a DDR permit by the Community Development Director.

- 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 this DDR permit has 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 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 commercial building with a drive-through.
ER-10.1- & ICS-19.2	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.
CD-5.2 SH-6.4	II	Compatible Land Use	The proposed multi-tenant building is 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.

- 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 commercial building may be permitted with an approved DDR 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%	Yes
Building Height	Min: 1 Floor / Max: 5 Floors (75 FT)	1 Floor	Yes
Front Setback	Min: 0 FT	>0 FT	Yes
Side Setback	Min: 10 FT	~30 FT	Yes
Rear Setback	10 FT Minimum	~100 FT	Yes
Parapet Encroachment	2 FT Max	0 FT	Yes
Canopy/Awning Encroachment	5 FT Max	5 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 Chapter 7		Consistent with all building orientation and use guidelines except guidelines 2 and 4.	Yes, with Director authorization of deviation pursuant to RPSP Section 7.9.2.2.
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	1 space per 50 square feet of gross floor area = 54 spaces	38 spaces, plus a stacking credit of an additional 16 spaces.	Yes, and supplemented with attached Parking Management Study, as recommended by Traffic Engineer
Loading Zones	1 loading zone required	One loading zone	Yes, as recommended

	As determined by the Director based on the nature of the use and operations		by Traffic Engineer
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- d) **Site Design, Circulation and Parking:** The Project will be accessed from an existing private street to the south of the property which was previously approved through Planning & Zoning Permit No. 16-200-04. That 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 2) and the adjacent property to the west (Lot 1) and future development of the property 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 50 square feet of gross floor area for a fast food restaurant. As a result, 39 parking spaces are proposed while a stacking credit of 16 parking spaces are allowed due to the size of the drive-through stacking, for a total of 55 parking spaces. 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 restaurant building features a facade with contemporary stucco and a masonry veneer base to provide a break in elevations. A metallic parapet wall coping will also match aluminum canopies through the Project. To orient the building toward the street and to screen the drive-through queue to the maximum extent feasible, the canopies will cover sections of the 2 drive-through aisles and anchor on a screen wall to give the appearance of an extension of the building. Additionally, a second canopy will extend from the building and partially cover the large attached outdoor patio.
- f) **Landscaping:** The Project will provide parkways and landscape areas throughout the parking lot that will feature low water use, native and regionally adapted plants including grasses, succulents, and trees. Additionally, 20 trees will be added throughout the property, which will assist in meeting the requirement of 1 tree for every 40 feet of property line.
- 7) **Development Advisory Committee:** The Project was formally reviewed by the Development Advisory Committee (DAC) on May 27, 2020, and DAC members subsequently reviewed revised plans submitted in April 2021. 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. 2 members of the community were present at the Community Workshop for this item. One member of the community was generally opposed to an additional Chick-Fil-A restaurant within the city. To date, staff has not received any other public comments, in favor or against, the proposed Project.

- 9) **Appeal Procedure:** In accordance with OCC Section 16-525(B) of the City Code, the Director's action on Planning and Zoning Permit No. 20-200-08 (DDR) may be appealed to the Planning Commission within 10 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 Planning Commission is not filed within 10 working days of the Community Development Director's decision, the decision of the Community Development Director shall be considered final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Parking Management Plan
- E. Resolution

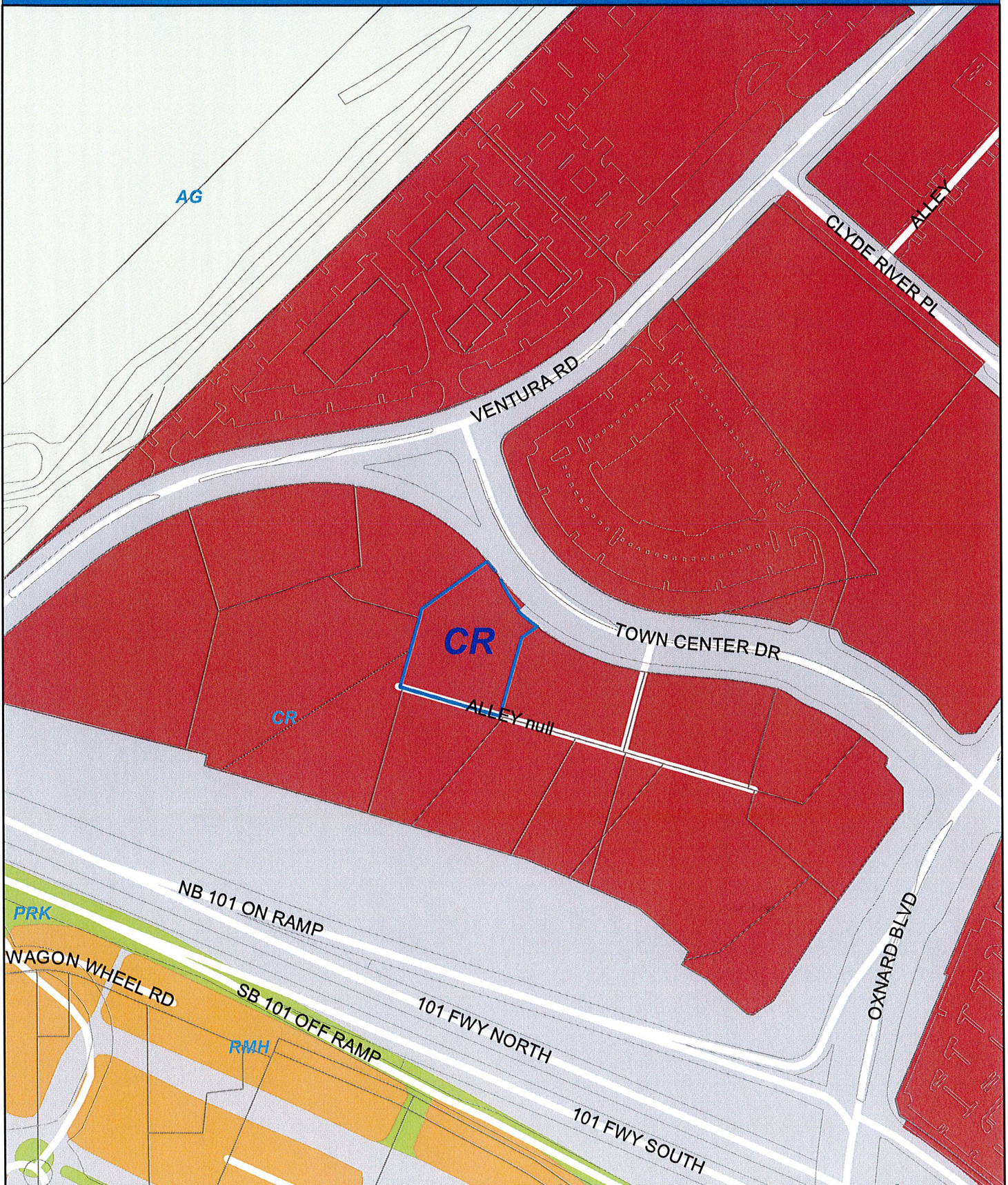
ATTACHMENT A

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

Vicinity Map

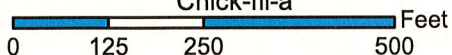


2030 General Plan Land Use Map



Oxnard Planning
October 29, 2020

PZ 20-200-08
Location: The Landing Lot 2
APN: 132047017
Chick-fil-a

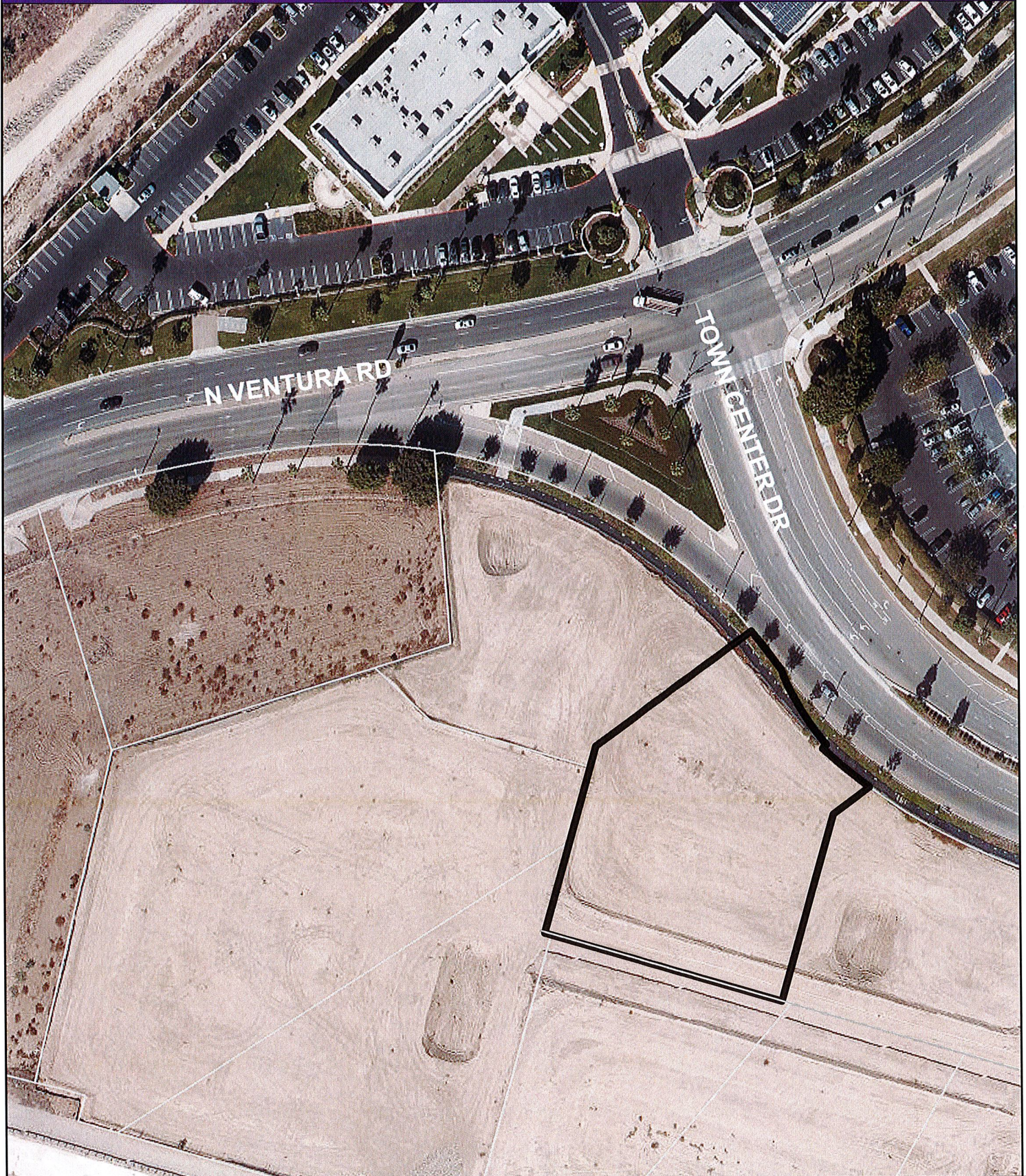


2030 General Plan Land Use Map

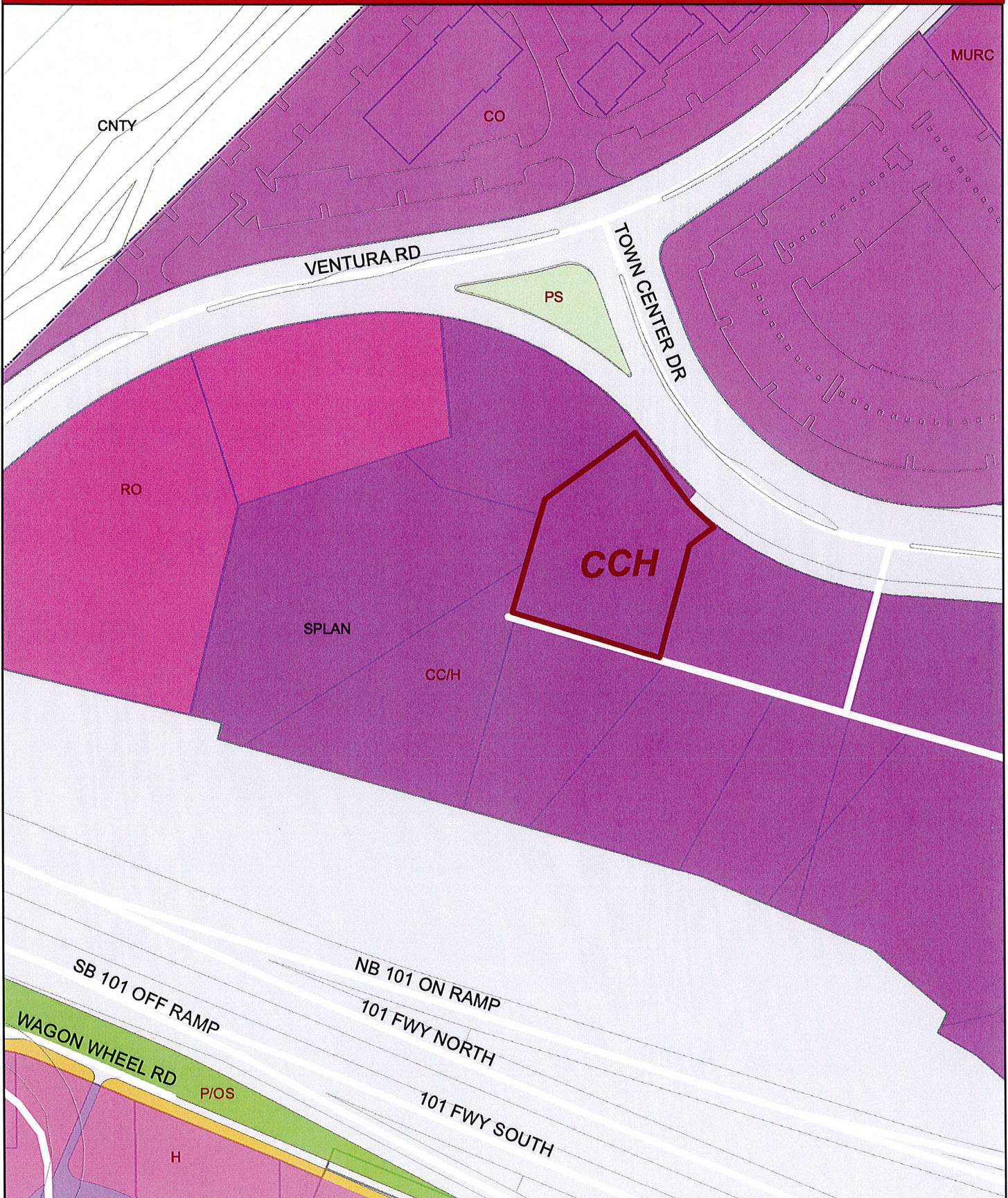


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Aerial Map

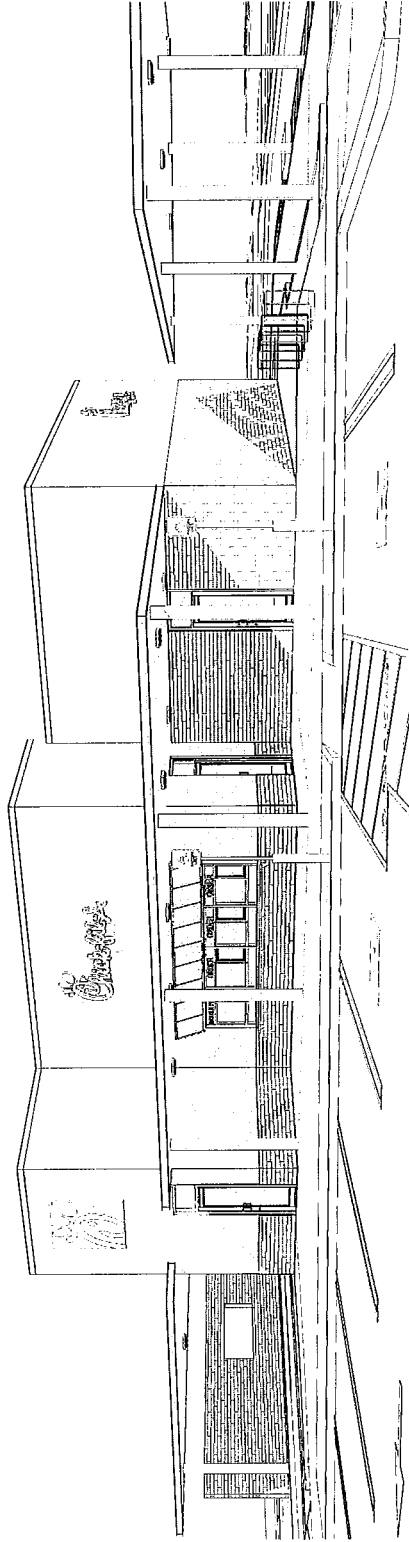


Zoning/Specific Plan Map



ATTACHMENT B

REDUCED PROJECT PLANS



Chick-fil-A
LOT 2 of MAP 6004
Oxnard, Ca. 93036

Chick-fil-A

LOT 2 of MAP 6004
OXNARD, CA. 93036

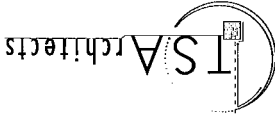
CONSULTANT

Shea Properties

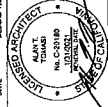
Shea Properties, LLC
c/o Shea Properties Management Co., Inc.
2751 New York Court
Fifth Floor
Oxnard, CA 93036
Tel: 805.321.1000

OWNER

2050 S. BUNNY DR. SUITE 225
LOS ANGELES, CA 90025
WWW.TSARCHITECTS.COM



REV.	DATE	DESCRIPTION



COVER

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SHEET #	8/28/2020
DATE	

PL0.00

SHEET #

COVERED TO JUNE

Chick-tl-A

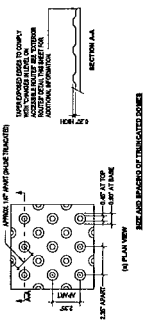
REV.	DATE	DESCRIPTION
		

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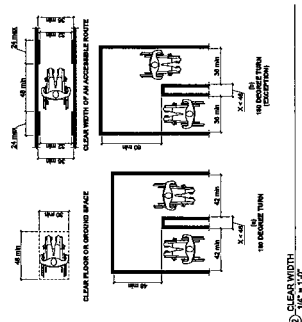
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COB #	
DATE	8/28/2020

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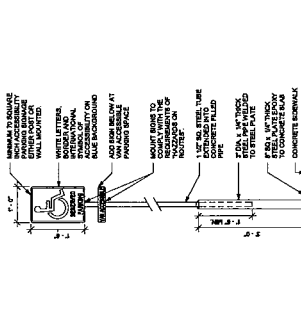
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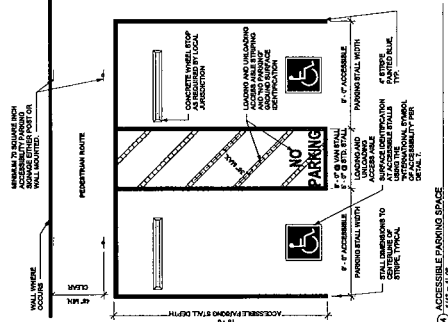
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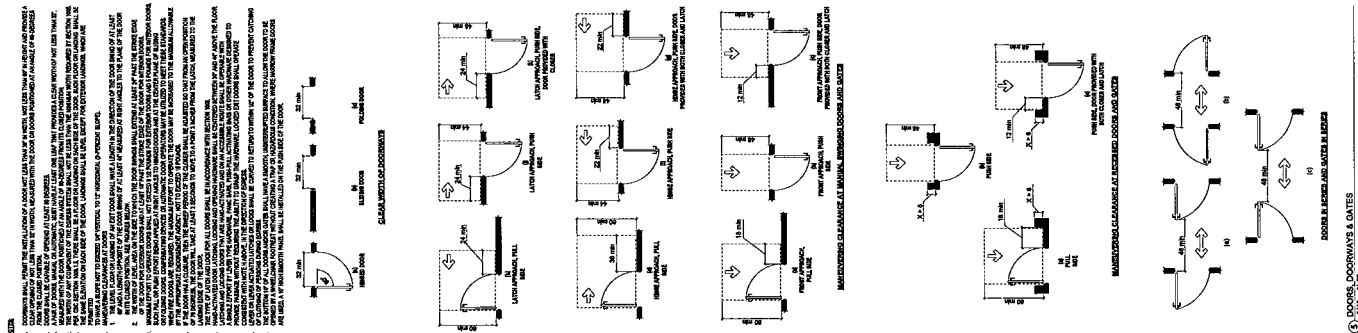
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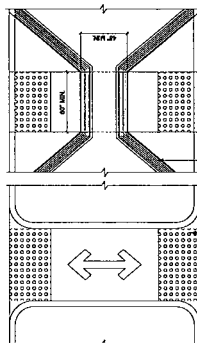
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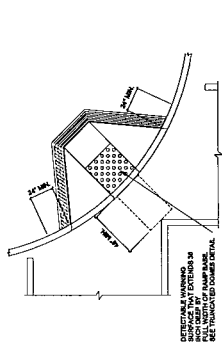
ACCESSIBLE PARKING SPACE



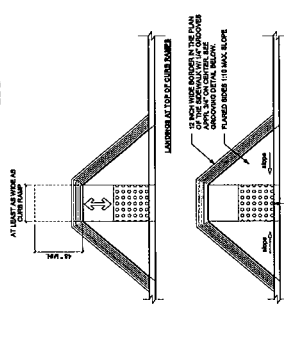
DOORS, DOORWAYS & GATES



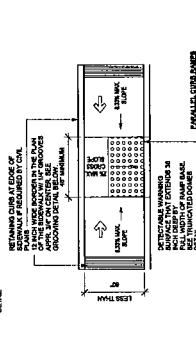
44 CUT THROUGH MAY BE LARGED



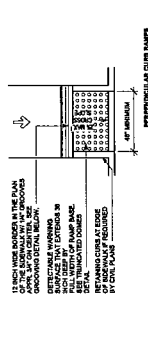
DETECTABLE WARNING



WIDE FLAT TOP RAMP BASE
INCH DEEP BY
PULL WIDTH OF RAMP BASE



PARALLEL GURS RANDES
FULL WIDTH OF RAUP BASE
BEE TRUNCATED DOMES
NET AS



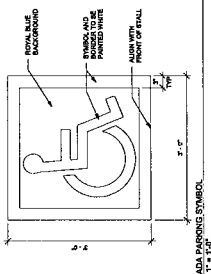
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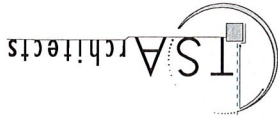


GROUNDING DETAIL

NOTES:

1. ALL STROKES TO BE MIN. 3" WIDE. FIELD: ROYAL BLUE, SYMBOL: BORDER, WHITE
2. PROVIDE 12 COATS OF REFLECTIVE PAINT. LET DRY BETWEEN COATS.
3. ALLOW 7 DAYS BETWEEN COATS.
4. GLOW IN THE DARK COPIES TO BE PLACED IN FRONT OF STALL. VISIBLE TO TRAFFIC OFFICER AND CENTERLINE
5. HANDICAP SYMBOL TO COMPLY WITH CURRENT STATE LOCAL PUBLIC AGENCY, ETC. REQUIREMENTS, U.S.A.

ADA PARKING SYMBOL
1" = 1'-0"



Sitel Properties
Riverpark Plaza, LLC
c/o Shea Property Management Co., Inc.
10000 Wilshire Blvd., Suite 200
Beverly Hills, CA 90210
805-988-7411 VOICE

OWNER
CONSULTANT
LOT 2 of MAP 6004
OXNARD, CA. 93036

Chick-fil-A

REV.	DATE	DESCRIPTION



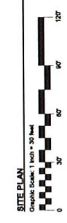
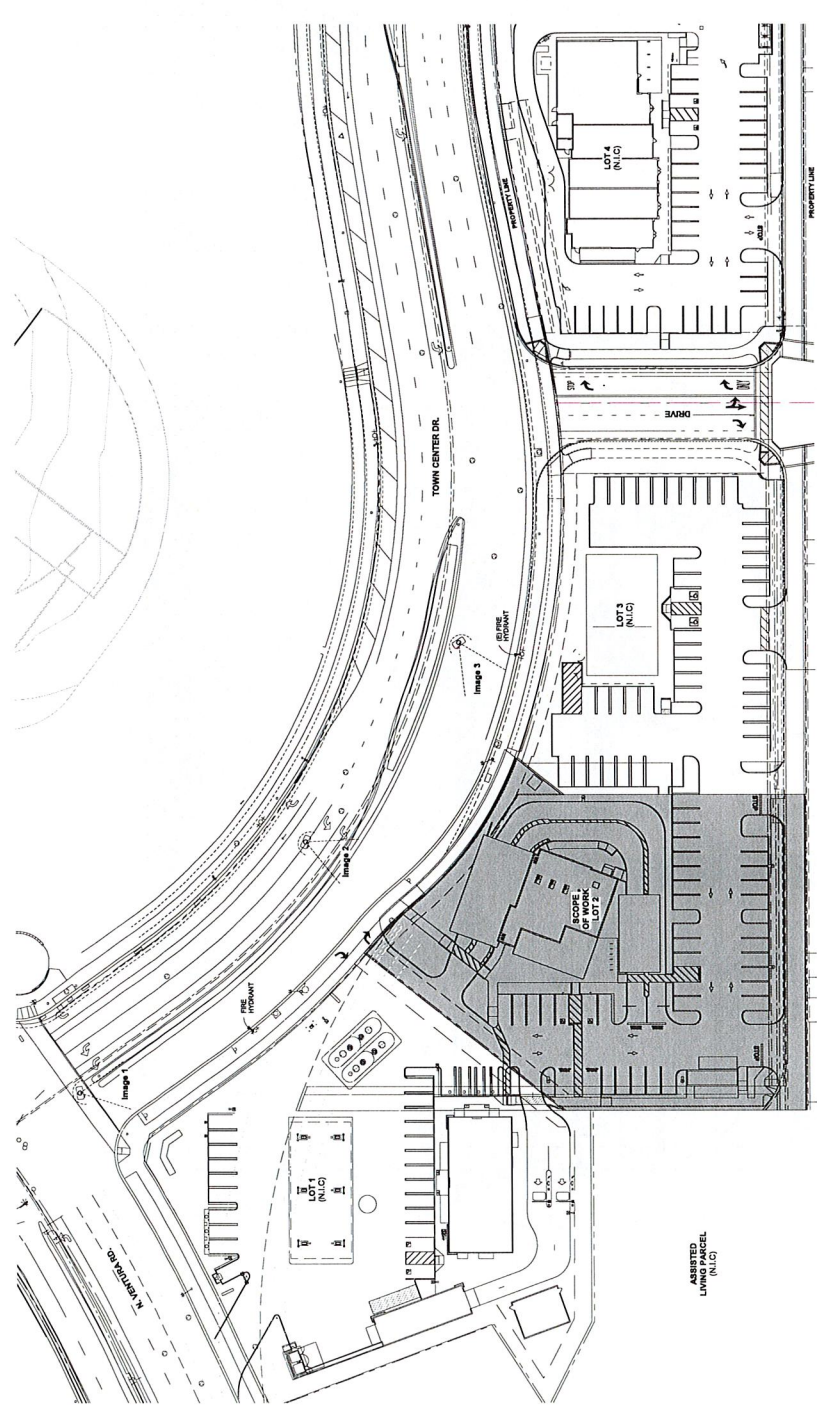
SITE PHOTOS

SHEET TITLE	19022
JOB #	8/29/2020
DATE	

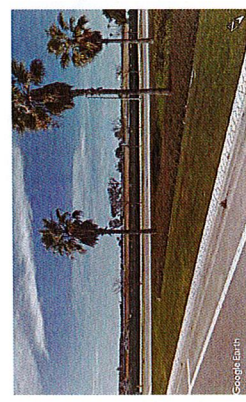
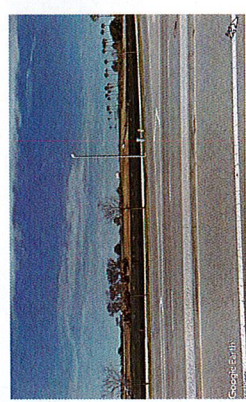
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SHEET #

COMPUTED BY 304



SITE PLAN





Shuca Properties
Riverspark Pointe, LLC
Shuca Properties Management Co., Inc.
2751 Park View Court
Suite 161
Oxnard, CA 93036
805-940-7941 VOICE

LOT 2 of MAP 6004
OXNARD, CA. 93036

Chick-fil-A

SITE PLAN NOTES		NOTE
1	✓	1. ✓ VEHICLE TURNING PATHS - SEE SHEET 10 FOR DETAILS
2	✓	2. ✓ CURB RAMP - SEE PLAN FOR DETAILS
3	✓	3. ✓ BICYCLE PARKING - SEE NOTE 10
4	✓	4. ✓ MOTORCYCLE PARKING - SEE NOTE 10
5	✓	5. ✓ EXISTING SIDEWALK - SEE CIVIL
6	✓	6. ✓ EXISTING SIDEWALK - SEE CIVIL
7	✓	7. ✓ NEW PUBLIC UTILITY - SEE CIVIL
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WHITE PLAN LEGEND

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RETRACT LANE	----
ZERO CURB	
WORK BOUNDARY	----
TRANSFORM	Y
TRASH ENCL	T.B.
PARKING REE	EMPTY

PLAN NOTES:

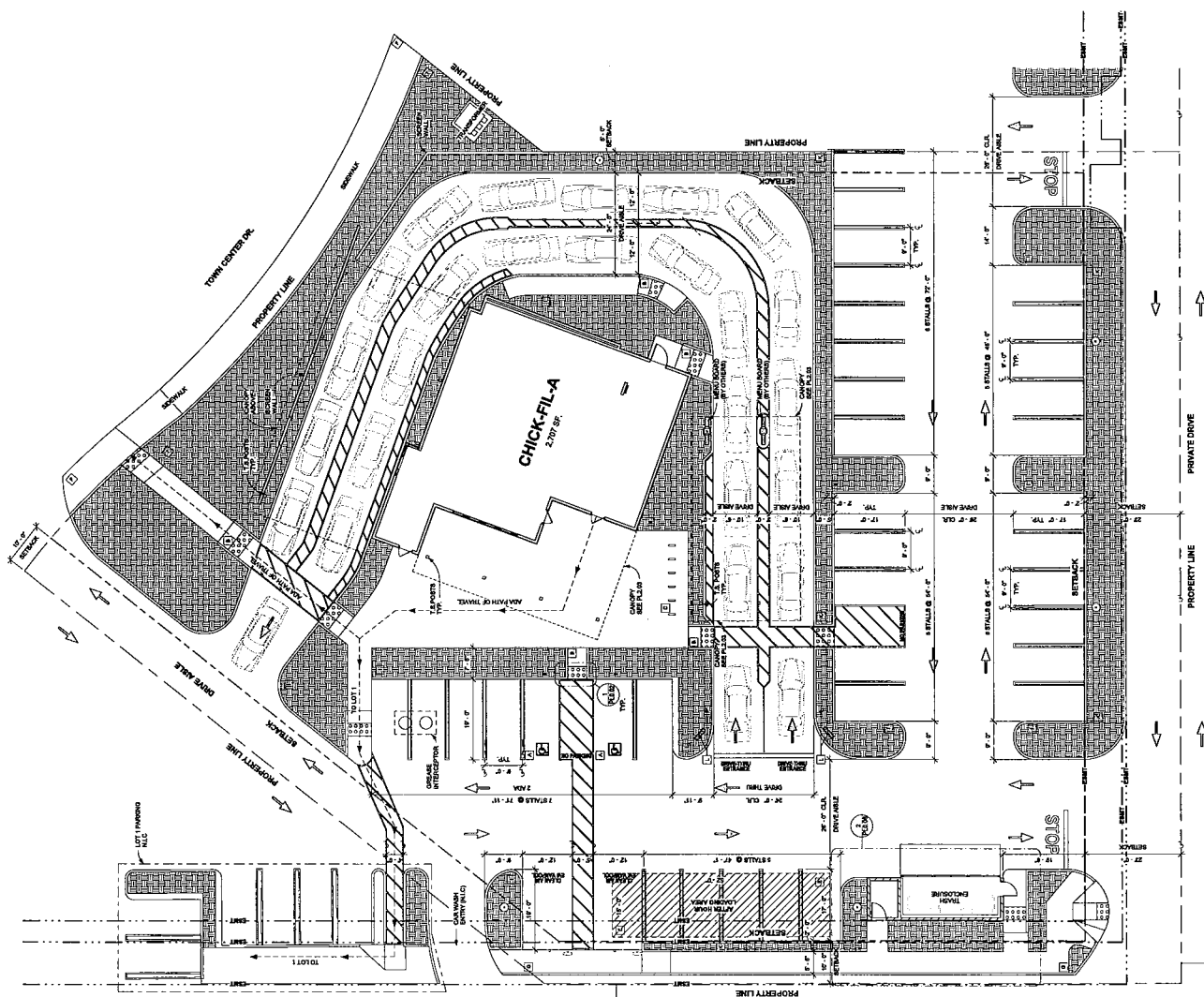
ENLARGED SITE
PLAN

HEET TITLE	19022
DATE	8/28/2020

PL0.05

•

Copyright © 2014



1 PL-ENLARGED SITE PLAN
3/22/20 ± 1'-0"

architects



Shea Properties

Riverpark Pointe, LLC
c/o Shea Properties Management Co., Inc.
2751 Park View Court
Suite 261
Oakland, CA 94606
905-988-7841 VOICZ

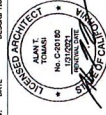
CONVINCING

CONSULTANT

LOT 2 of MAP 6004
OXNARD, CA. 93036

Chick-fil-A

	REV.	DATE	DESCRIPTION



TRASH ENCLOSURE

SHEET TITLE	19022
SHEET #	8/28/2020
DATE	

PL0.06

SHEET 0

COMPUTED 2014

Note:

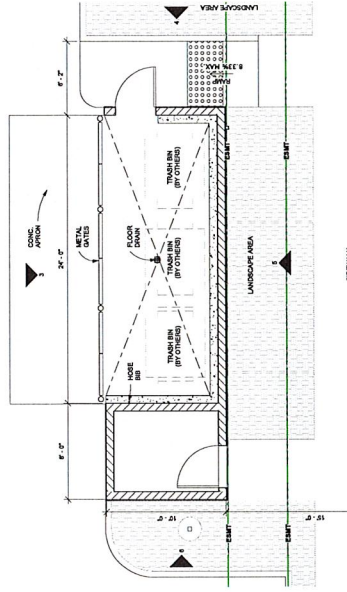
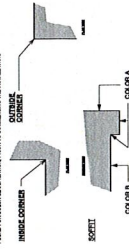
Note:
All roof top mechanical equipment shall be located in equipment well and screened from view by parapet walls.

COLOR AND MATERIAL LEGEND

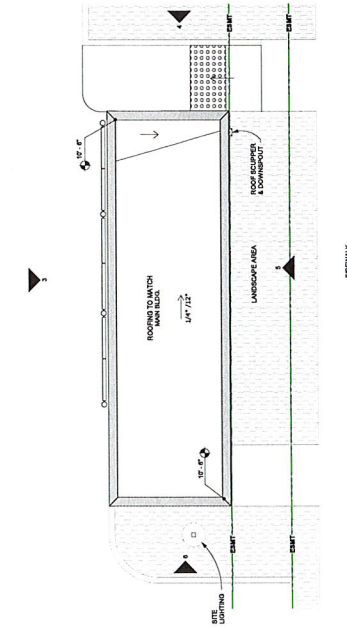
STC-1	Stucco • Paint Sherwin Williams #SW7566 "Westphal White"
STC-2	Stucco • Paint Sherwin Williams #SW6172 "Hansbar"
STC-3	Stucco • Paint to match Dean Edwards D66809 "Legendary Gray"
MT-1	Adhered Masonry Veneer • Creative Masons Craft Board Form "Kingscale"
ETC-1	Perpet Wall Copying • Dandelion/Exceptional Metals • Color: "Dark Bronze"
A-1	Aluminum Awning • Color: "Dark Bronze"
ST-1	YKK Storefront System • Color: "Dark Bronze"

EXTERIOR COLOR | LEGEND

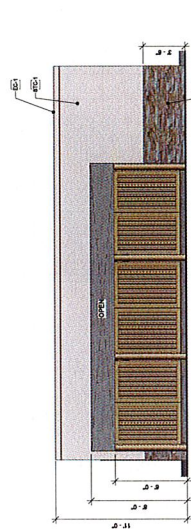
ALL EXTERIOR COLOR CHANGES SHALL OCCUR AT INSIDE CORNERS UNLESS OTHERWISE NOTED. NEVER AT EXTERIOR CORNERS. REQUEST CLARIFICATION FROM ARCHITECT SHOULD THESE CONDITIONS BE FOUND FOR COLOR CLARIFICATION. PRIOR TO COMMENCING THE INSTALLATION.



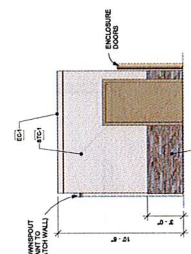
① PL-ENLARGED TRASH ENCLOSURE
4.14% = 5' 0"



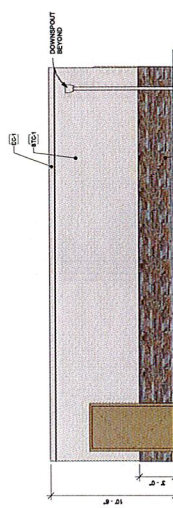
② PL-TRASH ENCLOSURE ROOF
1/4" = 1'-0"



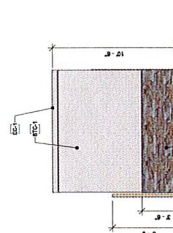
③ ENCLOSURE ELEVATION WEST
1/4" = 1'-0"



4 ENCLOSURE ELEVATION SOUTH
4/45 - 81' 0"



5 ENCLOSURE ELEVATION EAST
1/4" = 4'-0"



6 ENCLOSURE ELEVATION NORTH

Shelco Properties
Riverpark Pointe, LLC
c/o Shea Properties Management Co., Inc.
2751 Park View Court
Suite 261
Orland, CA 94034
805-888-7941 VOICE

LOT 2 of MAP 6004
OXNARD, CA. 93036

Chick-fil-A

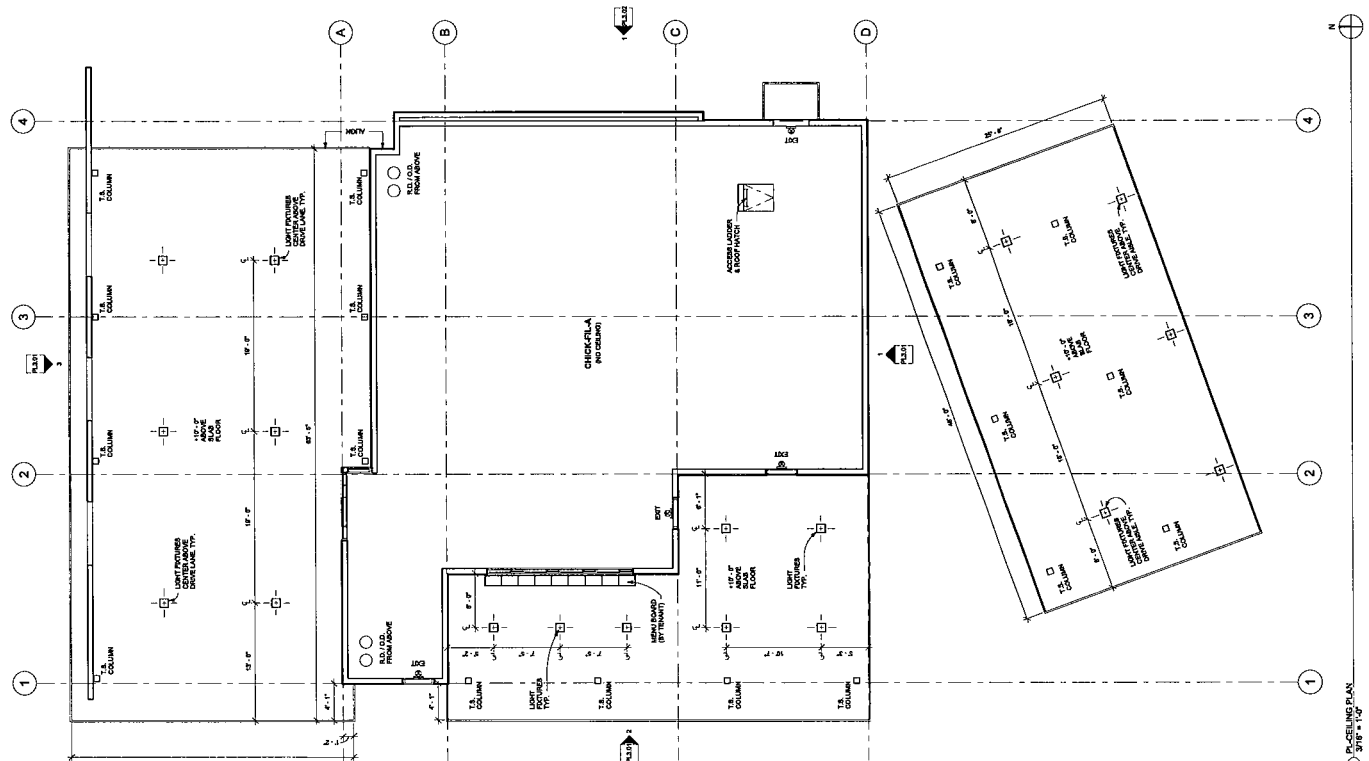
[illegible]REFLECTED CEILING
PLAN

SHEET TITLE	DATE
19022	8/28/2020

PL2.02

0.1225-15

Copyright © 2004

[illegible]

PL-CEILING PLAN
3/16" = 1'-0"

Chick-fil-A

REV. DATE DISCUSSION

ROOF PLAN

HEET TITLE	DATE
19022	8/28/2020

PL2.03

History

NOT RECORDED

ROOF PLAN NOTES:

- [illegible]

SOLAR ZONE AREA CALCULATION - (CIRCULAR ZONE)

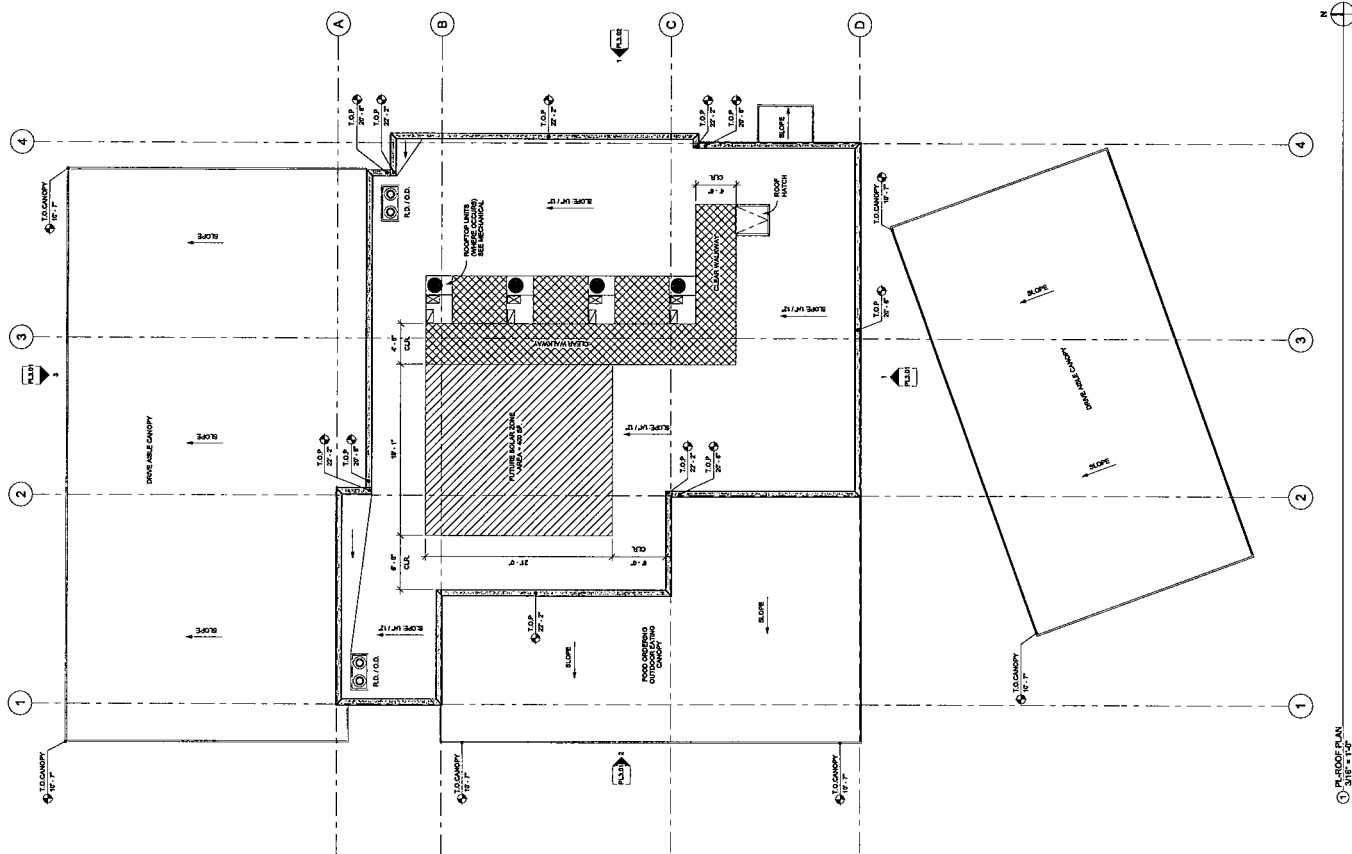
ROOF AREA TOTAL

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATIONS

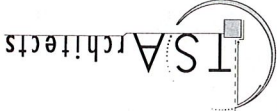
MIN 15% ROOF AREA)

SYMBOLS & ABBREVIATIONS:

- [illegible]



PL-ROOF PLAN



Shea Properties
Riverside Plaza, LLC
c/o Shea Properties Management Co., Inc.
2751 West Imperial Avenue
Suite 201
San Diego, CA 92108
619-594-7441, MOBILE
619-594-7442, FAX

CONSULTANT
LOT 2 of MAP 6004
OXNARD, CA. 93036

Chick-fil-A

REV.	DATE	DESCRIPTION



COLOR
EXTERIOR
ELEVATIONS

SHEET TITLE
JOB #
DATE

19022
8/28/2020

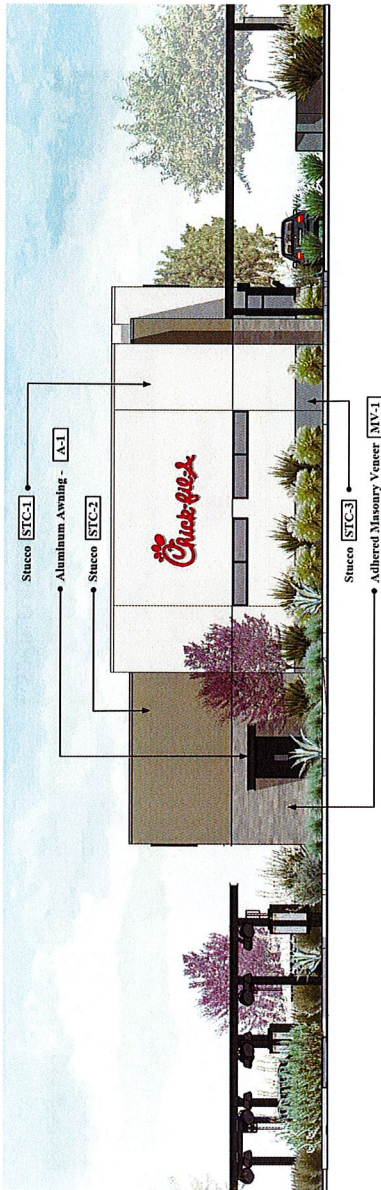
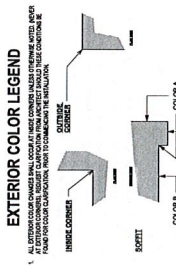
PL3.02
SHEET #

CONTINUED 304

Notes:
1. All new mechanical equipment shall be located in equipment yard and screened from view by planted walls.

COLOR AND MATERIAL LEGEND

STC-1	Stucco - Paint Sherwin Williams #SW7166 "Highland White"
STC-2	Stucco - Paint Sherwin Williams #SW6122 "Dark Bronze"
STC-3	Stucco - Paint to match Dean Edwards DE6509 "Lapis Lazuli Gray"
MV-1	Adhered Masonry Veneer - Custom Mix - Craft Blend from "GrayScale"
PC-1	Purple Vinyl Ceiling - Diamond Exceptional Metals - Color "Dark Bronze"
AW-1	Aluminum Awning - Color "Dark Bronze"
AV-1	Vinyl Siding System - Color "Dark Bronze"



1. EAST ELEVATION



2. SOUTHWEST



3. NORTHWEST

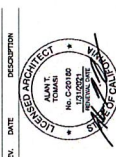


Shea Properties
Management Services, LLC
610 Shaw Properties Management Co., LLC
2751 Park View Court
Oxnard, CA 93033
805-466-7441, 10022

CONSULTANT
LOT 2 of MAP 6004
OXNARD, CA, 93036

Chick-fil-A

REV.	DATE	DESCRIPTION

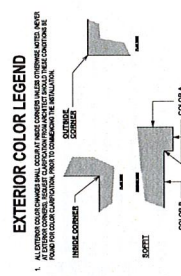


COLORED EXTERIOR ELEVATIONS	
SHEET TITLE	19022
DATE	8/28/2020

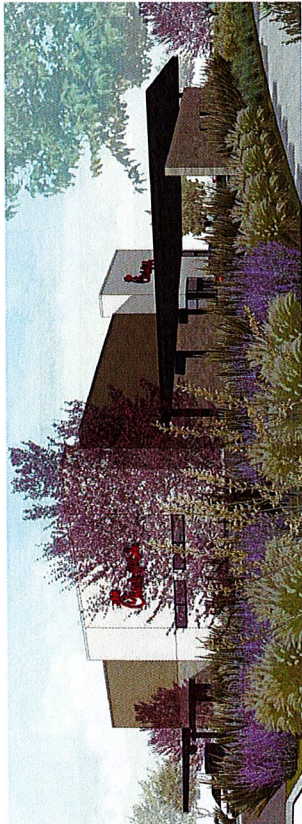
PL3.03

SHEET #

- Note:**
All roof-top mechanical equipment shall be located in equipment well and screened from view by parapet walls.
- COLOR AND MATERIAL LEGEND**
- STC-1 Stucco - Paint Sherwin Williams SW7566 "Westlightland White"
 - STC-2 Stucco - Paint Sherwin Williams SW6172 "Linobase"
 - STC-3 Stucco - Paint to match Dean Edwards DE6309 "Legendary Gray"
 - STC-4 Aluminum Siding - Color "Dark Bronze"
 - STC-5 Aluminum Siding - Color "Dark Bronze"
 - STC-6 Aluminum Siding - Color "Dark Bronze"
 - STC-7 Aluminum Siding - Color "Dark Bronze"
 - STC-8 Aluminum Siding - Color "Dark Bronze"
 - STC-9 Aluminum Siding - Color "Dark Bronze"
 - STC-10 Aluminum Siding - Color "Dark Bronze"
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 - STC-12 Aluminum Siding - Color "Dark Bronze"
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 - STC-97 Aluminum Siding - Color "Dark Bronze"
 - STC-98 Aluminum Siding - Color "Dark Bronze"
 - STC-99 Aluminum Siding - Color "Dark Bronze"
 - STC-100 Aluminum Siding - Color "Dark Bronze"



COMPASS 300



NORTHEAST



SOUTHEAST



BIRD'S EYE VIEW (NORTHEAST)



Note: All roof top mechanical equipment shall be located in equipment well and screened from view by parapet walls.

COLOR AND MATERIAL LEGEND

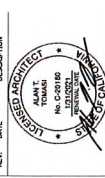
STC-1	Stucco - Paint Sherwin Williams #SW7566 "Westhighland White"
STC-2	Stucco - Paint Sherwin Williams #SW6172 "Ivorybone"
STC-3	Stucco - Paint to match Dean Edwards D/E6109 "Legislatory Gray"
MV-1	Adhered Masonry Veneer - Creative Mosaic - Craft Board Form "Graywale"
EC-1	Parquet Wall Coping - DuPont/Exceptional Metals - Color "Dark Bronze"
AL-1	Aluminum Anvil - Color "Dark Bronze"
ST-1	YKK Storefront System - Color "Dark Bronze"

rchitects

Shea Properties
Riverspark Points, LLC
c/o Shea Properties Management Co., Inc.
2751 Park View Court
Suite 201
Oxnard, CA 91320
805-998-7941, VOICE

LOT 2 of MAP 6004
OXNARD, CA. 93036

Chick-fil-A

[illegible]

COLORED
EXTERIOR
ELEVATIONS

SHEET TITLE	JOB #	DATE
	19022	8/28/2020

PL3.04

COMPUTATION SHEET

ATTACHMENT C

NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Name: Chick-Fil-A at The Landing at RiverPark Planning and Zoning Permit No. 20-200-08 (Development Design Review Permit): A request to construct a 2,707 square-foot restaurant, partially covered outdoor patio with a drive-through with a 2-lane, 26-vehicle capacity, an associated parking lot for 39 vehicles, and landscaping and infrastructure improvements on a 1-acre project site located on Lot 2 of Tract 6004, within the West Corridor Commercial District of the RiverPark Specific Plan. The project includes a Shared Parking and Management Plan. Filed by Dynamic Real Estate Partners, Kelly Harrison, 2000 Center Street, Suite 303, Berkeley CA 94704, , 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 2,707 square-foot restaurant, partially covered outdoor patio with a drive-through with a 2-lane, 26-vehicle capacity, an associated parking lot for 39 vehicles, and landscaping and infrastructure improvements 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 RiverPark Specific Plan. The proposed development is located on a 1-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 Community Development Director has determined that there is no substantial evidence that the proposed project may have a significant effect on the environment, the project is Categorically Exempt from the provisions of CEQA, 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**

MAY 2020

PREPARED FOR
SHEA PROPERTIES

PREPARED BY



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

May 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.

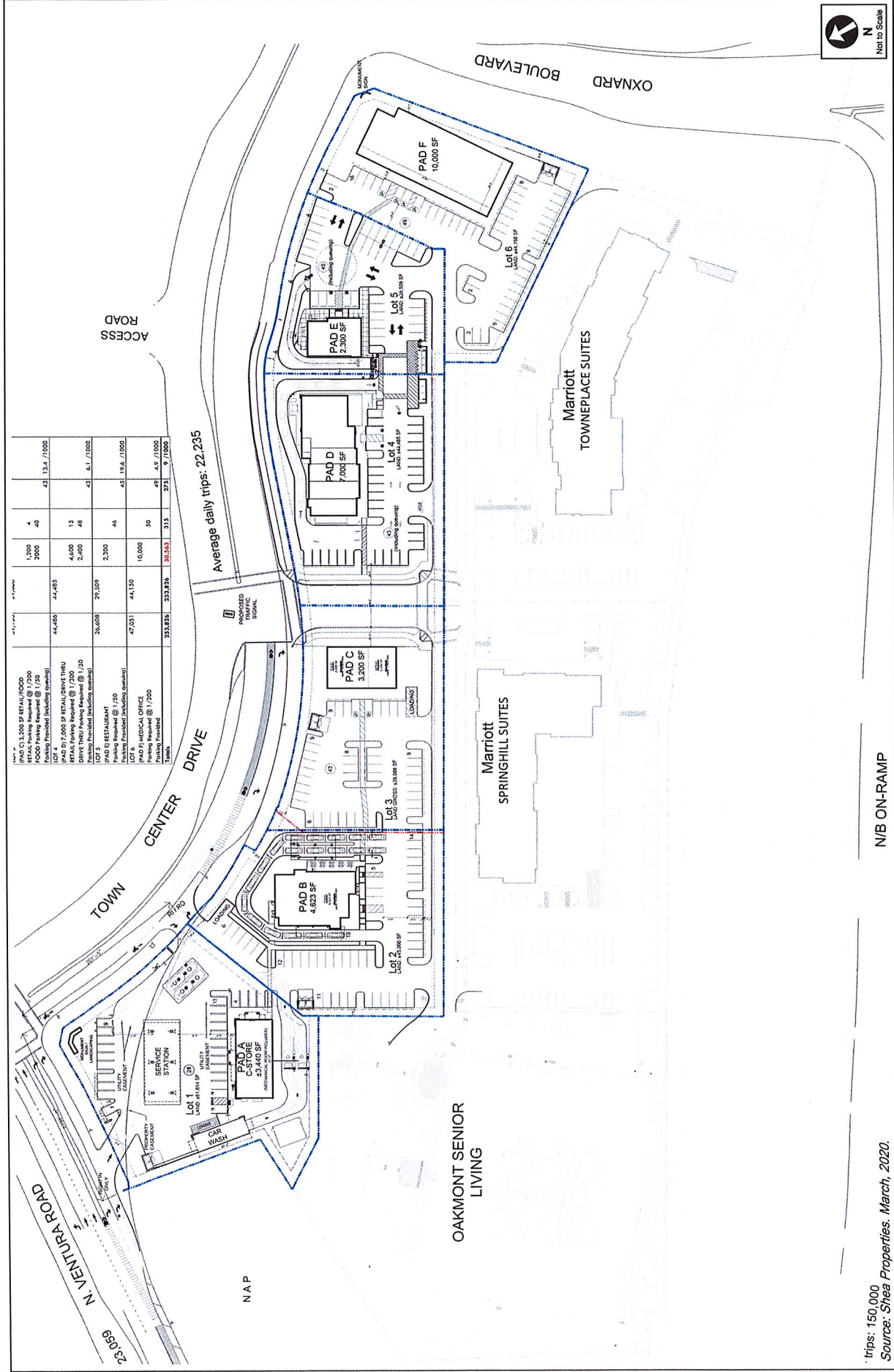
The Project consists of the following land uses:

- 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.



Trips: 150,000
Source: Shea Properties, March, 2020.

N/B ON-RAMP

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 3
HOURLY PARKING DEMAND SUMMARY

		December																							
		Weekday Estimated Peak-Hour Parking Demand																							
Projected Parking Supply: 247 Stalls																									
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	Overall Pk				1 PM
Community Shopping Center (<400 ksf)		-	1	2	5	8	11	14	15	15	15	14	14	14	14	10	8	3	2	1	-	15	11	15	14
Employee		100%	1	2	3	3	4	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	15	14	13	6	23	23	23	23	20
Employee		100%	2	3	4	4	4	4	4	4	4	3	3	4	4	4	3	3	3	3	4	4	4	4	4
Fast Food Restaurant		100%	7	14	28	43	78	121	142	142	128	85	78	121	114	71	43	28	14	7	142	121	142	142	171
Employee		100%	4	5	8	10	19	25	25	25	24	18	15	18	23	23	15	10	8	5	25	25	25	25	23
Medical/Dental Office		100%	-	-	22	22	24	24	7	22	24	24	22	19	16	7	4	-	-	-	22	22	24	22	16
Employee		100%	-	-	7	12	12	12	12	12	12	12	12	12	8	4	2	-	-	-	12	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	36	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.
Footnote(s):

		December																							
		Weekend Estimated Peak-Hour Parking Demand																							
		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	Overall Pk 12 PM	AM Peak Hr 11 AM	PM Peak Hr 12 PM	Eve Peak Hr 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	
	100%		1	2	3	3	4	4	4	4	4	4	4	4	4	4	3	2	1	-	4	4	4	4	
	Family Restaurant	4	9	16	25	32	32	36	31	23	14	16	22	25	25	23	11	9	5	4	36	32	36	25	
	Employee	3	5	5	6	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	
	100%		7	13	27	40	73	113	133	120	80	73	80	113	106	67	40	27	13	7	133	113	133	113	
	Employee	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	24	7	
TOTAL DEMAND	100%	-	-	7	12	12	12	12	12	-	-	-	-	-	-	-	-	-	-	-	12	12	12	-	
	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	
		All base data have been modified from default values.																							

ULI base data have been modified from default values.

CHART 1
WEEKDAY MONTH-BY-MONTH ESTIMATED PARKING DEMAND

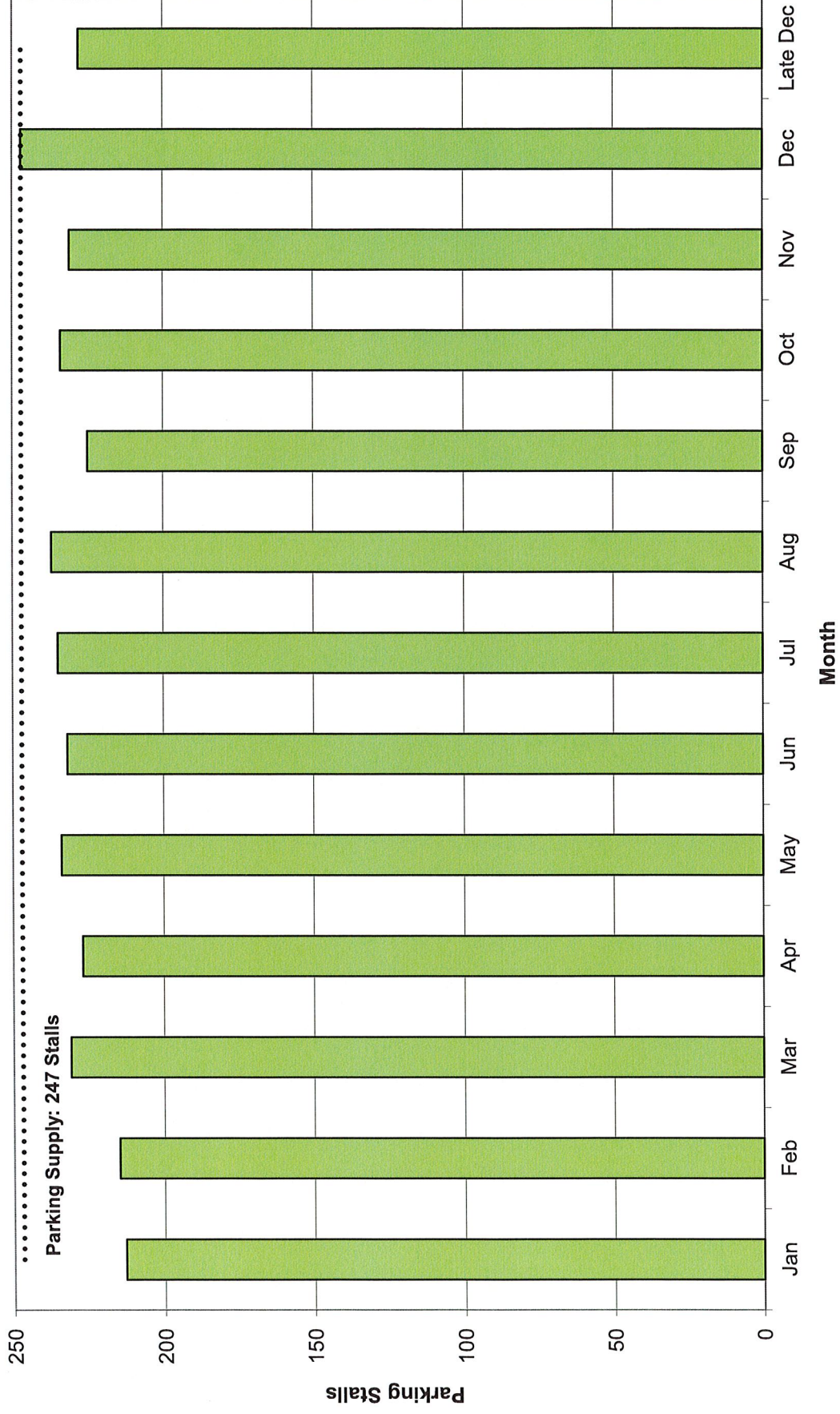


CHART 2
WEEKEND MONTH-BY-MONTH ESTIMATED PARKING DEMAND

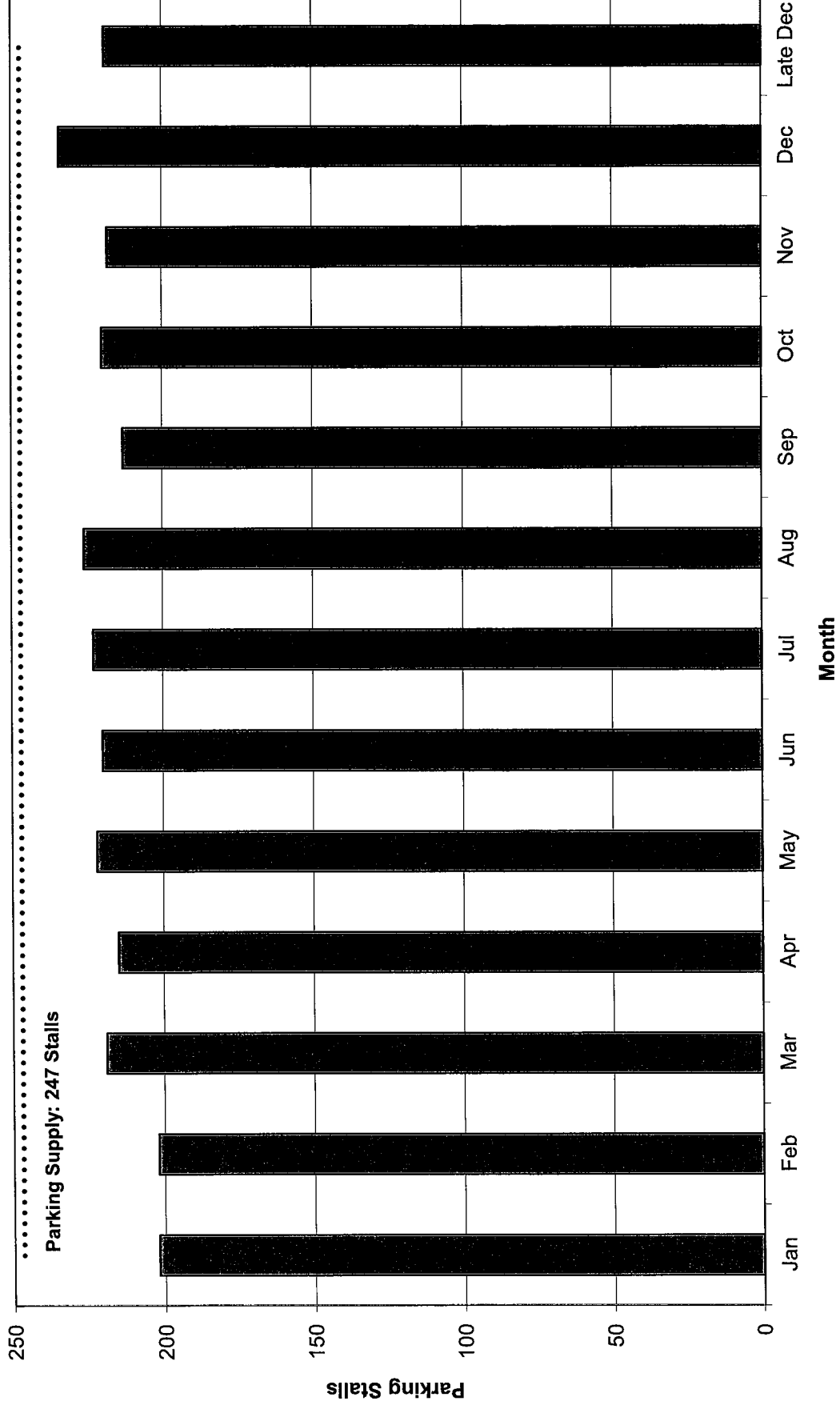


CHART 3
PEAK MONTH DAILY PARKING DEMAND BY HOUR

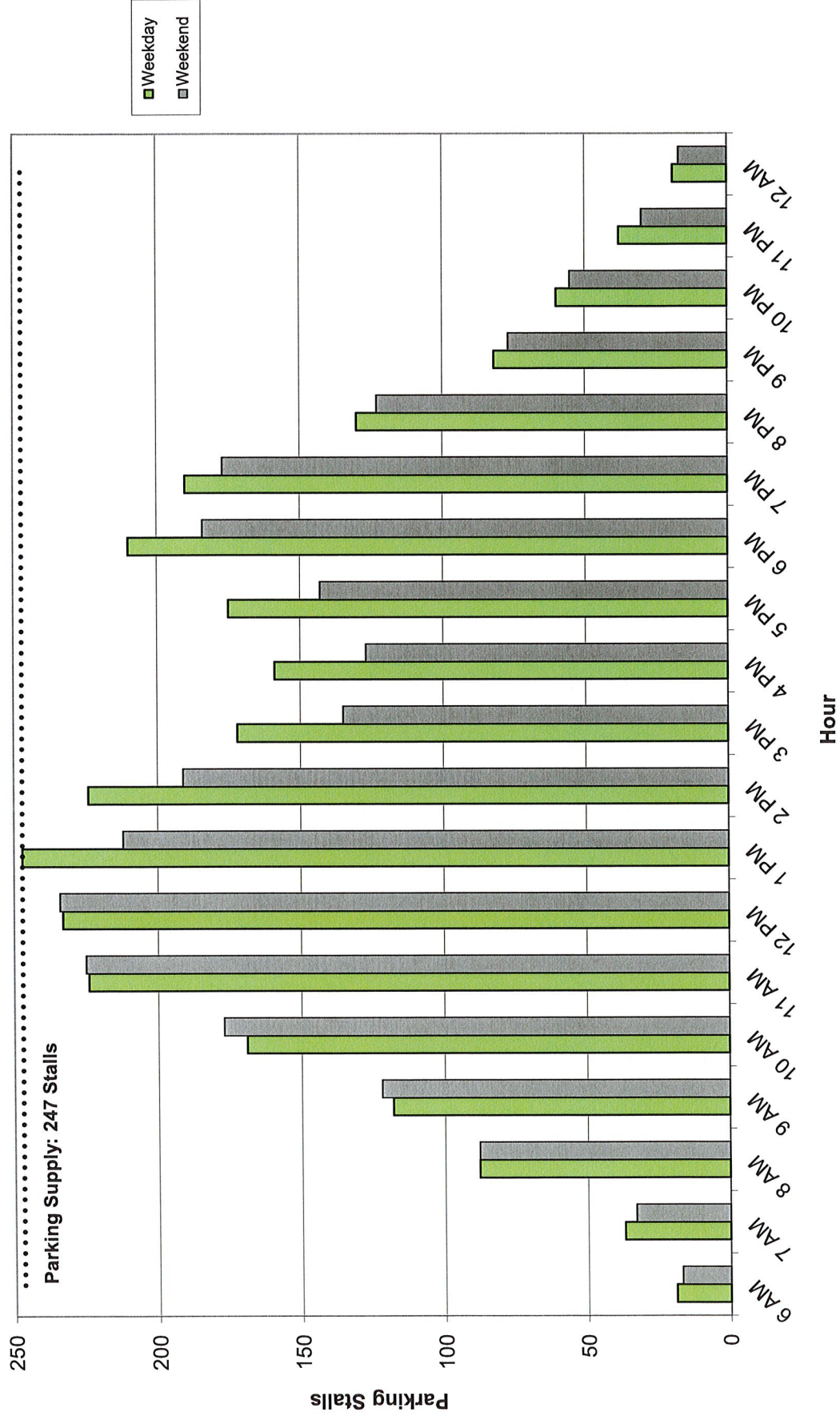


TABLE 4
SHARED PARKING DEMAND SUMMARY

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

RESOLUTION

RESOLUTION NO. PZ 20-200-08

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 20-200-08 (DEVELOPMENT DESIGN REVIEW) TO ALLOW FOR THE CONSTRUCTION OF A 2,707 SQUARE-FOOT COMMERCIAL BUILDING WITH A DRIVE-THROUGH WITH A 26 VEHICLE CAPACITY, AN ASSOCIATED PARKING LOT FOR 39 VEHICLES, LANDSCAPE AND INFRASTRUCTURE IMPROVEMENTS ON A 1-ACRE SQUARE-FOOT LOT LOCATED LOT 2 OF TRACT 6004 (APN: 132-0-470-175), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY KELLY HARRISON ON BEHALF OF PROPERTY OWNER SHEA PROPERTIES, LLC, 130 VANTIS SUITE 200, ALISO VIEJO, CALIFORNIA 92656-2691.

WHEREAS, the Community Development Director of the City of Oxnard has considered an application for Planning and Zoning Permit No. 20-200-08, filed by Kelly Harrison in accordance with Section 16-525 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 Development Design Review Permit request for construction of a 2,707 square-foot commercial building with drive-through and associated site improvements on a 1-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 Development Design Review Permit request for construction of a 2,707 square-foot commercial building with drive-through and associated site improvements on a 1-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 as confirmed by staff on June 7, 2021.

- 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.

WHEREAS, on **June 23, 2021**, the Community Development Director of the City of Oxnard (**“Director”**) conducted a duly noticed public hearing to consider an application for Planning and Zoning Permit No. 20-200-08 (Development Design Review Permit), filed by Dynamic Real Estate Partners, Kelly Harrison in accordance with RPSP Section 7.9.2.2; and

WHEREAS, the Community Development Director finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY DEVELOPMENT DIRECTOR 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 Development Design Review 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.**

The Applicant proposes the construction of a commercial building with an associated parking lot and related site improvements. The Project involves a 2,707 square-foot commercial building with a drive-through, to be occupied by a fast-food restaurant (Chick-Fil-A). As conditioned, the commercial building with drive-through has 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.**

Pursuant to the 2030 General Plan land use designation “Commercial Regional,” the proposed use of the project site as a commercial building with a drive-through and associated site improvements, is an allowed use. The surrounding uses are characterized by commercial uses, which are predominantly office and retail uses, 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-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 Town Center Drive and 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 Town Center Drive or the spine road. 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 finds 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.**

The project will be accessed from an existing private street to the south, as well as Town Center Drive to the north. The parking lot will provide parking for 39 vehicles, with a drive-through with space for 26 vehicles, allowing for a parking credit of 16 spaces. The commercial building is required to provide 54 parking spaces, based on a formula of 1 space per 50 gross square feet of building area. The City bicycle and vehicle parking requirements are being met. The project has been conditioned to submit a draft Transportation Demand Management Plan (TDMP) that identifies how the internal circulation of the shopping center shall be managed, back-ups are avoided, and conflicting turning movements are to be avoided with the introduction of the new drive-through use. 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.

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 Community Development Director, 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 Community Development Director 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 Community Development Director hereby approves Planning and Zoning Permit No. 20-200-08 (Development Design Review Permit), subject to the attached conditions of approval.

NOW, THEREFORE, BE IT RESOLVED that the Community Development Director of the City of Oxnard hereby approves Planning and Zoning Permit No. 20-200-08 (DDR), subject to the following conditions. The decision of the Community Development Director is final unless appealed in accordance with the provisions of §16-525 of the Oxnard City Code.

CONDITIONS OF APPROVAL

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 June 23, 2021, (“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)
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)
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. Prior to submitting plans to Building and Engineering for Plan Check, the project plans are to be modified to add architectural elements which orient the building to Town Center Drive to the satisfaction of the Community Development Director.
54. 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. 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.
55. The location of drive-through facilities in relation to the building, including the location of the pick-up windows, stacking lane, and vehicle access, shall be oriented in a manner such that headlight glare is not directed towards oncoming traffic on public streets, or is to be screened with landscaping, berms, walls or other means to the satisfaction of the Community Development Director.
56. The drive-through may operate 24 hours per day but the speaker box shall be equipped with an automatic volume control. The design of the drive-up audio system shall control and minimize the volume of the system to comply with the City's Noise Regulations in order to control unnecessary, excessive and annoying noises which could be detrimental to the public health and welfare to the satisfaction of the Community Development Director.

57. To maximize the queueing spaces available, the ordering system is to be located on the south side of the building.
58. 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 shopping center shall be managed, back-ups are avoided, and conflicting turning movements are to be avoided with the introduction of the new drive-through use. 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 drive-through exceeds the designed capacity. Prior to the issuance of a Certificate of Occupancy, the Community Development and Public Works Departments shall approve the TDMP.
59. After implementation of the TDMP, and upon the determination of the Community Development or Public Works Departments that the TDMP created for the drive-through use is not functioning effectively, or upon any future modification or expansion of the shopping center, 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.
60. All dining establishments with cooking operations shall implement best management practices to minimize the potential release of food processing facility odors and smoke outside the building as could be detected at the property line. Such best practices could include changing operating practices, improving maintenance of cooking equipment, installing odor control equipment, and/or upgrading venting systems to control unnecessary, excessive and annoying odors or smoke which in the judgement of the City of Oxnard or the Ventura County Air Pollution Control District is determined to be a public nuisance or to be detrimental to the public health and welfare.
61. No alcohol use of any type is approved as a part of this action. A separate alcohol use request must receive a Special Use Permit approved by the City and Alcohol Beverage Control prior to inauguration of the use.
62. 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)
63. 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)

64. 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

65. 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

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

71. 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)
72. 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)
73. 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

74. 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

75. 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)
76. 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)

77. 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 ink-on-mylar plans filed with the Development Services Division. (DS-3)
78. Developer shall submit improvement plans and drainage calculations that demonstrate that storm drain runoff from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
79. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)
80. Developer shall replace all broken, uplifted, or missing curb, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
81. 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)
82. 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)
83. Developer's site improvement plans shall include an on-it sewer plan. (DS-10)
84. 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)
85. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City

- issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
86. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code. Developer shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extensions. (DS-14)
87. 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)
88. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
89. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)
90. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
91. 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)
92. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

93. Developer shall responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
94. 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 an 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)
95. "Standard Specifications for Public Works Construction" latest edition (including modifications thereto by City) and applicable City Standard Plates and Design Criteria shall be the project specifications, except as noted otherwise on the approved improvement plans. City reserves the right to upgrade, add to, or revise these specifications and plans and all other City ordinances, policies, and standards. If the improvements required of this project are not completed within 12 months from the date of City's approval of the improvement plans, Developer shall comply with and conform to any and all upgraded, additional or revised specifications, plans, ordinances, policies and standards. (DS-27)
96. 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 "as-built" plans after project completion. Developer's submittal of certified "as-built" plans is a condition of City's final acceptance of the project and release of any associated security. (DS-29)
97. All grading shall conform to the City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)
98. 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)
99. 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)
100. 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)

101. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
102. 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)
103. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)
104. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
105. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
106. 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)
107. 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)
108. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
109. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
110. 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 BMP's 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 BMP's 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)

111. 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 collection 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)
112. 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)
113. 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)
114. 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 DIVISION SPECIAL CONDITIONS

115. Prior to the issuance of a certificate of occupancy, Developer shall amend the master shared agreement or execute an agreement between the adjoining and adjacent businesses to establish a mutual understanding of the traffic impacts during peak drive-through conditions and the requirement of the Chick-Fil-A transportation management team to maintain vehicular and pedestrian ingress and egress over the shared access areas during peak drive-through conditions. (DS)
116. Prior to the issuance of a certificate of occupancy, Developer shall provide proof of recordation of Covenants, Conditions and Restrictions (CC&Rs) 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 the approval of the City Engineer. (DS)

117. Prior to the issuance of a Building Permit, Developer shall provide written approval from the adjacent northwest property owner for the proposed improvements (i.e. site work, paths of travel) that encroach onto the adjacent northwest property. (DS)
118. This development is located within the Riverpark Specific Plan, and the Developer shall submit a drainage report for the stormwater quality treatment facilities that are to be designed and constructed in accordance with the requirements of the July 2000 Municipal Separate Storm Sewer System (MS4) and associated 2002 Technical Guidance Manual ("TGM"). The site improvements shall be design 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)
119. Developer shall implement onsite (privately maintained) stormwater quality mitigations that comply with the recommendations of the "Stormwater Quality Management Plan for Riverpark.". (DS)
120. Developer shall design and implement onsite (privately maintained) stormwater quality mitigations that comply with the recommendations of the "Stormwater Quality Management Plan for Riverpark". (DS)
121. Developer shall design and implement a plan to promote stormwater infiltration for this project. Project shall route roof runoff and parking spaces to infiltration devices to the maximum extent feasible. Overflow from the infiltration devices shall be directed to the onsite stormwater treatment facilities prior to discharging offsite. The stormwater infiltration plan shall be designed to the satisfaction of the City Engineer prior to issuance of a grading or site improvement permit. (DS)
122. 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. (DS)
123. 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)

124. Developer shall abandon all existing sewer and water laterals to the site that aren't proposed for use by the project. (DS)
125. Developer shall construct a triple-bin trash enclosure with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. A hose bibb shall be installed within the enclosure, and a traffic rate drain shall be installed inside the enclosure to capture all enclosure wash water. This drain shall connect to the onsite grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan. 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 shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in the approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)
126. Developer shall provide the City Engineer with a 100-scale base map for addressing purposes on 18-inch by 24-inch mylar per City Standards. (DS)
127. Developer's drainage report shall include calculations demonstrating that the project is protected from a 1% changes (100-year) storm event based on the most recent date available, including but not limited to, the Conditional Letter of Map Revision (CLOMR) being processed by the Oxnard Village Project. The analysis shall include both before and after the flood wall construction evaluation in the CLOMR. (DS)

TRAFFIC DIVISION SPECIAL CONDITIONS

128. Developer shall install and maintain crosswalk warning signs and pavement markings where pedestrians cross the proposed drive-through lanes. Final signing and striping shall be approved by the City Traffic Engineer. (TR)
129. Developer shall install and maintain directional signs and pavement markings indicating the route to the proposed drive-through and the flow of traffic exiting at the proposed drive-through exit. (TR)
130. Developer shall install and maintain R1-1 signs and associated pavement markings at the proposed southerly driveway entries. Final signing and striping shall be approved by the City Traffic Engineer. (TR)

STORMWATER QUALITY CONDITIONS

131. 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)

132. 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)
133. Using forms provided by the Community Development 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 Community Development 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)
134. 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)

135. 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)
136. 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)
137. 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)
138. 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)
139. 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

140. This property is required to comply with state mandated diversion laws (AB 939, AB 341, AB 1826 and SB 1383) and must make provisions to manage three material streams (recycling, organics, trash) in any waste enclosure(s) constructed.
141. 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.
142. 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.
143. 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.
144. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. The Occupancy Plan must clearly state how recyclable and organic material, as appropriate, will be managed on site to be in compliance with applicable state laws (AB 939, AB 341, AB 1826, SB 1383); how restaurant staff will participate in the program; and how customers will be altered to the presence of recycling on site and how contamination will be minimized. The Occupancy Plan must include what service provider(s) will manage/transport materials to appropriate facilities for processing and/or disposal.

145. Per AB 827, public areas that provide waste collection to customers must have an equitable distribution of containers for recycling, organics and trash that are easily accessible. This requirement does not apply to restrooms.
146. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.
147. Any landscaping maintenance resulting in organic material needing disposal, if performed in-house or via third party, must not be placed in the trash. All organic materials are required to be diverted from landfill disposal. Any third-party contract/service agreement must stipulate this requirement and be verified through the Environmental Resources Division.
148. Waste enclosures must conform to the Material Management and Design Guidelines developed by the Environmental Resources Division. A copy of these guidelines can be found here:
<https://www.oxnard.org/wp-content/uploads/2020/09/Design-Guidelines-for-Recycling-Waste-Collection-1.pdf>
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 provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
159. 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*)
160. 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*)
161. 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*)
162. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)
163. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, *F-16*)

FIRE DEPARTMENT SPECIAL CONDITIONS

164. Areas designated by the Fire Marshal as Fire Lanes shall be identified by a red curb and signage per the California Department of Motor Vehicles.

- 165. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department.
- 166. All drive overhangs shall be a minimum of 13 feet 6 inches.
- 167. All overhangs are required to be sprinklered.
- 168. Verify height of parapet. Not to be over 40 inches.
- 169. Provide a fire hydrant onsite in the parking planter. See site plan.
- 170. FDC is required to be within 50-feet of the fire hydrant and not across drive aisles.

POLICE DEPARTMENT CONDITIONS

- 171. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - (A) Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - (B) Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - 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 with 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 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.
- 172. Graffiti shall be removed within 48-hours of application. (PD)
- 173. Police recommends graffiti/etching-resistant film application on accessible windowpanes. (PD)

174. Exterior security lighting shall be on photocells and shall be on from dusk to dawn. 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)
175. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)
176. 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)
177. 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)
178. 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)
179. Porte Cocheres and drive-up window areas 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)
180. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment. (PD)
181. 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)
182. Creeping fig or similar climbing vine shall be used to dissuade the application of graffiti on CMU walls. This specifically includes trash enclosures. (PD)
183. A security camera system is required and shall meet or exceed these minimum standards:
 - (A) Cameras and supporting equipment shall supply digital color images under normal lighting conditions. Grayscale images are expected for infra-red lighting.
 - (B) Cameras shall be made by a reputable manufacturer and maintained to current industry standards.
 - (C) Cameras shall have low light capture ability to identify persons conducting transactions or entering the business.
 - (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) Video system shall operate 24-hours a day.
- (G) Recorded images shall bear a date and time stamp that cannot be altered.
- (H) Prior to the installation of a security camera system applicant shall submit a plan showing location of cameras and the scope of their capture area. The plan shall include a list of components.
- (I) Camera installations intended to capture images of faces are best located so they target doorways and choke-points for foot traffic.
- (J) Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.
- (K) Cameras shall be installed to capture head and shoulder images of persons entering any entrance to the building. Such cameras shall be mounted no higher than 7-feet above the floor in order to capture quality images of faces.
- (L) The security camera system shall be maintained in good working order.
- (M) Images from the security camera system shall be made available to any member of the Oxnard Police Department pursuant to a police investigation or inspection of the operability of the camera system. Requested images shall be delivered in a timely manner.
- (N) Questions concerning security camera requirements can be sent to specialprojects@oxnardpd.org

184. An intrusion alarm system shall be installed and maintained. It shall utilize motion and infrared technology to differentiate between human and non-human motion or other technology approved by the Chief of Police or his/her designee. The alarm system shall be compliant with Oxnard City Code 11-95 through 11-100.

PASSED AND ADOPTED by the Community Development Director of the City of Oxnard on this June 23, 2021.

Date

Vyto Adomaitis
Community Development Director