

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Isidro Figueroa, Principal Planner

DATE October 21, 2021

SUBJECT: **Project Name: Bed and Breakfast Parking Regulations;** Planning & Zoning (PZ) Permit No. 21-580-05 (Zone Text Amendment) – An Amendment to the to Oxnard City Code Section 16-374 “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit. The proposed regulations would apply Citywide (Inland Zone).

1) Recommendation: That the Planning Commission (“**Commission**”):

- a) Find the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines 15060(c)(2) and (3) and 15061(b)(3); and
- b) Adopt Resolution 2021-XX recommending that the City Council approve Planning & Zoning Permit No. 21-580-05 (Zone Text Amendment) allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space.

2) Project Description and Applicant: The proposed Zone Text Amendment (ZTA) modifies Oxnard City Code (OCC) Chapter 16 (Zoning Code), Article V (Special Use Requirements), Section 16-374 pertaining to “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit. Filed by the City of Oxnard, Community Development Department, 214 South C Street, Oxnard, California 93030.

3) Background: On April 13, 2021, the Community Services, Public Safety and Housing and Development Committee (Committee) requested staff to prepare a presentation regarding the required off-street parking for bed and breakfast uses (B&B). The purpose of the report was to determine if the required off-street parking was adequate or if amendments were required since B&B uses are not common and their location is limited within the City.

On July 27, 2021, the Committee received a summary report on the off-street parking requirements for B&B uses contained within Chapter 16 of the OCC. The intent of the report

was for the Committee to provide input on the required off-street parking for the B&B uses and determine if staff should pursue a ZTA to modify the existing off-street parking requirement for B&B uses. The summary report provided the following analysis:

1. Summary of existing required off-street parking standards for B&B uses as identified in the OCC;
2. Comparison of off-street parking requirements to the surrounding jurisdictions;
3. Required off-street parking comparison between B&B, short-term rentals (STRs) and accessory dwelling units (ADUs); and
4. Relief from parking requirement options

During public comment, a resident of the Wilson Neighborhood, who is preparing to submit an application for a B&B use, spoke in favor of the ZTA. During deliberations, the Committee unanimously agreed to initiate a ZTA to provide additional flexibility to the required off-street parking regulations for B&B uses since these uses are limited in location within the City. The Committee directed staff to pursue a ZTA to allow homestays located on corner lots to be credited non-primary street frontage towards the parking requirement consistent with what is currently allowed for B&B Inns. The Committee indicated that the proposed ZTA would have the least impact to the community because it would only be applicable to corner lot properties.

- 4) Environmental Determination:** Pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the California Environmental Quality Act (CEQA), regulatory actions which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA. The proposed ZTA is a regulatory action. Therefore, staff has determined that there is no possibility that the project will have a significant effect on the environment. A Notice of Exemption (Attachment A) will be filed upon approval of the ZTA by the City Council.

5) Analysis:

- a) General Discussion:** Pursuant to Oxnard City Code (OCC) Section 16-372, “Traditional Bed and Breakfast” uses and “Bed and Breakfast Inns” (generally referred to as “Bed and Breakfasts” or “B&Bs”) shall be permitted only within the boundaries of the Wilson Neighborhood. However, the Planning Commission may also approve B&Bs within other areas of the City provided the Planning Commission makes the findings required for designation of a structure as a significant heritage feature. Additionally, B&Bs are to conform to the standards identified in OCC Sections 16-374 and 16-375 (provided below). These standards are designed to maintain compatibility within and surrounding residential neighborhoods. As such, it is the intent of this report to inform the Planning Commission of the existing off-street parking requirements for B&Bs.

Pursuant to Section Chapter 16, Section 16-471 the following findings are required for designation of a structure as a significant heritage feature:

- A. The architecture or design of the feature is unique or of a style unique to the area;

- B. The architecture or design of the feature exemplifies a significant or unique architectural style; and
- C. The feature was the site of a significant historical or cultural event, or was owned by a person or group of persons who were significantly involved in the historical or cultural development of the city.

The Wilson Neighborhood is composed of approximately 690 properties. Please refer to Attachment B for a map of the Wilson Neighborhood that also includes boundary layers identifying the 1981 Historical Survey Area and the Henry T. Oxnard Historic District. Based on the existing properties located within the Wilson Neighborhood, there are 110 corner lot properties. The map identifies 88 “pre-qualified” properties which means that they meet the requirement for the proposed ZTA if adopted because they are located within the Wilson Neighborhood and on a corner lot; however, it is unknown if the properties contain a structure that might be designated with a heritage feature. The map also identifies 16 historically designated properties located on corner lots that would be eligible for the proposed ZTA if adopted because they contain a structure with a designated heritage feature and are located on a corner parcel. The map identifies 6 corner lot properties that required further investigation as to whether they would be eligible for consideration of a B&B use for a variety of reasons including the the structures located within the properties seem to be improved with commercial not residential structures.

The Henry T. Oxnard Historic District is a collection of 142 properties within the Wilson Neighborhood, and three of the 142 properties are officially designated as historic Landmarks (205 South F Street, 249 South F Street, and 155 South G Street). Please refer to Attachment C for a map identifying the Wilson Neighborhood and Henry T. Oxnard Historic District. According to City licensing records, no B&Bs are currently licensed to operate within the City.

The Committee directed staff to pursue a ZTA to modify the existing off-street parking requirement for B&B uses by allowing B&B Homestays located on corner lots may credit the nonprimary street frontage toward the parking requirement similar to what the OCC currently allows B&B Inns. The Committee arrived at this conclusion by analyzing existing OCC requirements for B&Bs and a comprehensive analysis of options available for consideration.

This report identifies those options by first defining B&Bs, review Oxnard’s operational and parking B&B standards, summarizes B&B parking standards in surrounding jurisdictions, provides a comparison of off-street parking standards between B&Bs, STRs and ADUs, and then concludes with provisions which potentially allow relief from parking requirements.

B&B Definitions

Pursuant to OCC Section 16-371, B&B uses are defined as follows:

- A. **Bed and Breakfast Inn:** An establishment, originally built as a single-family residence, operated by a resident owner, and containing three to five guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days.
- B. **Traditional Bed and Breakfast (Homestay):** A traditional bed and breakfast is an establishment which contains no more than two guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days. Traditional bed and breakfast facilities are also referred to as “homestays.”

B&B Operational and Parking Standards

A **Bed and Breakfast Inn** use is allowed with approval of a Special Use Permit which requires a public hearing and is reviewed by the Planning Commission and must comply with the following operational standards (Section 16-375):

- A. The maximum number of guest bedrooms for rent shall not exceed five. The Planning Commission may approve more bedrooms provided adequate parking and interior yard space are available.
- B. The owner of the bed and breakfast inn shall live on the premises and operate the inn.
- C. Meal service shall be limited to breakfast and evening snacks for overnight guests of the inn.
- D. No cooking facilities shall be provided in individual guest bedrooms.
- E. Any alterations proposed to the inn shall be consistent with the materials, color, and architectural style of the original construction, as determined by the commission, based on a recommendation from the Ventura County Cultural Heritage Commission, or an architect or other design professional specializing in period architecture.
- F. The proposed bed and breakfast inn shall have some historical significance in the establishment and development of the city, as determined by the commission, based on the findings required for designation of a structure as a significant heritage feature.

A **Traditional Bed and Breakfast (Homestay)** use is allowed with approval of a Development Review Permit which requires a public hearing and is reviewed by the Community Development Director and must comply with the following operational standards (Section 16-374):

- A. The maximum number of guest bedrooms for rent shall not exceed two.
- B. The owner of the homestay shall live on the premises and operate the homestay.
- C. No cooking facilities shall be provided in individual guest bedrooms.
- D. No exterior advertising signs shall be permitted.

Pursuant to OCC Section 16-375(J), the **Parking Requirements** for B&Bs is as follows:

- A. Parking shall be provided at the rate of one off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure. Parking surfaces may include, but are not limited to: brick, pavers, cobblestones, stamped colored concrete, and grass-cell pavement. Excessive amounts of paving to meet parking requirements shall not be allowed.
- B. Inns (not Homestays) located on corner lots may credit the non-primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the Planning Commission (The OCC does not provide any parking space credits for Homestays (B&Bs with up to 2 guest bedrooms for rent) located on corner lots subject to approval of a decisionmaker).

The intent of the B&B standards is to retain the character of primarily low density residential neighborhoods by requiring, among other standards, an owner occupancy requirement. Additionally, existing parking regulations guard against parking becoming an issue by requiring parking for both the residential use and B&B use.

A Comparison of B&B Parking Requirements for Oxnard and Surrounding Cities

In order to assist the Planning Commission in discussing the required off-street parking for B&Bs, staff has compiled the off-street parking requirements from surrounding jurisdictions to provide the Planning Commission a perspective of best practices used to regulate off-street parking for B&Bs. The following chart provides the Planning Commission a comparison between the City's B&B off-street parking requirements and those of surrounding cities.

Local Jurisdiction	B&B Parking Requirement
Oxnard	1 off-street parking per guest room; plus parking for owner (as required at the time of original construction of the structure)
Camarillo	1 off-street parking per guest room; plus parking for residential use
Ojai	1 off-street parking per guest room; plus 2 spaces for the resident use
Simi Valley	Determined through the (Special) Use Permit Process; a parking study could be required to determine appropriate parking.
Ventura	1 open or covered space for each guest room; plus 2 spaces within a garage. However, the City of Ventura allows for an existing 2-car garage to satisfy both

	the existing residential parking requirement and provides for 1 off-street parking space for a B&B. In this scenario, the off-street parking requirement for a single-room B&B room would be satisfied by using an existing 2-car garage.
Ventura County	1 off-street parking per guest room; plus parking for residential use

The City's off-street parking requirement of one space per guest room is generally consistent with the off-street parking requirement for B&Bs in surrounding jurisdictions except for the City of Simi Valley. The City of Simi Valley does not have an off-street requirement; however, the off-street parking requirement is determined through the Conditional Use Permit process and a parking study might be required in order to determine the appropriate off-street requirement.

Required Off-Street Parking Comparison Between B&B, Short-Term Rentals and Accessory Dwelling Units

Short-Term Rentals

The City Council adopted STR regulations on November 5, 2019, which mandated that off-street parking was to be based on the number of bedrooms provided onsite. Specifically, OCC Section 16-667.3 requires STRs to provide a minimum of one parking space for STRs in a studio or one bedroom, a minimum of two parking spaces for STRs with two to four bedrooms; and a minimum of three parking spaces for STRs with five or more bedrooms. Additionally, the STR regulations require permitted garages and driveways on the property to be unobstructed which may be made available for renter parking.

Accessory Dwelling Units

In 2019, the state of California enacted a group of housing laws aimed at addressing the housing crisis that, among other things, amended Government Code sections 65852.2 and 65852.22 to impose new limits on the City's ability to regulate ADUs and Junior Accessory Dwelling Units (JADUs). Specifically, based on State law, the City amended the OCC to require one off-street parking space for an ADU (JADUs are not required to provide a parking space). Additionally, the City was required to waive the ADU off-street parking space requirement in the following circumstances:

- A. The accessory dwelling unit is located within one-half mile of public transit, including transit stations and bus stations.
- B. The accessory dwelling unit is located within an architecturally and historically significant historic district.
- C. The accessory dwelling unit is constructed entirely within the proposed or existing primary dwelling unit or an accessory structure.
- D. When on-street parking permits are required by the city but not offered to the occupant of the accessory dwelling unit.
- E. When there is a car share vehicle located within one block of the accessory dwelling unit.

- F. If a required garage, carport, or covered parking structure for the primary unit is demolished or converted in conjunction with the construction of an accessory dwelling unit, required parking for the primary unit shall be provided on the property, outside of the front yard setback, and on a city-approved pad or structure.

The following chart compares the parking requirements between B&Bs; STRs; and ADUs.

	Rental Durations	Rental Days a Year	Parking Requirements
B&Bs	Less than 30 days	365	One space per guest room; plus parking for residential use
STRs	Less than 30 days	Up to 100	One space per studio or one-bedroom Two parking spaces for two to four bedrooms Three parking spaces for five or more bedrooms
ADUs	More than 30 days	365	One space, unless qualifies for waived requirements; Plus parking for residential use

Staff does not find that B&Bs and ADUs are readily comparable; however, staff does find that B&Bs and Short-Term Rentals (STRs) are more equivalent as B&Bs and STRs are rented for short stays (less than 30 days) while ADUs are rented for longer stays (30 days or longer). B&Bs and STRs, while both rented for short durations, also have differences in that B&Bs may be rented out for 365 days a year while STRs may be rented out for a maximum of 100 days a year.

The ADU State law was designed as a “one size fit all” solution and did not allow local governments to design ADU requirements that would attempt to address the housing shortage while balancing community needs and concerns. City Council members voiced concern and displeasure when staff presented amendments to the City’s ADU regulations, including parking reductions, that were required to be consistent with State mandates.

Relief from Parking Requirement Options

OCC Section 16-651 “Administrative Relief from Parking Provisions,” provides the Planning Commission the following methods to grant relief from parking requirements on a case-by-case basis.

1. Off-site Parking Agreements

Off-site Parking Agreements may be used to allow required parking spaces to be located on a different property provided the property is not located more than 500 feet away from the property which is generating the required parking, and provided that travel to and from the off-site property would not expose pedestrians to hazardous traffic safety conditions.

2. Parking Studies

A parking study is used to determine if the total parking demand for a particular use does or does not exceed the total supply of available parking spaces on a subject site or surrounding area. The use of parking studies are typically not utilized for smaller projects, such as a B&B request, as a single parking study could cost thousands of dollars to generate and to be peer reviewed by City staff. All costs associated with processing technical studies, such as a parking study, would be the responsibility of the applicant.

The following provides additional flexibility to the required off-street parking regulations for B&B uses.

Homestays on Corner Lots to be Credited Non-Primary Street Frontage Toward Parking Requirement

Currently, the OCC allows for B&B Inns (containing three to five guest bedrooms), but not B&B Homestays (containing no more than two guest bedrooms) located on corner lots, to be credited the non-primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the Planning Commission. A modification to the OCC could be made to allow both Homestays and Inns located on corner lots to be credited the non-primary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit.

The Committee unanimously agreed to initiate a ZAT to provide additional flexibility to the required off-street parking regulations for B&B uses since these uses are limited in location within the City. The Committee directed staff to pursue a ZTA to allow Homestays located on corner lots to be credited non-primary street frontage towards the parking requirement consistent with what is currently allowed for B&B Inns. The Committee indicated that the proposed ZTA would have the least impact to the community because it would only be applicable to corner lot properties.

Based on the direction of the Committee, staff prepared the proposed ZTA to allow Homestays located on corner lots to be credited non-primary street frontage towards the parking requirement

consistent with what is currently allowed for B&B Inns. A draft City Council Ordinance has been included as Exhibit 1 within the proposed Planning Commission Resolution included in this staff report as Attachment D. The ZTA is proposed to read as follows:

Oxnard City Code Chapter 16, Section 16-374 “STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY)”.

Existing City Code Section 16-374 shall be amended as shown below (Only underlined portions are to be added):

SEC. 16-374. STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY).

The standards for traditional bed and breakfast are:

- (A) The maximum number of guest bedrooms for rent shall not exceed two.
- (B) The owner of the homestay shall live on the premises and operate the homestay.
- (C) No cooking facilities shall be provided in individual guest bedrooms.
- (D) No exterior advertising signs shall be permitted.
- (E) Parking requirements -
 - (1) Parking shall be provided at the rate of one off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure. Parking surfaces may include, but are not limited to: brick, pavers, cobblestones, stamped colored concrete, and grass-cell pavement. Excessive amounts of paving to meet parking requirements shall not be allowed.
 - (2) Homestays located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of a Development Design Review permit.

6) **General Plan Consistency:** The proposed ZTA is consistent with a number of goals and policies included in the 2030 General Plan. 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-9.1	I	Neighborhood Identity	The proposed ZTA will continue to require that any B&B use be limited to the Wilson Neighborhood or any new B&B use outside

			of the Wilson Neighborhood must demonstrate a significant heritage feature in order for the Planning Commission to approve the B&B use. The ZTA will only permit corner lots that propose a B&B use to use the non-primary frontage for one parking space preserving the identity of the neighborhood.
CD-11.1	I	Promote Existing Historic Areas	The proposed ZTA will continue to require that any B&B use be limited to the Wilson Neighborhood or any new B&B use outside of the Wilson Neighborhood must demonstrate a significant heritage feature in order for the Planning Commission to approve the B&B use. B&B uses have the ability to provide onsite signage and newly designated historic structures have the ability to install signage identifying their historic designations. Additionally, B&B uses allow guests to have a first-hand historical tourism experience within a structure with a designated historic feature.
CD-11.3	I	Protect and Enhance Cultural Resources	The proposed ZTA will facilitate corner lot parcels to comply with the required off-street parking in order to establish B&B uses allowing for a revenue stream that will assist in protecting and enhancing the cultural resources.
CD-15.6	I	Share of Regional Taxable Sales	The proposed ZTA will facilitate approval of B&B uses which will assist in generating transient tax occupancy tax revenue for the City.
ER-11.4	I	Historic Preservation	The proposed ZTA will facilitate the approval of B&B uses that will help generate revenue for property owners to protect, rehabilitate, enhance and continue to use historic structures.
CD-3.1	II	Neighborhood Preservation	The proposed ZTA will not amend any regulations that are in place to protect and enhance historic resources.
CD-9.5	II	Unique Character Preservation	The proposed ZTA will preserve regulations which ensure the unique historical character is preserved while allowing flexible B&B parking standards for corner properties.
CD-11.2	II	Historical District Expansion	The proposed ZTA will facilitate B&B uses which help promote existing historic structures and provide a revenue stream for property owners to maintain and enhance existing structures. Additional flexibility would provide opportunities for other property owners to consider B&B uses as a way to maintain and enhance their historic structures.
CD-15.1	II	Quality of Life	The proposed ZTA intends to facilitate approval of B&B uses to provide a revenue stream for property owners to enhance and protect historical structures and assist in promoting historic resources to visitors and residents.
CD-18.2	II	Small business	The proposed ZTA will assist property owners to consider B&B uses to create self-employed business opportunities and hospitality opportunities for visitors to the City.
CD-19.1	II	Unique Downtown Identity	The proposed ZTA will allow for B&B uses to be located near Downtown allowing visitors to visit and enjoy the entertainment, restaurants and services offered in Downtown.
ALL OTHERS	III	All policies not listed above	No or Distant Applicability to the Proposed Project.

- 7) **Community Outreach:** A Community Workshop meeting was held on September 20, 2021. A notice of this meeting was distributed Citywide to neighborhood chairs. One member of the public participated in the Community Workshop meeting. The member of the public expressed her support for the proposed ZTA.
- 8) **Next Steps:** The Planning Commission's action on this matter is advisory to the City Council. The Planning Commission's recommendation will be forwarded to the City Council for consideration.

Attachments:

- A. Notice of Exemption
- B. Wilson Neighborhood Corner Lot Properties
- C. Wilson Neighborhood Map/Henry T. Oxnard Historic District Map
- D. Planning Commission Resolution
Exhibit 1 Draft City Council Ordinance
- E. Staff Presentation

NOTICE OF EXEMPTION

Project Description: Bed and Breakfast Parking Regulations

Planning & Zoning (PZ) Permit No. 21-580-05 (Zone Text Amendment) – A request to amend Oxnard City Code Chapter 16 (Zoning Code), Article V (Special Use Requirements), Section 16-374 pertaining to “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit. Filed by the City of Oxnard, Community Development Department, 214 South C Street, Oxnard, California 93030.

Finding:

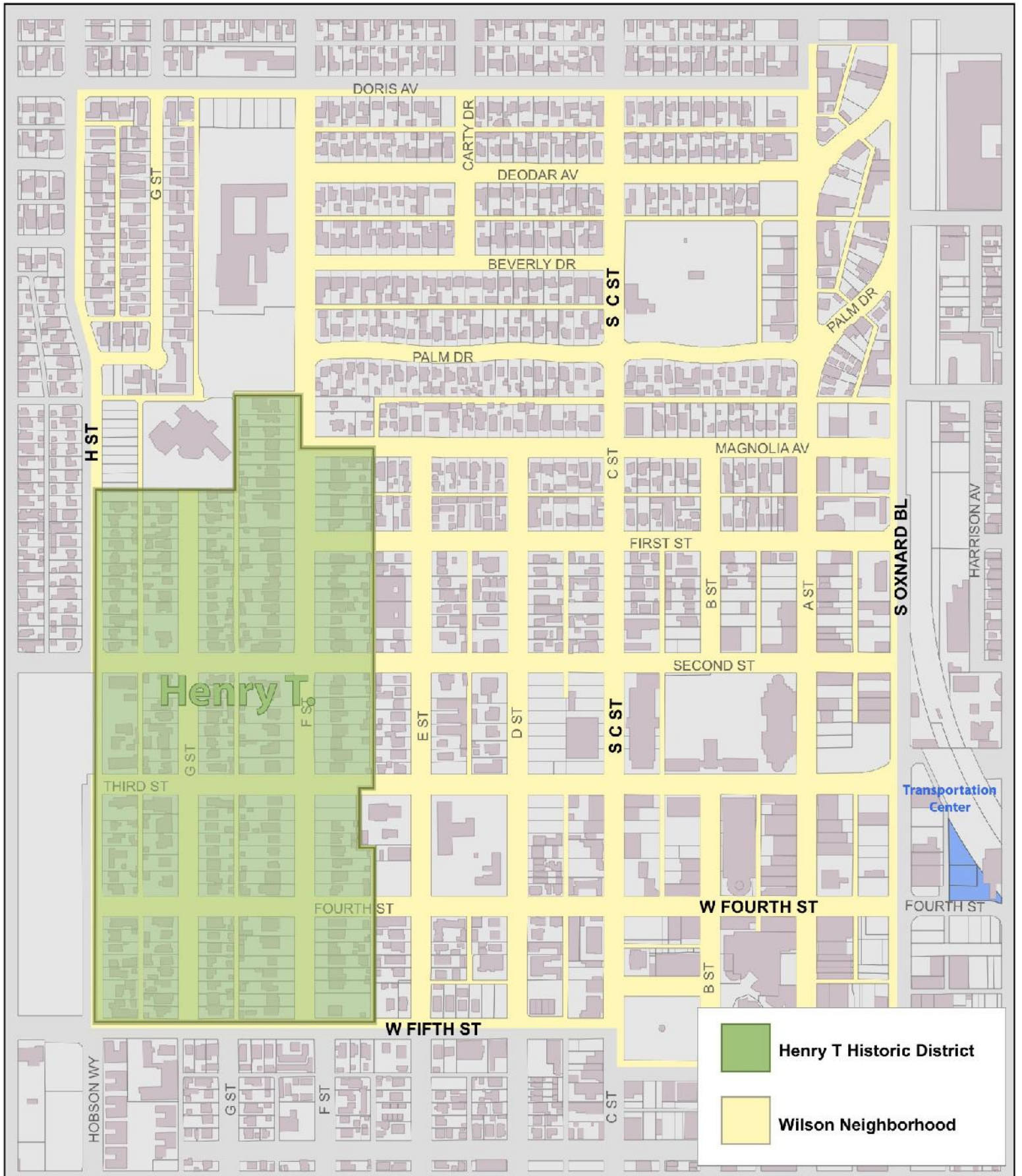
The Planning Division of the Community Development Department of the City of Oxnard has reviewed the proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- ☐ 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. 15060 (c)(2) and (3), and 15061(b)(3)]

Supporting Reasons: Pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the California Environmental Quality Act (CEQA), regulatory actions which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA. The proposed ZTA is a regulatory action. Therefore, staff has determined that there is no possibility that the project will have a significant effect on the environment. Therefore, the Planning Commission has determined that there is no possibility that the project will have a significant effect on the environment.

(Date)

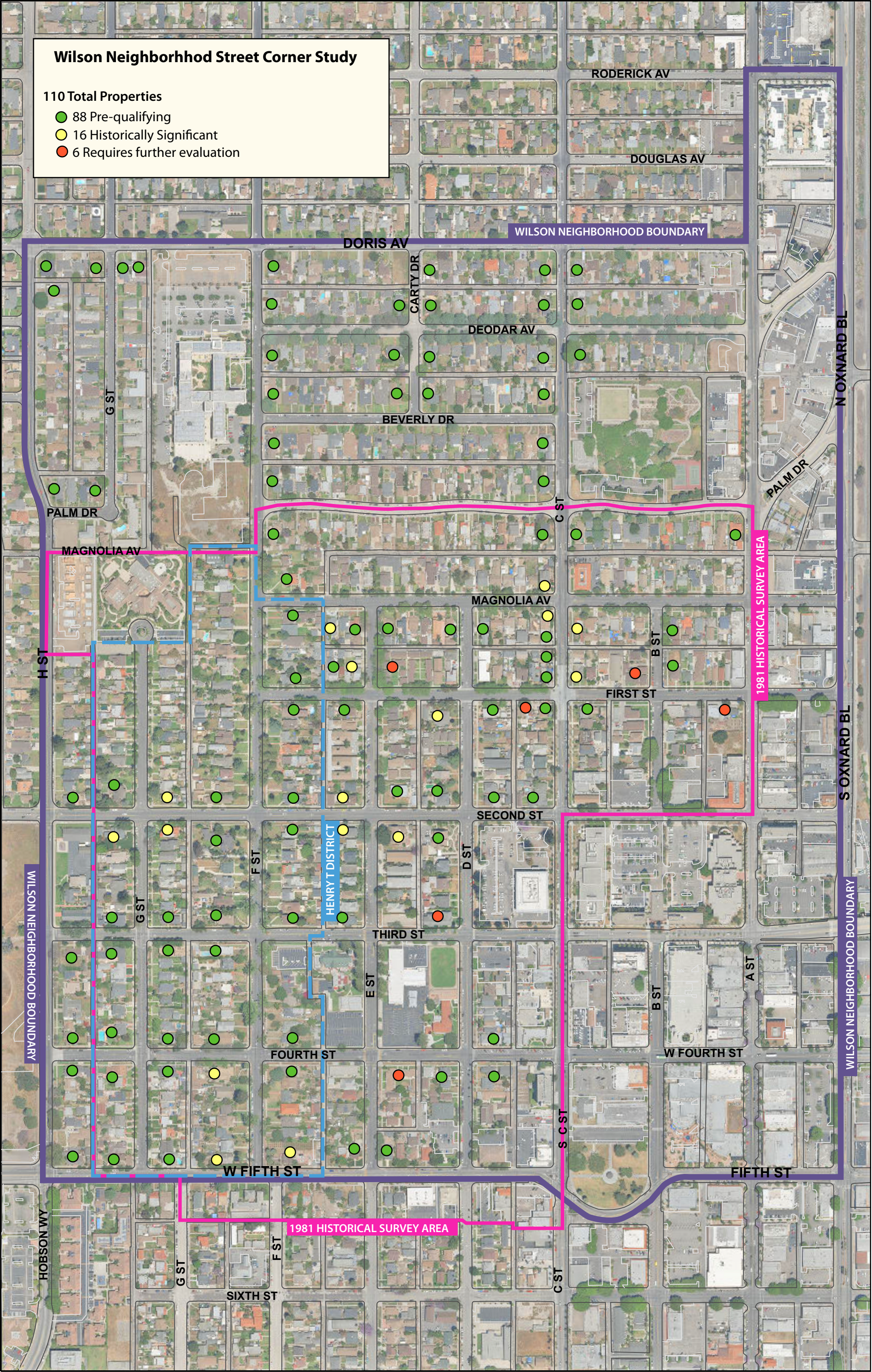
Scott Kolwitz, Planning & Environmental
Services Manager



Wilson Neighborhood Street Corner Study

110 Total Properties

- 88 Pre-qualifying
- 16 Historically Significant
- 6 Requires further evaluation



RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF ZONE TEXT AMENDMENT NO. PZ 21-580-05 TO AMEND OXNARD CITY CODE (OCC) CHAPTER 16 (ZONING CODE), ARTICLE V, SECTION 16-374 “STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY)” ALLOWING BED AND BREAKFAST HOMESTAYS (CONTAINING NO MORE THAN TWO GUEST BEDROOMS) LOCATED ON CORNER LOTS MAY CREDIT THE NONPRIMARY STREET FRONTAGE TOWARD THE PARKING REQUIREMENT WITH 25 LINEAR FEET EQUAL TO ONE PARKING SPACE, SUBJECT TO APPROVAL OF A DEVELOPMENT DESIGN REVIEW PERMIT. THE PROPOSED REGULATIONS WOULD APPLY CITYWIDE (INLAND ZONE). FILED BY THE CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 21-580-05, filed by the City of Oxnard Community Development Department, to amend Oxnard City Code, Article V, Section 16-374 “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker; and

WHEREAS, On April 13, 2021, Community Services, Public Safety, Housing & Development Committee requested staff prepare a presentation regarding the required off-street parking for bed and breakfast uses (B&B’s). The purpose of the report was to determine if the required off-street parking was adequate or if amendments were required since B&B uses are not common and their location is limited within the City; and

WHEREAS, On July 15, 2021, Community Services, Public Safety, Housing & Development Committee unanimously determined staff should pursue a ZTA to amend Oxnard City Code, Article V, Section 16-374 “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit; and

WHEREAS, on September 20, 2021, a public Community Workshop meeting was held for the community and the general public to receive community input on the proposed ZTA; and

WHEREAS, on October 21, 2021, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 21-580-05 (Zone Text Amendment) (the “Project”) in accordance with the OCC; and

WHEREAS, the Planning Commission received written and verbal comments from the public; and

WHEREAS, the Planning Commission finds that the proposed ZTA is in the public interest and reflects the input from residents, stakeholders in the community, and decision-makers. There are no changes recommended under the proposed ZTA that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed ZTA does not involve any direct physical changes to the environment. There are no changes in landforms or an intensification of land uses as a part of the proposed ZTA, and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety; and

WHEREAS, the proposed ZTA to Chapter 16 of the OCC, herein attached as Exhibit 1, would establish specific provisions consistent with the action items and policy directives in the 2030 General Plan; and

WHEREAS, the adoption of ZTA would be a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by modifying regulations related to flexible Bed & Breakfast parking regulations to facilitate the development of Bed & Breakfast establishments and promote historical tourism within the City of Oxnard; and

WHEREAS, the Planning Commission determined that this action is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3) as this ZTA is a regulatory action which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan and will further protect the public health, safety, and general welfare to establish special zoning regulations governing firearm and ammunition sales and firearm ranges.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends to the City Council adoption of the ordinance attached hereto as Exhibit 1.

Section 1. The foregoing recitals are true and correct and are hereby incorporated into the operative provisions of this Resolution.

Section 2. Based upon the foregoing recitals, the Planning Commission finds, for the above stated reasons, and the reasons set forth in the staff report, that the proposed ZTA presented as Exhibit 1 herein will not result in any new significant environmental impacts that were not addressed in the 2030 General Plan Program EIR, will not increase the severity of any previously identified impacts, and is exempt from CEQA under Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3).

Section 3. The Planning Commission, based on the findings set forth herein, recommends that the City Council of the City of Oxnard adopt ZTA PZ No. 21-580-05 attached hereto as Exhibit 1 and incorporated herein by this reference to this Resolution.

Section 4. The Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 21st day of October, 2021.

Daniel Chavez Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on the 21st day of September, 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

ATTEST:

Scott Kolwitz, Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD AMENDING CHAPTER 16 (ZONING CODE) OXNARD CITY CODE (OCC) CHAPTER 16 (ZONING CODE), ARTICLE V, SECTION 16-374 “STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY)” ALLOWING BED AND BREAKFAST HOMESTAYS (CONTAINING NO MORE THAN TWO GUEST BEDROOMS) LOCATED ON CORNER LOTS MAY CREDIT THE NONPRIMARY STREET FRONTAGE TOWARD THE PARKING REQUIREMENT WITH 25 LINEAR FEET EQUAL TO ONE PARKING SPACE, SUBJECT TO APPROVAL OF A DEVELOPMENT DESIGN REVIEW PERMIT. THE PROPOSED REGULATIONS WOULD APPLY CITYWIDE (INLAND ZONE). FILED BY THE CITY OF OXNARD, COMMUNITY DEVELOPMENT DEPARTMENT, 214 SOUTH C STREET, OXNARD, CALIFORNIA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered Zone Text Amendment (ZTA) PZ No. 21-580-05, filed by the City of Oxnard Community Development Department, to amend Oxnard City Code, Article V, Section 16-374 “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker; and

WHEREAS, On April 13, 2021, Community Services, Public Safety, Housing & Development Committee requested staff prepare a presentation regarding the required off-street parking for bed and breakfast uses (B&B’s). The purpose of the report was to determine if the required off-street parking was adequate or if amendments were required since B&B uses are not common and their location is limited within the City; and

WHEREAS, On July 15, 2021, Community Services, Public Safety, Housing & Development Committee unanimously determined staff should pursue a ZTA to amend Oxnard City Code, Article V, Section 16-374 “Standards for Traditional Bed and Breakfast (Homestay)” allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit; and

WHEREAS, on September 20, 2021, a public Community Workshop meeting was held for the community and the general public to receive community input on the proposed ZTA; and

WHEREAS, on October 21, 2021, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing to consider Planning and Zoning Permit No. 21-580-05 (Zone Text Amendment) (the “**Project**”) in accordance with the Oxnard City Code and recommended approval to the City Council; and

WHEREAS, the Planning Commission received written and verbal comments from the public; and

WHEREAS, the Planning Commission found the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines 15060(c)(2) and (3) and 15061(b)(3); and

WHEREAS, the Planning Commission adopted Resolution 2021-XX recommending that the City Council approve Planning & Zoning Permit No. 21-580-05 (Zone Text Amendment) allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of the decision maker associated with the underlying permit; and

WHEREAS, on _____, 202X, the City Council of the City of Oxnard conducted a duly noticed public hearing to consider the Applicant's request to approve Planning and Zoning Permit No. 21-580-05 (Zone Text Amendment) in accordance with the OCC, and

WHEREAS, the Planning Commission received written and verbal comments from the public; and

WHEREAS, the City Council finds proposed Zoning Text Amendment is in the public interest and reflects the input from residents, stakeholders in the community, and decision-makers. There are no changes recommended under the proposed ZTA that would reduce or compromise existing standards that protect the health, safety or general welfare of the City; and

WHEREAS, the proposed ZTA does not involve any direct physical changes to the environment. There are no changes in landforms or an intensification of land uses as a part of the proposed ZTA and all public services for existing land uses will remain as-is, with no changes and no diminishment of service or safety; and

WHEREAS, the proposed ZTA to Chapter 16 of the OCC would establish specific provisions consistent with the action items and policy directives in the 2030 General Plan; and

WHEREAS, the adoption of ZTA would be a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by modifying regulations related to flexible Bed & Breakfast parking regulations to facilitate the development of Bed & Breakfast establishments and promote historical tourism within the City of Oxnard; and

WHEREAS, the City Council determined that this action is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(2) and (3) and 15061(b)(3) as this ZTA is a regulatory action

which will not result in direct or reasonably foreseeable indirect physical change in the environment and when it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment are not subject to CEQA; and

WHEREAS, it is in the public interest, consistent with the 2030 General Plan and will further protect the public health, safety, and general welfare to establish special zoning regulations governing firearm and ammunition sales and firearm ranges.

NOW, THEREFORE, the City Council of the City of Oxnard does ordain as follows:

Section 1. Amend Oxnard City Code Chapter 16, Article V, Section 16-374 “STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY)”.

Existing City Code Section 16-374 shall be amended as shown below **(Only underlined portions are to be added)**:

SEC. 16-374. STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY).

The standards for traditional bed and breakfast are:

- (A) The maximum number of guest bedrooms for rent shall not exceed two.
- (B) The owner of the homestay shall live on the premises and operate the homestay.
- (C) No cooking facilities shall be provided in individual guest bedrooms.
- (D) No exterior advertising signs shall be permitted.
- (E) Parking requirements -

- (1) Parking shall be provided at the rate of one off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure. Parking surfaces may include, but are not limited to: brick, pavers, cobblestones, stamped colored concrete, and grass-cell pavement. Excessive amounts of paving to meet parking requirements shall not be allowed.
- (2) Homestays located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of a development design review permit.

Section 2. If any section, sentence, clause or phrase of this Ordinance is determined to be invalid, illegal or unconstitutional by a decision or order of any court of competent jurisdiction, then decision or order shall not affect the validity and enforceability of the remaining portions of this Ordinance. The City Council declares that it would have passed and adopted this Ordinance, and each section, sentence, subsection, clause, phrase, part or portion thereof, regardless of the fact that any one or more sections, sentences, subsections, clauses, phrases, be declared invalid or unconstitutional.

Section 3. Cumulative Ordinance. Nothing in this Ordinance shall be interpreted to allow any land use which is not expressly listed as permitted or conditionally permitted within the City’s Zoning Code.

Section 4. Exempt from CEQA. The City Council determines and finds that the adoption of this Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) and (3) and 15061(b)(3) of the Guidelines to the California Environmental Quality Act because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Therefore, CEQA does not apply to this action.

Section 5. Pursuant to Government Code Section 36933(c)(1), the City Attorney was designated to prepare, and the City Clerk published, a summary of this Ordinance, and a certified copy the Ordinance was posted in the Office of the City Clerk a minimum of five days before the City Council’s adoption of the Ordinance.

Section 6. The City Clerk shall certify as to the adoption of this Ordinance and shall cause summary thereof to be published within fifteen calendar (15) days of the adoption and shall post a certified copy of this Ordinance, including for and against the same, in the office of the City Clerk, in accordance with Government Code Section 36933. Ordinance No. _____ was first read on _____ 2021, to become effective thirty (30) days thereafter.

PASSED AND ADOPTED this ___th day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

John Zaragoza, Mayor

ATTEST:

Rose Chaparro, City Clerk

Ordinance No. _____ (PZ No. 21-580-05) Bed and Breakfast Parking Regulations _____

City Council Public Hearing Date: _____, 2021

Page 5 of 5

APPROVED AS TO FORM:

Stephen M. Fischer, City Attorney

**Ordinance Amendment
for Bed and Breakfast Homestay Uses
Off-Street Parking Requirements
PZ No. 21-580-05
(Zone Text Amendment - Inland Zone)**

Isidro Figueroa, Principal Planner
Scott Kolwitz, Planning Manager

Planning Commission
October 21, 2021



Background

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- April 13, 2021, the Community Services, Public Safety and Housing and Development Committee (Committee) requested staff prepare a presentation regarding required off-street parking for bed and breakfast uses (B&B's)
- City license records do not indicate any current B&B operations
- July 27, 2021, the Committee received a summary report on the off-street parking requirements for B&B uses, and Committee provided input on;
 - Summary of existing City Code required off-street parking for B&B uses;
 - Comparison of off-street parking requirements to the surrounding jurisdictions;
 - Required off-street parking comparison between B&B, short-term rentals and accessory dwelling units; and
 - Relief from parking requirement options

- Resident of the Wilson Neighborhood, who is preparing to submit an application for a B&B use, spoke in favor of the ZTA
- Committee unanimously agreed to initiate a ZTA to provide additional flexibility to the required off-street parking regulations for B&B uses
 - B&B uses are limited in location within the City
- Committee directed staff to pursue a ZTA to allow homestays located on corner lots to be credited non-primary street frontage towards the parking requirement consistent with what is currently allowed for B&B Inns
 - ZTA would have the least impact to the community because it would only be applicable to corner lot properties

Definitions (OCC Section 16-371)

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- **Bed and Breakfast Inn:** An establishment, originally built as a single-family residence, operated by a resident owner, and containing three to five guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days
 - Special Use Permit (SUP)
 - Planning Commission Approval
- **Traditional Bed and Breakfast (Homestay):** An establishment which contains no more than two guest bedrooms, each of which is available for rent to the general public for up to 29 consecutive days.
 - Development Design Review Permit (DDR)
 - Community Development Director Approval

B&B Location Requirements

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- Pursuant to Oxnard City Code (OCC) Section 16-372, B&Bs shall be permitted only within:
 - Boundaries of the Wilson Neighborhood
 - Planning Commission may also approve B&Bs within other areas of the City provided the Planning Commission makes the findings required for designation of a structure as a significant heritage feature
 - Henry T. Oxnard Historic District would be an area within the City that includes a number of residences that the Planning Commission could potentially designate as a significant heritage feature

Significant Heritage Feature

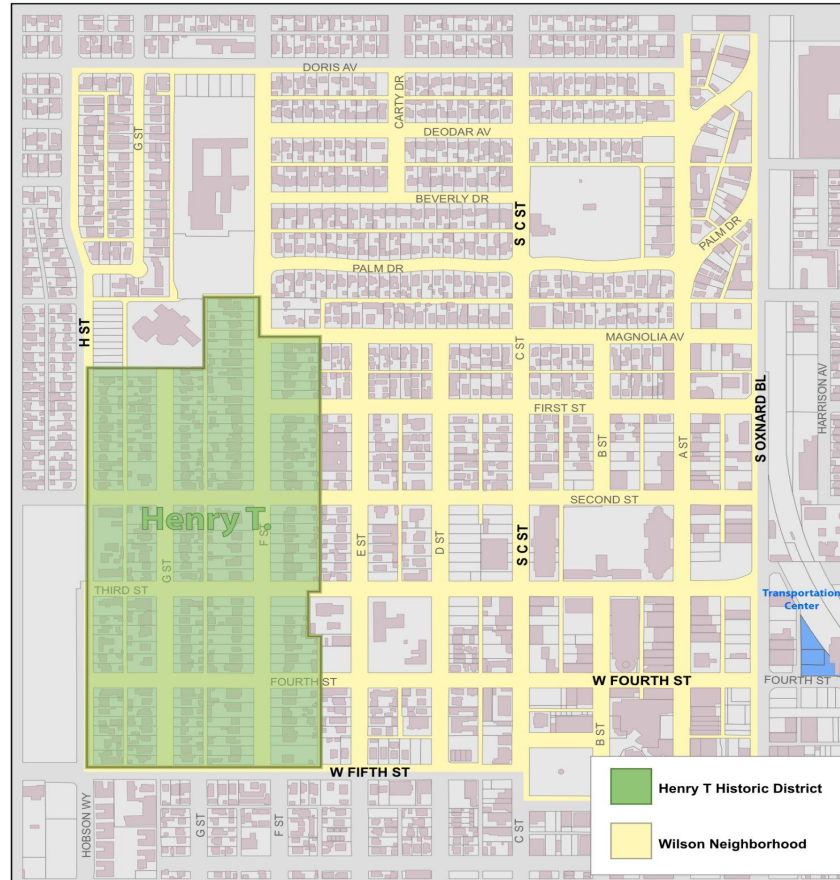
6

SEC. 16-471. FINDINGS NECESSARY FOR DESIGNATION AS SIGNIFICANT HERITAGE FEATURE.

In order to designate significant heritage features, the approval body shall find that one of the following circumstances exist:

- (A) The architecture or design of the feature is unique or of a style unique to the area;
 - (B) The architecture or design of the feature exemplifies a significant or unique architectural style; and
 - (C) The feature was the site of a significant historical or cultural event, or was owned by a person or group of persons who were significantly involved in the historical or cultural development of the city.
-

Wilson/Henry T. Oxnard Historic District



B&Bs Requirements

8

- The intent of the B&B standards is to retain the character of primarily low density residential neighborhoods.
 - Owner occupancy
 - No cooking facilities in individual guest bedrooms
 - Require parking for both the B&B uses and residential use

Homestay

- The maximum number of guest bedrooms for rent shall not exceed two.

Inn

- The maximum number of guest bedrooms for rent shall not exceed five.

B&B Parking Requirements

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- One off-street parking space per guest room plus parking for the owner as required at the time of original construction of the structure.
 - Parking surfaces may include, but are not limited to: brick, pavers, cobblestones, stamped colored concrete, and grass-cell pavement. Excessive amounts of paving to meet parking requirements shall not be allowed.
- Inns located on corner lots may credit the non primary street frontage toward the parking requirement
 - 25 linear feet equal to one parking space
 - Subject to approval of the Planning Commission.

Surrounding Jurisdiction Parking Requirements

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Local Jurisdiction	B&B Parking Requirement
Oxnard	1 off-street parking per guest room; plus parking for owner (as required at the time of original construction of the structure)
Camarillo	1 off-street parking per guest room; plus parking for residential use
Ojai	1 off-street parking per guest room; plus 2 spaces for the resident use
Simi Valley	Determined through the (Special) Use Permit Process; a parking study could be required to determine appropriate parking.
Ventura	1 open or covered space for each guest room; plus 2 spaces within a garage. However, the City of Ventura allows for an existing 2-car garage to satisfy both the existing residential parking requirement and provides for 1 off-street parking space for a B&B. In this scenario, the off-street parking requirement for a single-room B&B room would be satisfied by using an existing 2-car garage.
Ventura County	1 off-street parking per guest room; plus parking for residential use

Short-term Rentals

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- City Council adopted Short-term Rentals (STR) regulations on November 5, 2019
 - Off-street parking is based on the number of bedrooms provided onsite
 - 1 parking space for STRs with a studio or one bedroom
 - 2 parking spaces for STRs with two to four bedrooms
 - 3 parking spaces for STRs with five or more bedrooms
 - STR regulations require permitted garages and driveways on the property to be unobstructed which may be made available for renter parking
-

Accessory Dwelling Unit (ADU) State Law

13

- State Law requires local governments to waive parking if:
 - The ADU is located within one-half mile of public transit, including transit stations and bus stations.
 - The ADU is located within an architecturally and historically significant historic district.
 - The ADU is constructed entirely within the proposed or existing primary dwelling unit or an accessory structure.
 - When on-street parking permits are required by the city but not offered to the occupant of the ADU.
 - When there is a car share vehicle located within one block of the ADU.
-

Comparisons: B&Bs, STRs and ADU

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	Rental Durations	Rental Days a Year	Parking Requirements
B&Bs	Less than 30 days	365	One space per guest room; Plus parking for residential use
STRs	Less than 30 days	Up to 100	One space per studio or one-bedroom
ADUs	More than 30 days	365	One space, unless qualifies for waived requirements; Plus parking for residential use

Relief from Parking Requirements- OCC

15

- **Off-site Parking Agreements:** May be used to allow required parking spaces to be located on a different property provided:
 - Property is not located more than 500 feet away from the property which is generating the required parking
 - Travel to and from the off-site property would not expose pedestrians to hazardous traffic safety conditions.
 - **Parking Studies:** Determine that the total parking demand for a particular use relative to supply of available parking spaces on a subject site or surrounding area
 - Parking studies are costly and could cost thousands of dollars
 - Applicant bears total cost (thousands of dollars)
 - Provides the decisionmaker an accurate assessment of the parking demand for the project site and surrounding areas
-

1. **Credit Non-Primary Street Frontage (corner lots)**

- Consider a modification to the OCC to allow both **Homestays** and **Inns** located on corner lots to be credited the non-primary street frontage toward the parking requirement

- Committee unanimously agreed to provide additional flexibility to the required off-street parking regulations for B&B uses
 - B&B uses are limited in location within the City
 - Committee directed staff to pursue a ZTA to allow Homestays located on corner lots to be credited non-primary street frontage towards the parking requirement consistent with what is currently allowed for B&B Inns
 - Proposed ZTA would have the least impact to the community because it would only be applicable to corner lot properties
-

Wilson Neighborhood Street Corner Study

18

- Composed of approximately 690 properties
- There are 110 corner lot properties
 - 88 “pre-qualified” properties
 - 16 historically designated properties
 - 6 properties that required further investigation

Wilson Neighborhood Street Corner Study

110 Total Properties

- 88 Pre-qualifying
- 16 Historically Significant
- 6 Requires further evaluation

 Henry T Historic District

 Wilson Neighborhood

 1981 Historical Survey



OCC Chapter 16, Section 16-374 (Amended)

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SEC. 16-374. STANDARDS FOR TRADITIONAL BED AND BREAKFAST (HOMESTAY). (Only underlined portions are to be added):

The standards for traditional bed and breakfast are:

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 - (2) Homestays located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space, subject to approval of a development design review permit.

Community Workshop/ Next Steps

21

- A Community Workshop meeting was held on September 20, 2021
- One member of the public participated in the Community Workshop meeting.
 - The member of the public expressed her support for the proposed ZTA

Next Steps

- The Planning Commission's action on this matter is advisory to the City Council.
 - The Planning Commission's recommendation will be forwarded to the City Council for consideration.
-

That the Planning Commission:

1. Find the Project to be exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines 15060(c)(2) and (3) and 15061(b)(3); and
2. Adopt Resolution 2021-XX recommending that the City Council approve Planning & Zoning Permit No. 21-580-05 (Zone Text Amendment) allowing Bed and Breakfast Homestays (containing no more than two guest bedrooms) located on corner lots may credit the nonprimary street frontage toward the parking requirement, with 25 linear feet equal to one parking space.



End of Presentation

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jose Coyotl, Associate Planner

DATE: October 21, 2021

SUBJECT: **Project Name: Yuma Way CA, LLC dba Releaf on Vine - Commercial Cannabis Business Retail Special Use Permit (SUP);** Planning and Zoning Permit No. 21-516-08 (Retail); Located at 2544 North Vineyard Avenue (APN: 145-0-231-065).

1) Recommendation: That the Planning Commission (“**Commission**”)

- a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-516-08 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

2) Project Description and Applicant: A request to permit the operation of a commercial cannabis retail facility within an existing 1,320 square-foot commercial suite of a 7,682 square-foot multi-tenant commercial building on a 0.63-acre site located at 2544 North Vineyard Avenue (APN: 145-0-231-065) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, and installation of new secure doors/windows (Attachments A and B). Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. For the purposes of this Staff Report, the foregoing project description shall be referred to as the “**Project**”. Filed by Jessica Reuven (“**Applicant**”), 5153 Blueball Avenue, Valley Village, CA 91607, on behalf of Yuma Way CA, LLC dba Releaf on Vine.

3) Existing & Surrounding Land Uses: The 0.63-acre property is developed with a 7,682 square-foot multi-tenant commercial building, and 26 associated parking spaces. The project will be located within the 7,682 square-foot multi-tenant commercial building located at 2544 North Vineyard Avenue. The nearest Commercial Day Care Center is Child Development Resources - Julie Irving Head Start Center, located approximately 786 feet northwest of the project site which is outside the required 600-foot radius away from a

sensitive use. The following table identifies the General Plan and zoning designations of the project site and adjacent properties:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Multi-tenant commercial shopping center.
North	CG	C-2-PD	Multi-tenant commercial shopping center.
South	CG	C-2-PD	Office Building
East	CG	C-2-PD	Multi-tenant commercial shopping center.
West	Commercial Regional (CR)	Riverpark Specific Plan (SPLAN)	Fast food restaurants.

4) Background Information:

Cannabis Regulations

In April 2018, the City Council adopted a cannabis delivery ordinance including permit fees (Ord. No. 2937 - Chapter 11, Article XV). In January 2019, the State legalized cannabis delivery by state-licensed firms and eliminated the City's ability to regulate cannabis delivery.

On June 18, 2019, the City Council adopted Ord. No. 2960 establishing regulations pertaining to manufacturing, testing, and distribution of cannabis. On October 1, 2019, the City Council adopted Ord. No. 2965, modifying the discretionary permitting process along with other non-substantive ordinance adjustments pertaining to manufacturing, testing, and distribution of cannabis. On December 17, 2019, the City Council adopted Ord. 2972 establishing regulations for retail cannabis (dispensary) uses. On September 15, 2020, the City Council adopted Ord. No. 2985 to permit cannabis retail dispensaries in the downtown zones ("Downtown-Core" and "Downtown-General"), and updated the cannabis regulations in the City's newly adopted Industrial Code (Chapter 16 of the OCC). On October 20, 2020, the City Council adopted a cannabis local equity program.

On December 1, 2020, the City Council adopted Ord. No. 2994 (Attachment C) establishing regulations to repeal and readopt the former City's Commercial Cannabis Regulations pertaining to cannabis manufacturing, distribution, testing, and retail dispensaries contained in Chapter 11, Article XVII ("Code"). The adapted ordinance made modifications to implement the City's Local Equity Cannabis program, update appeal provisions, and made a number of other nonsubstantive updates to the existing cannabis regulations. The City Council also repealed Chapter 11, Article XV (Medical Cannabis Delivery), and Chapter 7,

Article XVI (Cannabis and Medical Cannabis Activities) due to State legalization of state-licensed cannabis delivery operators.

Development History

On April 21, 1988, the Planning Commission approved Planned Development Permit No. 448 to allow the construction of a 7,682 square-foot multi-tenant commercial building.

Commercial Cannabis Retail License Selection

On January 7, 2021, Yuma Way CA, LLC dba Releaf on Vine filed for a request to obtain a Commercial Cannabis Business Permit for a 1,320 square-foot cannabis retail facility.

On March 1, 2021, Yuma Way CA, LLC dba Releaf on Vine was awarded a conditional Commercial Cannabis Business Permit for cannabis retail (Attachment D). In order to successfully commence and inaugurate the Commercial Cannabis Business Permit Yuma Way CA, LLC dba Releaf on Vine is required to receive approval of a SUP as specified within OCC Section 11-457.

5) Environmental Determination:

In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request for retailing of cannabis products within an existing commercial building, the project request will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, Staff recommends that the Planning Commission find the Project is Categorical Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) (Attachment E).

6) Analysis:

a) General Discussion:

As discussed below, the Project has been found to be consistent with the General Plan, General Commercial zone, and the OCC.

In accordance with OCC Section 11-473(A) and 11-473(B), permitted uses within the General Commercial zone, includes a commercial cannabis business retail of cannabis, provided that the owner has first obtained a commercial cannabis business permit per discretionary cannabis use pursuant to Article XVI, Chapter 11 of the OCC (SUP for retail). The site will be secure at all times by the use of proper security measures as reviewed by the Police Department.

b) General Plan, Specific Plan, and Zoning Consistency:

General Plan:

The City's 2030 General Plan land use designation for the subject site is Commercial General (CG), which allows for retail centers and free-standing commercial uses along arterials, may also include office, residential uses up to 18 dwelling units per acre, live/work, work/live and mixed uses. The proposed Project is consistent with the 2030 General Plan and the property's land use designation (Attachment F).

Zoning Consistency:

The Project is within the General Commercial Planned Development (C-2-PD) zone. The C-2-PD is intended to provide a wide range of commercial uses including retail. As demonstrated within the table of Attachment G, the Project is in compliance with the General Commercial Planned Development zone.

Location and Design of Cannabis Business Requirements:

In accordance with OCC Section 11-473 (Location and Design of Cannabis Business), the retail sale of cannabis products is a conceptually permitted use on the property subject to relevant requirements. As demonstrated in the table of Attachment H, the Project has been found to be in compliance with Section 11-473.

As demonstrated within the referenced table attachments, this Project is consistent with the City's General Plan, General Commercial Planned Development zone, and Section 11-473 (Location and Design of Cannabis Business). Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) Circulation and Parking:

Vehicular access to the site will occur via one existing approximately 40-foot drive aisles off North Vineyard Avenue and one approximately 25-foot drive aisles off Ventura Boulevard. In order to minimize security issues unloading of cannabis products, the project will utilize a legal nonconforming loading zone along the southeast side of the buildings accessed by a service door to the tenant space. In order to comply with parking requirements for the proposed cannabis retail use the applicant will be making modifications to the existing parking configuration resulting in 26 parking spaces which includes: 1 ADA, 17 standard, 7 compact, and 1 motorcycle parking stalls. Required parking is provided as follows:

USE TYPE & SQUARE FOOTAGE	PARKING STANDARD	PARKING REQUIRED	PROPOSED	COMPLIES?
Shopping Center - Neighborhood (Legal Non-Conforming)	1 per 300 square feet of area	21	26	Yes

6,362 square feet				
Retail Cannabis Use 1,320 square feet	1 per 250 square feet of area	5		Yes
Shopping Center	Five spaces at each mall entrance	5	A minimum of 5 spaces	Yes, as conditioned
Total Provided Parking: :		26 Parking Spaces	26 Parking Spaces	
		5 Bicycle Spaces	5 Bicycle Spaces	

d) Police Department Review:

With implementation of the recommended operating conditions, the Police Department anticipates the retail of cannabis products will have little, if any, adverse impact on area crime or demand for policing services. Several conditions of approval have been incorporated into the draft resolutions of approval (Attachments I) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

7) Cannabis Review Committee:

The Project was reviewed by the Cannabis Review Committee (CRC) on April 13, 2021. Conditions of approval from CRC are included in the attached Resolution.

8) Community Workshop and Public Input:

The project site is located within the El Rio Neighborhood. On September 9, 2021, the site was posted with Project details and Community Workshop information, and the Developer mailed out 2,008 meeting agenda notices to the residents of El Rio West and Riverpark. On September 20, 2021, the project was presented to the public during a Community Workshop meeting. There were 25 members that participated at the Community Workshop for this item. Staff received five comments regarding the cannabis retail facility. The first comment mentioned the project would have sufficient parking and the applicant would be a good business to allow further tenants to move into the shopping center. The second comment addressed issues with notifying the adjacent community of the project and the method of public outreach conducted by the Applicant. The third comment was regarding the selection of cannabis locations and limited vehicle circulation at the project site. The fourth comment was in support of the project based on the new retailer helping revitalize the shopping corridor. The fifth comment was in support of the project based on the grounds the cannabis retailer would be good for other businesses.

Following the Community Workshop, Staff found the El Rio neighborhood had not been notified of the Community Workshop meeting. As a result, a copy of the Planning Commission Hearing public notice was mailed to all residents of the El Rio neighborhood.

To date staff has not reserved further public comments.

9) Appeal Procedure:

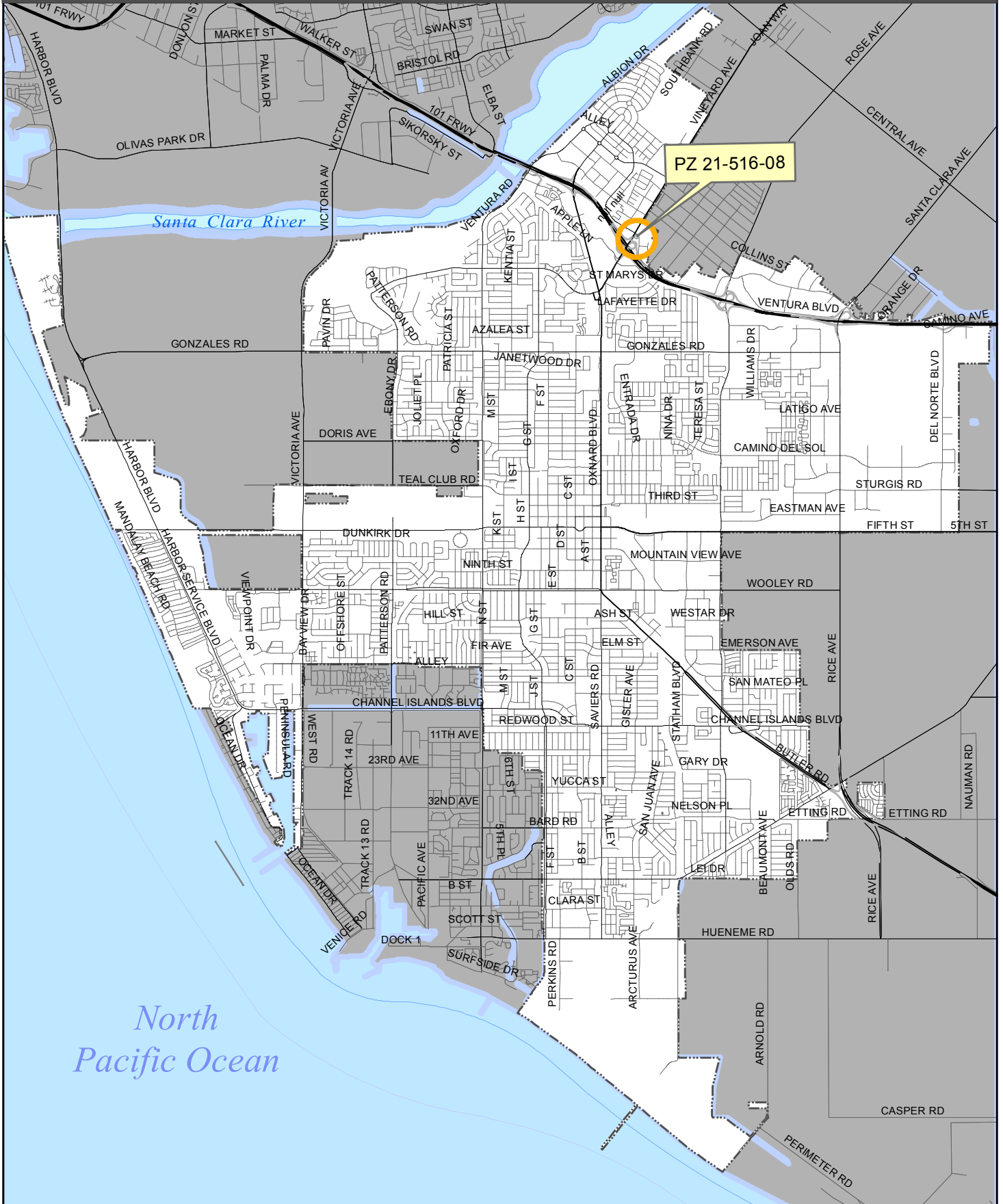
In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 21-516-08 (Commercial Cannabis Retail- Special Use permit) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be deemed final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Cannabis Ordinance No. 2994
- D. Yuma Way CA, LLC dba Releaf on Vine Conditional Commercial Cannabis Business Permit
- E. Notice of Exemption
- F. 2030 General Plan Consistency Chart
- G. Zoning Consistency Chart
- H. Location and Design of Cannabis Business Consistency Chart
- I. Draft Resolution of Approval for Commercial Cannabis Retail
- J. Staff Presentation

A. Maps (Vicinity, General Plan, Zoning, Aerial)

Vicinity Map



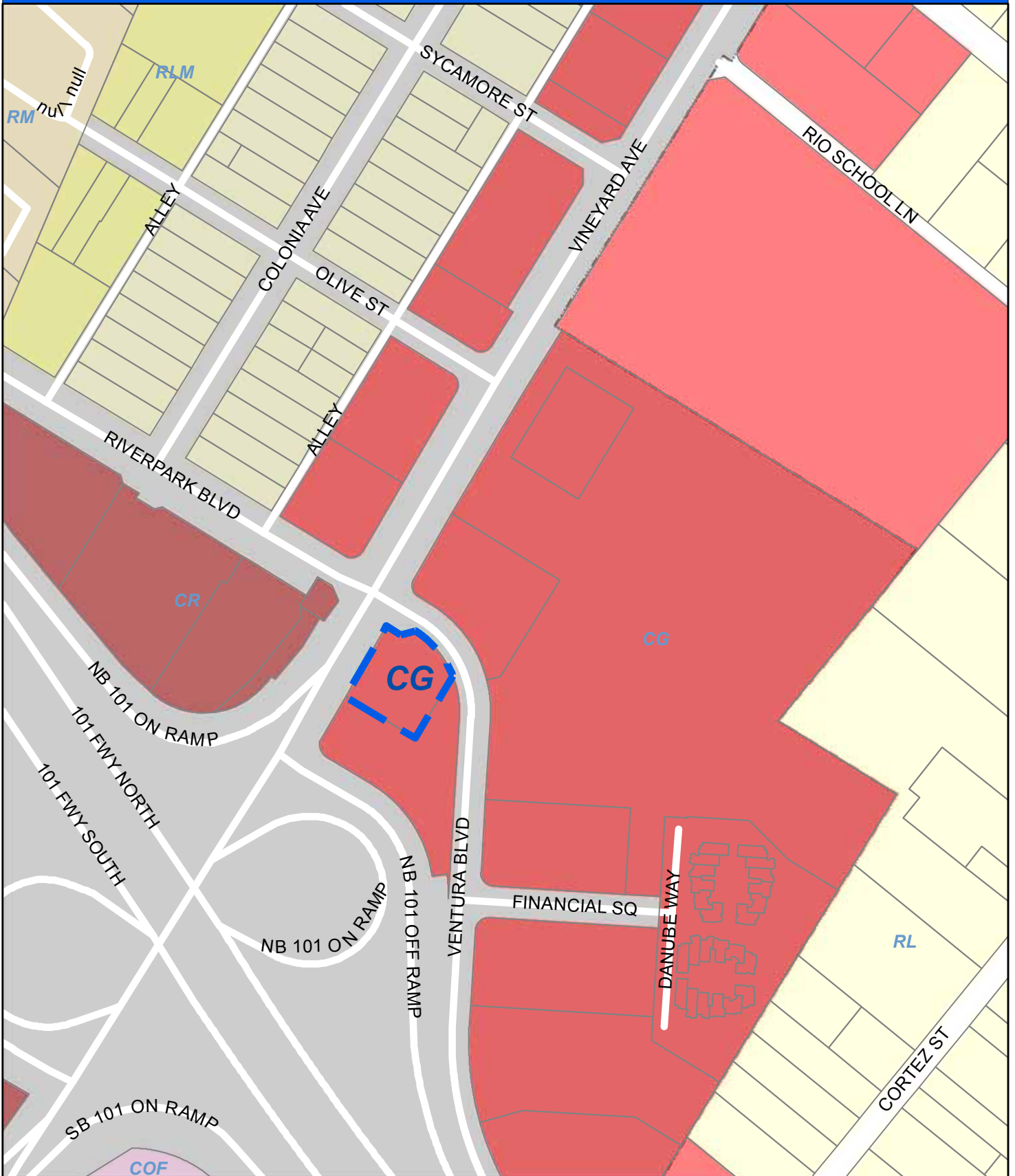
PZ 21-516-08
Location: 2544 N Vineyard Ave
APN: 1450231065
Yuma Way CA

Vicinity Map



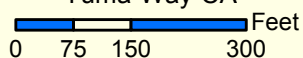
1:70,000

2030 General Plan Land Use Map



Oxnard Planning
October 6, 2021

PZ 21-516-08
Location: 2544 N Vineyard Ave
APN: 1450231065
Yuma Way CA

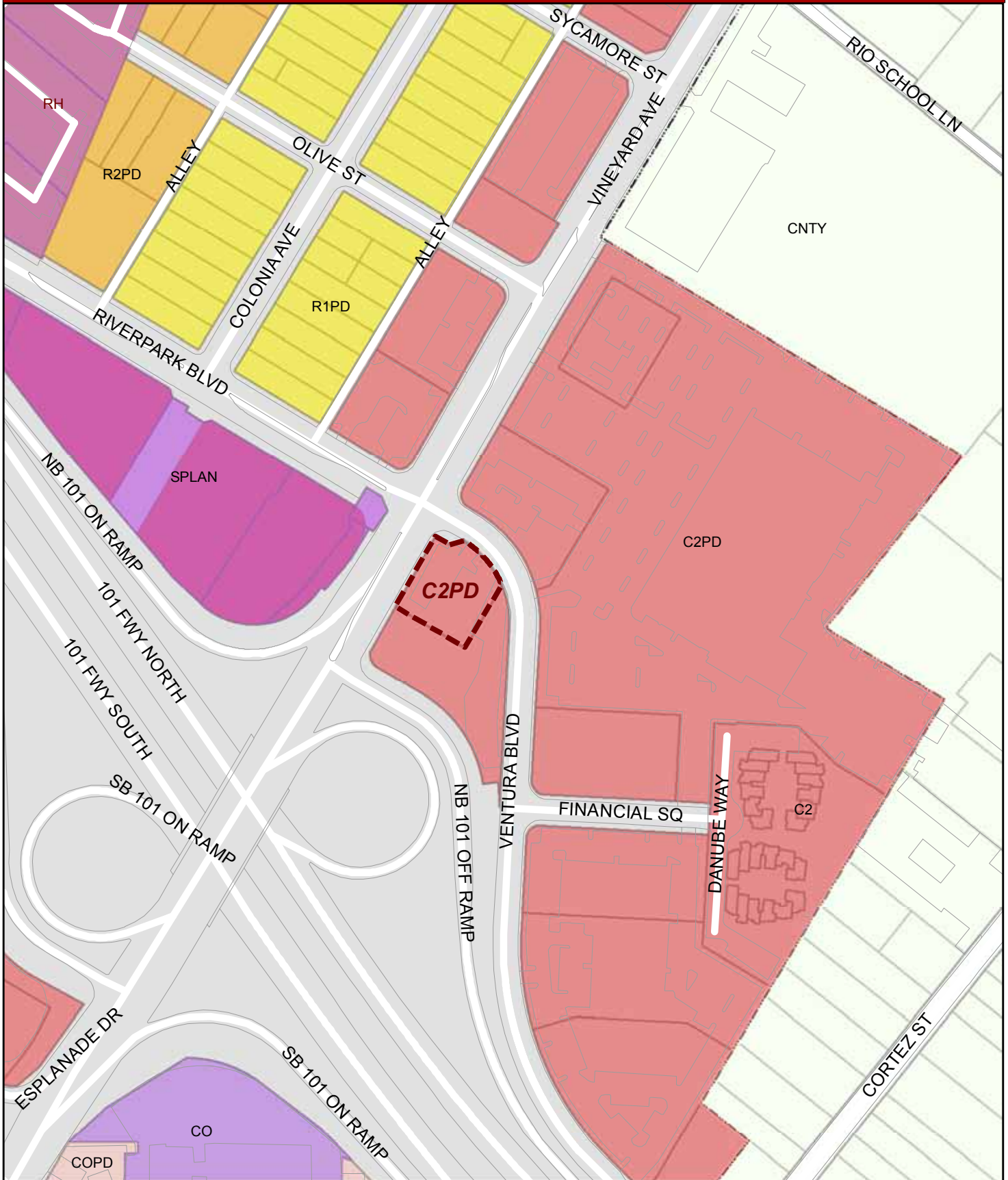


2030 General Plan Land Use Map



1:3,000

Zoning/Specific Plan Map



Oxnard Planning

October 6, 2021

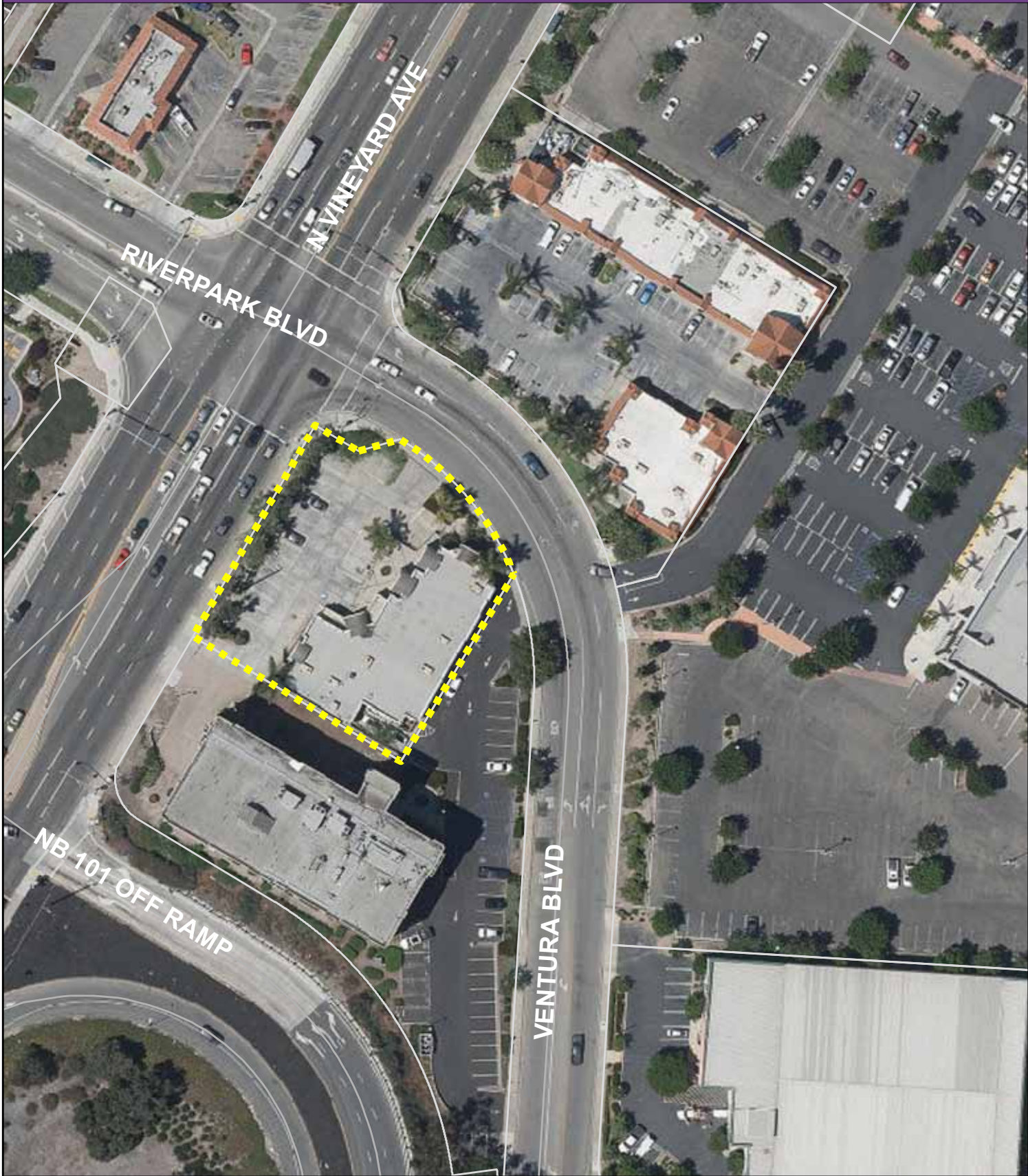
PZ 21-516-08
Location: 2544 N Vineyard Ave
APN: 1450231065
Yuma Way CA

0 50 100 200 300 400 Feet

Zoning/Specific Plan Map



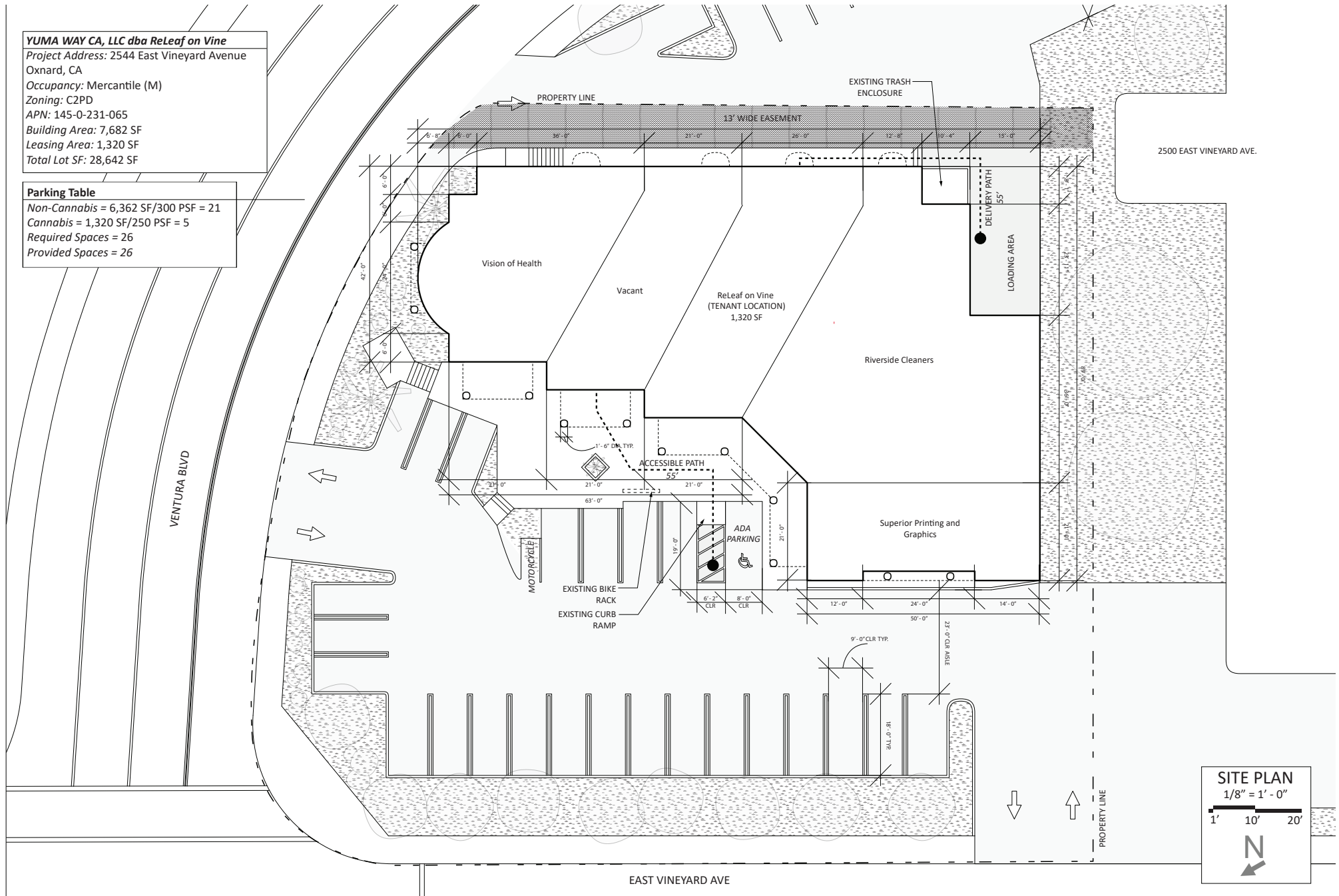
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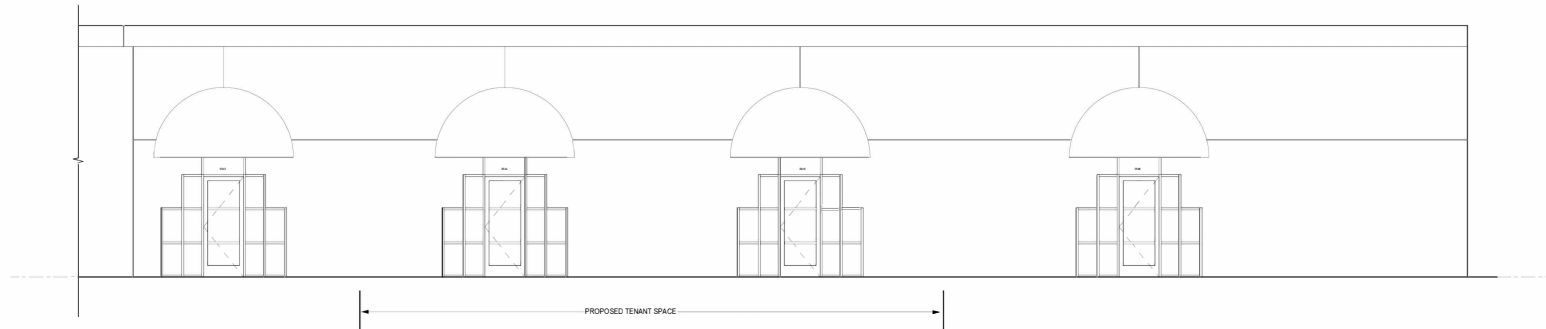


B. Reduced Project Plans

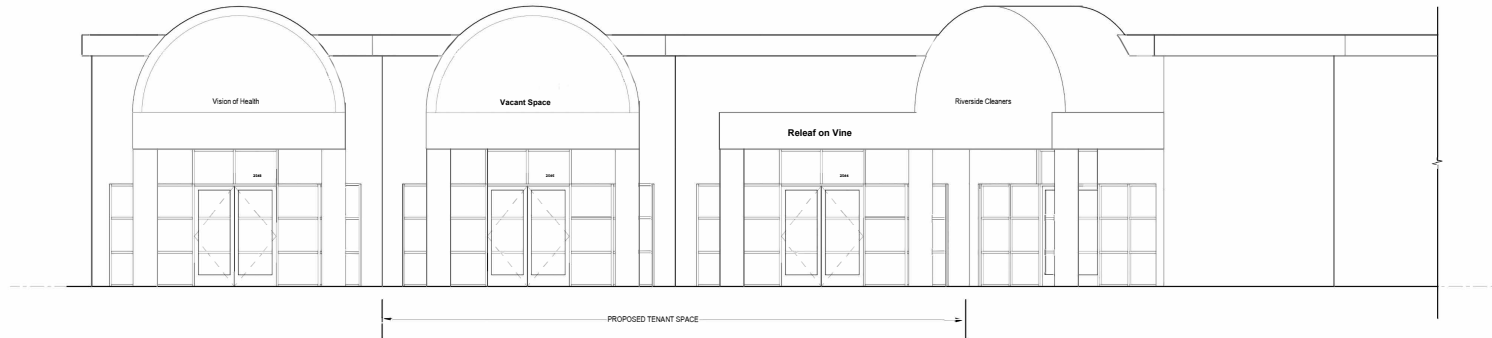
YUMA WAY CA, LLC dba ReLeaf on Vine
 Project Address: 2544 East Vineyard Avenue
 Oxnard, CA
 Occupancy: Mercantile (M)
 Zoning: C2PD
 APN: 145-0-231-065
 Building Area: 7,682 SF
 Leasing Area: 1,320 SF
 Total Lot SF: 28,642 SF

Parking Table
 Non-Cannabis = 6,362 SF/300 PSF = 21
 Cannabis = 1,320 SF/250 PSF = 5
 Required Spaces = 26
 Provided Spaces = 26





1
A1 Back Elevation
1/8" = 1'-0"



2
A1 Front Elevation
1/8" = 1'-0"

C. Cannabis Ordinance No. 2994

ORDINANCE NO. 2994

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA REPEALING AND READOPTING ARTICLE XVII OF CHAPTER 11 OF THE OXNARD CITY CODE (OXNARD CITY CODE SECTIONS 11-450 TO 11-496) REGARDING COMMERCIAL CANNABIS ACTIVITY, REPEALING CHAPTER 7, ARTICLE XVI OF THE OXNARD CITY CODE (OXNARD CITY CODE SECTION 7-280 TO 7-285) REGARDING CANNABIS AND MEDICAL CANNABIS MEDICAL ACTIVITIES, AND REPEALING ARTICLE XV OF CHAPTER 11 OF THE OXNARD CITY CODE (OXNARD CITY CODE SECTIONS 11-390 TO 11-403) REGARDING MEDICAL CANNABIS DELIVERY

The City Council of the City of Oxnard does hereby ordain as follows:

Section 1. Article XVII of Chapter 11 of the Oxnard City Code regarding Commercial Cannabis Activity is hereby repealed and readopted to read as follows:

“ARTICLE XVII. COMMERCIAL CANNABIS ACTIVITY

SEC. 11-450. PURPOSE AND INTENT.

It is the purpose and intent of this article to implement the provisions of the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”) to accommodate the needs of medically-ill persons in need of and provide access to cannabis for medicinal purposes as recommended by their health care provider(s), and to provide access to adult-use for persons over the age of 21 as authorized by the Control, Regulate and Tax Adult Use of Cannabis Act (“AUMA” or “Proposition 64” enacted by California voters in 2016), while imposing sensible regulations on the use of land to protect the city’s residents, neighborhoods, and businesses from disproportionately negative impacts. As such, it is the purpose and intent of this article to regulate the Cultivation, Processing, manufacturing, testing, Sale, Delivery, Distribution, and transportation of Cannabis and Cannabis Products in a responsible manner to protect the health, safety, and welfare of the residents of the city and to enforce rules and regulations consistent with state law. It is the further purpose and intent of this article to require all commercial cannabis operators to obtain and renew annually a permit to operate within the city. Nothing in this article is intended to authorize the possession, use, or provision of Cannabis for purposes that violate state or federal law. The provisions of this article are in addition to any other permits, licenses and approvals which may be required to conduct business in the city, and are in addition to any permits, licenses and approval required under state, city, or other law.

SEC. 11-451. LEGAL AUTHORITY.

Pursuant to Sections 5 and 7 of Article XI of the California Constitution, the provisions of the MAUCRSA, any subsequent state legislation and/or regulations regarding same, the city is authorized to adopt ordinances that establish standards, requirements and regulations for the

licensing and permitting of Commercial Cannabis Activity. Any standards, requirements, and regulations regarding health and safety, security, and worker protections established by the state, or any of its departments or divisions, shall be the minimum standards applicable in the city to all Commercial Cannabis Activity.

SEC. 11-452. CANNABIS CULTIVATION AND COMMERCIAL CANNABIS ACTIVITIES PROHIBITED UNLESS SPECIFICALLY AUTHORIZED BY THIS ARTICLE.

Except as specifically authorized in this article, the commercial Cultivation, Manufacture, Processing, storing, laboratory testing, Labeling, Sale, Delivery, Distribution or transportation (other than as provided under Cal. Bus. and Prof. Code Section 26090(e)), of Cannabis or Cannabis Product is expressly prohibited in the city.

SEC. 11-453. COMPLIANCE WITH STATE AND LOCAL LAWS.

It is the responsibility of the Owners and operators of a Commercial Cannabis Business to ensure that it is always operating in a manner compliant with all applicable state and local laws, and any regulations promulgated thereunder. Nothing in this article shall be construed as authorizing any actions that violate federal, state or local law with respect to the operation of a Commercial Cannabis Business. It shall be the responsibility of the owners and the operators of a Commercial Cannabis Business to ensure that the Commercial Cannabis Business is, at all times, operating in a manner compliant with all applicable federal, state and local laws, including the MAUCRSA, and any subsequently enacted state law or regulatory, licensing, or certification requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of the local Commercial Cannabis Business Permit. Nothing in this article shall be construed as authorizing any actions that violate federal or state law regarding the operation of a Commercial Cannabis Business.

SEC. 11-454. DEFINITIONS.

When used in this article, the following words shall have the meanings ascribed to them as set forth herein. Any reference to California statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision.

(A) A-LICENSE - A state license issued by the Bureau of Cannabis Control for Cannabis or Cannabis Products that are intended for adults 21 years of age and over and who do not possess physician's recommendations.

(B) A-LICENSEE - Any person holding a license for Cannabis or Cannabis Products that are intended for adults 21 years of age and over and who do not possess physician's recommendations.

(C) APPLICANT - An Owner applying for a Commercial Cannabis Business Permit pursuant to this article.

(D) BATCH - A specific quantity of homogeneous Cannabis or Cannabis Product that is one of the following types:

(1) HARVEST BATCH - A specifically identified quantity of dried flower or trim, leaves,

and other Cannabis plant matter that is uniform in strain, harvested at the same time, and, if applicable, cultivated using the same pesticides and other agricultural chemicals and harvested at the same time.

(2) MANUFACTURED CANNABIS BATCH - Either of the following:

(a) An amount of Cannabis concentrates or extract that is produced in one production cycle using the same extraction methods and standard operating procedures.

(b) An amount of a type of manufactured Cannabis produced in one production cycle using the same formulation and standard operating procedures.

(E) BUREAU - The Bureau of Cannabis Control within the Department of Consumer Affairs, formerly named the Bureau of Marijuana Control, the Bureau of Medical Cannabis Regulation, and the Bureau of Medical Marijuana Regulation, or its successor.

(F) CANNABIS - All parts of the Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Cannabis also means the separated resin, whether crude or purified, obtained from cannabis. Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this article, Cannabis does not mean “industrial hemp” as defined by Cal. Health and Safety Code Section 11018.5 or Cal. Food and Agricultural Code Section 81000.

(G) CANNABIS ACCESSORIES - The same meaning as in Cal. Health and Safety Code Section 11018.2.

(H) CANNABIS INNOVATION ZONE - A park or campus which is one contiguous commercial area of land which has many Cannabis related businesses grouped together. Each individual business would be clearly defined, which has a unique entrance and immovable physical barriers between uniquely licensed premises.

(I) CANNABIS CONCENTRATE - Cannabis that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product’s potency. Resin from granular trichomes from a Cannabis plant is a concentrate for purposes of this article. A Cannabis concentrate is not considered food, as defined by Cal. Health and Safety Code Section 109935, or drug, as defined by Cal. Health and Safety Code Section 109925.

(J) CANNABIS PRODUCT - A product containing Cannabis, including, but not limited to, manufactured Cannabis, - intended to be sold for use by Cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Cal. Health and Safety Code Section 11362.5 (as the same may be amended from time-to-time) or pursuant to the Adult Use of Cannabis Act. For purposes of this article, Cannabis does not include industrial hemp as defined by Cal. Food and Agricultural Code Section 81000, or Cal. Health and Safety Code Section 11018.5.

(K) CANNABIS PRODUCTS - The same meaning as in Cal. Health and Safety Code Section 11018.1.

(L) CANOPY - The designated area(s) at a licensed premise, except nurseries that will contain mature plants at any point in time.

(1) Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all areas(s) that will contain mature plants at any point in time, including all of the

space(s) within the boundaries; and

(2) Canopy may be non contiguous but each unique area included in the total canopy calculation shall be separated by an identifiable boundary which include, but are not limited to: interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedgerows, fencing, garden beds or garden plots; and

(3) If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total Canopy calculation.

(M) CAREGIVER or PRIMARY CAREGIVER - The same meaning as that term is defined in Cal. Health and Safety Code Section 11362.7.

(N) CHILD RESISTANT - Designed or constructed to be significantly difficult for children under five years of age to open, and not difficult for normal adults to use properly.

(O) CITY - The City of Oxnard including the area within the territorial city limits of the city and such territory outside of the city over which the city council has jurisdiction or control by virtue of any provision of law.

(P) COMMERCIAL CANNABIS ACTIVITY - Includes the possession, Manufacture, Distribution, Processing, storing, Sale, laboratory testing, packaging, Labeling or transportation of Cannabis and Cannabis Products as provided for in this division.

(Q) COMMERCIAL CANNABIS BUSINESS - Any business or operation which engages in medicinal or adult-use Commercial Cannabis Activity.

(R) COMMERCIAL CANNABIS BUSINESS PERMIT - A regulatory permit issued by the city pursuant to this article to a Commercial Cannabis Business and is required before any Commercial Cannabis Activity may be conducted in the city. The initial permit and annual renewal of a Commercial Cannabis Business Permit is made expressly contingent upon the business's ongoing compliance with all of the requirements of this article and any regulations adopted by the city governing the Commercial Cannabis Activity at issue.

(S) CULTIVATION - Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of Cannabis.

(T) CULTIVATION SITE - A location where Cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.

(U) CUSTOMER - A natural person 21 years of age or over, or a natural person 18 years of age or older who possesses a physician's recommendation or a medical marijuana identification card.

(V) DAY CARE CENTER - The same meaning as in Cal. Health and Safety Code Section 1596.76.

(W) DELIVERY - The commercial transfer of Cannabis or Cannabis Products to a Customer. Delivery also includes the use by a retailer of any technology platform owned and controlled by the Retailer.

(X) DIRECTOR - The director of the California Department of Consumer Affairs. .

(Y) DISTRIBUTION - The procurement, sale, and transport of Cannabis and Cannabis Products between licensees.

(Z) DISTRIBUTOR - A person holding a valid Commercial Cannabis Business Permit for Distribution issued by the city, and, a valid state license for Distribution, required by state law to engage in the business of purchasing Cannabis from a licensed cultivator, or Cannabis Products from a licensed Manufacturer, for sale to a licensed Retailer.

(AA) DRIED FLOWER - All dead Cannabis that has been harvested, dried, cured, or otherwise processed, excluding leaves and stems.

(BB) **EDIBLE CANNABIS PRODUCT** - Cannabis Product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Cal. Food and Agricultural Code Division 15 (commencing with Section 32501). An Edible Cannabis Product is not considered food, as defined by Cal. Health and Safety Code Section 109935, or a drug, as defined by Cal Health and Safety Code Section 109925.

(CC) **FUND** - The Cannabis Control Fund established pursuant to Cal. Bus. and Prof. Code Section 26210.

(DD) **GREENHOUSE** - A fully enclosed permanent structure that is clad in transparent material with climate control, such as heating and ventilation capabilities and supplemental artificial lighting, and that uses a combination of natural and supplemental lighting for Cultivation.

(EE) **KIND** - Applicable type or designation regarding a particular Cannabis variant or Cannabis Product type, including, but not limited to, strain name or other grower trademark, or growing area designation.

(FF) **LABELING** - Any label or other written, printed, or graphic matter upon a Cannabis Product, upon its container.

(GG) **LICENSE** - A state license issued by the state and includes both an A-license and an M-license, as well as a Testing Laboratory license.

(HH) **LICENSEE** - Any person holding a license under this article, regardless of whether the license held is an A-license or an M-license, and includes the holder of a Testing Laboratory license.

(II) **LICENSING AUTHORITY** - The city and/or state agency responsible for the issuance, renewal, or reinstatement of the license, or the city and/or state agency authorized to take disciplinary action against the licensee.

(JJ) **LIMITED-ACCESS AREA** - An area in which cannabis is stored or held and is only accessible to a licensee or permittee and authorized personnel.

(KK) **LIVE PLANTS** - Living Cannabis flowers and plants, including seeds, immature plants, and vegetative stage plants.

(LL) **LOCAL JURISDICTION** - A city, county or city and county.

(MM) **LOCAL EQUITY APPLICANT** – Applicant with at least forty percent (40%) Local Ownership. To remain a Local Equity Applicant, a minimum of 40% Local Ownership must be maintained for the entire period of time in which a Local Equity Applicant has a Commercial Cannabis Business Permit. If an applicant does not obtain a Commercial Cannabis Business Permit based upon the local equity status, then that applicant shall not be deemed a Local Equity Applicant.

(NN) **LOCAL OWNERSHIP** -- Ownership interest(s) held by one or more natural persons who are a resident within the city's corporate boundaries as of the date the application is submitted and who maintain local residency at all times while their ownership interest(s) are used for qualifying as a Local Equity Applicant for one or more Commercial Cannabis Business Permits. Factors used to determine local residency shall include (as applicable) but are not limited to the following: ownership or rental of dwelling unit within the city's corporate boundaries that is the primary residence; California driver's license with a residential address within the city's corporate boundaries that is the primary residence; voter registration at a residential address within the city's corporate boundaries that is the primary residence; residential address within the city's corporate boundaries used for filing state and federal income

tax returns that is the primary residence; and the natural person does not have a homestead exemption in any jurisdiction other than within the city's corporate boundaries. Local Ownership" is subject to ongoing verification under penalty of perjury.

(OO) LOT - A Batch or a specifically identified portion of a Batch.

(PP) M-LICENSE - A state license issued by the state for Commercial Cannabis Activity involving medicinal Cannabis.

(QQ) M-LICENSEE - Any person holding a license by the state for Commercial Cannabis Activity involving medicinal cannabis.

(RR) MANUFACTURE - To compound, blend, extract, infuse, or otherwise make or prepare a Cannabis Product.

(SS) MANUFACTURED CANNABIS - Raw Cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, extraction or other manufactured product intended for internal consumption through inhalation or oral ingestion or for topical application.

(TT) MANUFACTURER - A licensee that conducts the production, preparation, propagation, or compounding of Cannabis or Cannabis Products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages Cannabis or Cannabis Products or labels or container.

(UU) MANUFACTURING SITE - A location that produces, prepares, propagates, or compounds Cannabis or Cannabis Products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a person issued a valid Commercial Cannabis Business Permit for Manufacturing from the city and, a valid state license as required for Manufacturing of Cannabis Products.

(VV) MEDICINAL CANNABIS or MEDICINAL CANNABIS PRODUCT - Cannabis or a Cannabis Product, respectively, intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Cal. Health and Safety Code Section 11362.5, by a medicinal Cannabis patient in California who possesses a physician's recommendation.

(WW) NONVOLATILE SOLVENT - Any solvent used in the extraction process that is not a volatile solvent. For purposes of this article, a nonvolatile solvent includes carbon dioxide (CO₂) used for extraction and ethanol used for extraction or post-extraction processing.

(XX) NURSERY - A Licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically, for the propagation and Cultivation of Cannabis.

(YY) OPERATION - Any act for which a license is required under the provisions of this article, or any commercial transfer of Cannabis or Cannabis Products.

(ZZ) OWNER - Any of the following:

(1) A Person with an aggregate ownership interest of 20% or more in the Person applying for a license, Commercial Cannabis Business Permit or a Licensee, unless the interest is solely a security, lien, or encumbrance.

(2) The manager of a nonprofit or other entity.

(3) A member of the board of directors of a nonprofit.

(4) An individual who will be participating in the direction, control, or management of the business applying for a license, or who has a financial interest in the business other than a fixed lease of real property.

(AAA) PACKAGE - Any container or receptacle used for holding Cannabis or Cannabis

Products.

(BBB) PATIENT or QUALIFIED PATIENT - The same definition as Cal. Health and Safety Code Sections 11362.7 *et seq.*, as it may be amended, and which means a person who is entitled to the protections of Cal. Health and Safety Code Section 11362.5.10.

(CCC) PERSON - Includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

(DDD) PERSON WITH AN IDENTIFICATION CARD - The meaning given that term by Cal. Health and Safety Code Section 11362.7.

(EEE) PHYSICIAN'S RECOMMENDATION - A recommendation by a physician that a patient use Cannabis provided in accordance with the Compassionate Use Act of 1996 (Proposition 215), found at Cal. Health and Safety Code Section 11362.5.

(FFF) PREMISES - The designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or Licensee where the Commercial Cannabis Activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee unless the operator is granted a M-license and an A-license for the same type of activity and such operation is lawful under state and local laws, rules and regulations.

(GGG) PROCESSING - A Cultivation Site that conducts only trimming, drying, curing, grading, packaging, or labeling of Cannabis and nonmanufactured Cannabis Products.

(HHH) PURCHASER - The customer who is engaged in a transaction with a Licensee for purposes of obtaining cannabis or cannabis products.

(III) RETAILER - A Commercial Cannabis Business facility where Cannabis, Cannabis Products, or devices for the use of Cannabis or Cannabis Products are offered, either individually or in any combination, for retail Sale, including an establishment (whether fixed or mobile) that delivers, pursuant to express authorization, Cannabis and Cannabis Products as part of a retail sale, and where the operator holds a valid Commercial Cannabis Business Permit from the city authorizing the operation of a retailer, and a valid state license as required by state law to operate a retailer.

(JJJ) SELL, SALE, and TO SELL - Include any transaction whereby, for any consideration, title to Cannabis or Cannabis Products are transferred from one person to another, and includes the Delivery of Cannabis or Cannabis Products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of Cannabis or Cannabis Products by a Licensee to the licensee from whom the Cannabis or Cannabis Product was purchased.

(KKK) STATE LICENSE - A permit or license issued by the State of California, or one of its departments or divisions, under MAUCRSA and any subsequent State of California legislation regarding the same to engage in Commercial Cannabis Activity.

(LLL) TESTING LABORATORY - A laboratory, facility, or entity in the state that offers or performs tests of Cannabis or Cannabis Products and that is both of the following:

(1) Accredited by an accrediting body that is independent from all other persons involved in Commercial Cannabis Activity in the state.

(2) Licensed by the State of California.

(MMM) TOPICAL CANNABIS - A product intended for external application and/or absorption through the skin. A topical Cannabis Product is not considered a drug as defined by Cal. Health and Safety Code Section 109925.

(NNN) **TRANSPORT** - The transfer of Cannabis Products from the permitted business location of one Licensee to the permitted business location of another Licensee, for the purposes of conducting Commercial Cannabis Activity authorized by MAUCRSA which may be amended or repealed by any subsequent State of California legislation regarding the same.

(OOO) **UNIQUE IDENTIFIER** - An alphanumeric code or designation used for reference to a specific plant on a licensed premises and any Cannabis or Cannabis Product derived or manufactured from that plant.

(PPP) **VOLATILE SOLVENT** - Any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

(QQQ) **YOUTH CENTER** - Any public or private facility that is primarily used to host recreation or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades where ten or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business, or similar amusement park facilities. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any similar facility located on a public or private school grounds, or on city, county or state parks. This definition shall not include any private martial arts, yoga, ballet, music, art studio or similar studio of this nature nor shall it include any private gym, athletic training facility, pizza parlor, dentist office, doctor's office primarily serving children or a location which is primarily utilized as an administrative office or facility for youth programs or organizations.

SEC. 11-455. CANNABIS EMPLOYEE PERMIT REQUIRED.

A request for a cannabis employee permit will only be initiated after securing a favorable recommendation for a Commercial Cannabis Business Permit. If an Owner has employees at the time of submittal of the Commercial Cannabis Business Permit application, a request for a cannabis employee permit can be initiated in advance of issuance of a discretionary land use permit.

(A) Any person who is an employee or who otherwise works within a Commercial Cannabis Business must be legally authorized to do so under applicable state law.

(B) Any person who is an employee or who otherwise works within a Commercial Cannabis Business must obtain a commercial cannabis employee work permit from the city prior to performing any work at any Commercial Cannabis Business.

(C) Applications for a commercial cannabis employee work permit shall be developed, made available, and processed by the city manager or his or her designee(s), and shall include, but not be limited to, the following information:

- (1) Name, address, and phone number of the applicant;
- (2) Age and verification of applicant. A copy of a birth certificate, driver's license, government issued identification card, passport or other proof that the applicant is at least 21 years of age must be submitted with the application;
- (3) Name, address of the Commercial Cannabis Business where the person will be employed, and the name of the primary manager of that business;
- (4) A list of any crimes enumerated in Cal. Bus. and Prof. Code Section 26057(b)(4) for

which the applicant or employee has been convicted;

(5) Name, address, and contact person for any previous employers from which the applicant was fired, resigned, or asked to leave and the reasons for such dismissal or firing;

(6) The application shall be accompanied by fingerprints and a recent photograph of the applicant in a form and manner as required by the city manager or his or her designee(s);

(7) A statement signed under penalty of perjury that the information provided is true and correct;

(8) If applicable, verification that the applicant is a qualified patient or primary caregiver;

(9) A fee paid in an amount set by resolution of the city council in an amount necessary to cover the costs of administering the employee work permit programs. The fee is non-refundable and shall not be returned in the event the work permit is denied or revoked.

(D) (1) The applicable city department head or his or her designee(s) shall review the application for completeness, shall conduct a background check to determine whether the applicant was convicted of a crime or left a previous employer for reasons that show the applicant:

(a) Has been convicted of a crime involving dishonesty, fraud or deceit, including but not limited to fraud, forgery, theft, or embezzlement as those offenses are defined in Cal. Penal Code Sections 186.11, 470, 484, and 504a; or

(b) Has committed a felony or misdemeanor involving fraud, deceit, or embezzlement; or

(c) Was convicted of a violent felony, a crime of moral turpitude; or

(d) The illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, except for cannabis related offenses for which the conviction occurred after the passage of the Compassionate Use Act of 1996.

(2) Discovery of these facts showing that the applicant is dishonest or has been convicted of the requisite crimes are grounds for denial of the permit. Where the applicant's sentence (including any term of probation, incarceration, or supervised release) for possession of, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance is completed, such underlying conviction shall not be the sole ground for denial of a commercial cannabis employee work permit. Furthermore, an applicant shall not be denied a permit if the denial is based solely on any of the following: (i) a conviction for any crime listed in subsection (D)(1)(d) above for which the applicant has obtained a certificate of rehabilitation pursuant to Cal. Penal Code, Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3, or (ii) a conviction that was subsequently dismissed pursuant to Cal. Penal Code Sections 1203.4, 1203.4a, or 1203.41 or any other provision of state law allowing for dismissal of a conviction.

(E) The applicable department head or his or her designee(s) shall issue the commercial cannabis employee permit or a written denial to the applicant within 30 days of the date the application was deemed complete. In the event the cannabis employee work permit cannot be issued within this time period, then the city manager or his or her designee(s) may issue a temporary work permit for an employee upon completing a preliminary background check and if the business can demonstrate to the city manager or his or her designee(s) that the employee is necessary for the operation of the business. The temporary permit may be immediately revoked by the city manager or his or her designee(s) upon determination that the applicant has failed the background check or upon the issuance of the permanent work permit.

(F) An employee work permit shall be valid for a 12-month period and must be renewed on an annual basis. Renewal applications shall contain all the information required in subsection (C)

above including the payment of a renewal application fee in an amount to be set by resolution of the city council.

(G) In the event a person changes employment from one Commercial Cannabis Business in the city to another, the work permit holder shall notify the applicable department head or his or her designee(s) in writing of the change within ten days, or the work permit shall be suspended or revoked, and such person shall not be permitted to work at any Commercial Cannabis Business in the city.

(H) The city may immediately revoke the commercial cannabis employee permit should the permit holder be convicted of a crime listed in subsection (D) above or if facts become known to the city that the permit holder has engaged in activities showing that he or she has been convicted of a crime involving dishonesty.

(I) The city manager or his or her designee(s) is hereby authorized to promulgate all regulations necessary to implement the work permit process and requirements.

(J) The applicant may appeal the denial or revocation of a commercial cannabis employee permit by filing a notice of appeal with the city clerk within ten days of the date the applicant received the notice of denial. The city manager or his/her designee shall hear such appeal and his/her decision shall be final and not subject to further appeals.

(K) The applicable city department head or his or her designee(s) shall issue a permit in the form of a personal identification card that can be worn in a prominent and visible location. The identification card shall be maintained in good and readable condition at all times.

SEC. 11-456. MAXIMUM NUMBER AND TYPE OF AUTHORIZED COMMERCIAL CANNABIS BUSINESSES PERMITTED.

(A) The number of each type of Commercial Cannabis Business that shall be permitted to operate in the city at any one time shall be as follows:

(1) Cannabis manufacturing - Maximum of eight at any one time, with up to three permits issued to Local Equity Applicants.

(2) Cannabis testing lab - Maximum of one at any one time.

(3) Cannabis distributor - Maximum of three at any one time, with up to one permit issued to a Local Equity Applicant.

(4) Cannabis retail - Maximum of 16 at any one time, with up to three permits issued to Local Equity Applicants.

(B) This section is only intended to create a maximum number of Commercial Cannabis Businesses that may be issued permits to operate in the city under each category. Nothing in this article creates a mandate that the city council must issue any or all of the Commercial Cannabis Business Permits.

(C) Each year following the city manager's initial award of Commercial Cannabis Business Permits, if any, or at any time at the city council's discretion, the city council may reassess the number of Commercial Cannabis Business Permits which are authorized for issuance. The city council, at its discretion, may determine that the number of Commercial Cannabis Business Permits should remain the same or be expanded.

SEC. 11-457. COMMERCIAL CANNABIS BUSINESS PERMIT; APPLICATION PROCEDURE.

(A) The city manager or his or her designee shall adopt procedures to govern the application process, and the manner in which the decision will ultimately be made regarding the issuance of any Commercial Cannabis Business Permit(s), which shall include or require the city manager to provide detailed objective review criteria to be evaluated on a point system or equivalent quantitative evaluation scale tied to each set of review criteria (“review criteria”). The city manager or his or her designee(s) shall be authorized to prepare the necessary forms, adopt any necessary rules to the application, regulations and processes, solicit applications, and conduct initial evaluations of the applicants.

(B) At the time of filing, each applicant shall pay an application fee established by resolution of the city council, to cover all costs incurred by the city in the application process.

(C) After the initial review, ranking, and scoring under the review criteria, the city manager or his or her designee(s) will make a final determination in accordance with this section and shall either deny or approve the final candidates and shall select the top candidates in each category of the Commercial Cannabis Businesses. Notwithstanding anything in this article to the contrary, the city manager’s decision as to the selection of the prevailing candidates shall be final and shall not be subject to appeal.

(D) Official issuance of the Commercial Cannabis Business Permit(s) is conditioned upon the prevailing candidate(s) obtaining all required land use approvals. Following the city manager’s selection of the Person who shall be issued a Commercial Cannabis Business Permit, the prevailing candidate(s) shall apply to the city’s Community Development Department to obtain required land use approvals or entitlements for the permittee’s location and use approvals shall include compliance with all applicable provisions of the California Environmental Quality Act. The community development director shall formally issue the Commercial Cannabis Business Permit(s) once the community development director or his or her designee(s) affirms that all of the required land use approvals have been obtained and all required conditions of approval have been complied with.

(E) Issuance of a Commercial Cannabis Business Permit does not create a land use entitlement. The Commercial Cannabis Business Permit shall only be for a term of 12 months and shall expire at the end of the 12-month period unless it is renewed as provided herein. Furthermore, no permittee may begin operations, notwithstanding the issuance of a Commercial Cannabis Business Permit, unless all of the state and local laws and regulations, including but not limited to the requirements of this article and of the permit, have been complied with.

(F) Notwithstanding anything in this article to the contrary, the city manager reserves the right to reject any or all applications if the city manager determines it would be in the best interest of the city, taking into account any health, safety and welfare impacts on the community. Applicants shall have no right to a Commercial Cannabis Business Permit until a permit is actually issued, and then only for the duration of the permit’s term. Each applicant assumes the risk that, at any time prior to the issuance of a permit, the city council may terminate or delay the program created under this article.

(G) If an application is denied, a new application may not be filed for one year from the date of the denial.

(H) Each person granted a Commercial Cannabis Business Permit shall be required to pay the permit fee established by resolution of the city council, to cover the costs of administering the Commercial Cannabis Business Permit program created in this article.

(I) *Preservation of rights.* The city reserves the right to reject any or all applications. Prior to permit issuance by the City Council, the city may also modify, postpone, or cancel any request

for applications, or the entire program under this article, at any time without liability, obligation, or commitment to any party, firm, or organization, to the extent permitted under state law. Persons submitting applications assume the risk that all or any part of the program, or any particular category of permit potentially authorized under this article, may be cancelled at any time prior to permit issuance. The city further reserves the right to request and obtain additional information from any candidate submitting an application. In addition to possible reject for failure to comply with other requirements in this article, an applicant also risks being rejected for any of the following reasons:

- (1) Proposal received after designated time and date.
- (2) Proposal not containing the required elements, exhibits, nor organized in the required format.
- (3) Proposal considered not fully responsive to the request for permit application.

SEC. 11-458. PERSONS PROHIBITED FROM HOLDING A LICENSE OR EMPLOYEE WORK PERMIT.

Any Person who has been issued any of the following actions or notices for non-compliance, shall be prohibited from holding a Commercial Cannabis Business Permit in the city, with such actions or notices also grounds for denial of a Commercial Cannabis Business Permit:

- (A) The applicant has been denied a license or has had a license suspended or revoked by any city, county, city and county or any other state cannabis licensing authority;
- (B) The applicant was notified that they were conducting Commercial Cannabis Activity in non-compliance with this chapter 11 or other city ordinances, codes or requirements in which they failed to discontinued operating in a timely manner;
- (C) Evidence that the applicant was in non-compliance of properly paying federal, state or local taxes and/or fees when notified by the appropriate agencies;
- (D) The applicant was conducting Commercial Cannabis Activity in the city in violation of local and state law;

SEC. 11-459. EXPIRATION OF COMMERCIAL CANNABIS BUSINESS PERMITS.

Each Commercial Cannabis Business Permit issued pursuant to this article shall expire 12 months after the date of its issuance. Commercial Cannabis Business Permits may be renewed as provided in section 11-461.

SEC. 11-460. REVOCATION OF PERMITS.

Commercial Cannabis Business Permits may be revoked for any violation of any law and/or any rule, regulation and/or standard adopted pursuant to any policy, procedure or regulation in this article.

SEC. 11-461. RENEWAL APPLICATIONS.

- (A) An application for renewal of a Commercial Cannabis Business Permit shall be filed at least 60 calendar days prior to the expiration date of the current permit.
- (B) The renewal application shall contain all the information required for new applications.

(C) The applicant shall pay a fee in an amount to be set by the city council to cover the costs of processing the renewal permit application, together with any costs incurred by the city to administer the program created under this article.

(D) An application for renewal of a Commercial Cannabis Business Permit may be rejected if any of the following exists:

(1) The application is filed less than 60 days before its expiration.

(2) The Commercial Cannabis Business permit is suspended or revoked at the time of the application.

(3) The Commercial Cannabis Business has not been in regular and continuous operation in the four months prior to the renewal application.

(4) The Commercial Cannabis Business has failed to conform to the requirements of this article, or of any regulations adopted pursuant to this article.

(5) The permittee fails or is unable to renew its State of California license.

(6) If the city or state has determined, based on substantial evidence, that the permittee or applicant is in violation of the requirements of this article, of the city ordinance, or of the state rules and regulations, and the city or state has determined that the violation is grounds for termination or revocation of the Commercial Cannabis Business Permit.

(E) The city manager or his/her designee(s) is authorized to make all decisions concerning the issuance of a renewal permit. In making the decision, the city manager or his or her designee(s) is authorized to impose additional conditions to a renewal permit if it is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety or welfare. Appeals from the decision of the city manager or his or her designee(s) shall be handled pursuant to Sections 11-464 to 11-465.

(F) If a renewal application is rejected, a person may file a new application pursuant to this article no sooner than one year from the date of the rejection.

SEC. 11-462. EFFECT OF STATE LICENSE SUSPENSION, REVOCATION, OR TERMINATION.

Suspension of a license issued by the state, or by any of its departments or divisions, shall immediately suspend the ability of a Commercial Cannabis Business to operate within the city, until the state, or its respective department or division, reinstates or reissues the state license. Should the state, or any of its departments or divisions, revoke or terminate the license of a Commercial Cannabis Business, such revocation or termination shall also revoke or terminate the ability of a Commercial Cannabis Business to operate within the city.

SEC. 11-463. APPEALS.

Unless specifically provided elsewhere to the contrary, whenever an appeal is specifically provided for in this article, the appeal shall be conducted as prescribed in this article.

SEC. 11-464. WRITTEN REQUEST FOR APPEAL.

(A) Within ten calendar days after the date of a decision of the city manager or his or her designee(s) to revoke, or suspend, or to add conditions to a permit, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the

decision was not proper.

(B) Within ten calendar days after the date of a decision of the Planning Commission pursuant to this article, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the decision was not proper.

(C) At the time of filing, the appellant shall pay the designated appeal fee in an amount, established by resolution of the city council.

SEC. 11-465. APPEAL HEARING.

(A) Upon receipt of the written appeal pursuant to Section 11-464, the city clerk shall set the matter for a hearing before the city council. The city council shall hear the matter de novo and shall conduct the hearing pursuant to the procedures set forth by the city.

(B) The appeal shall be held within a reasonable time after the filing the appeal, but in no event later than 90 days from the date of such filing. The city shall notify the appellant of the time and location at least ten days prior to the date of the hearing.

(C) At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing. The decision of the city council shall be final.

SEC. 11-466. APPEAL FROM DECISION OF COMMUNITY DEVELOPMENT DIRECTOR

(A) Within ten calendar days after the date of a decision of the community developer director pursuant to this article, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the decision was not proper. At the time of filing, the appellant shall pay the designated appeal fee, established by resolution of the city council.

(B) Upon receipt of the written appeal pursuant to subsection (A), the city clerk shall set the matter for a hearing before the Planning Commission. The Planning Commission shall hear the matter de novo and shall conduct the hearing pursuant to the procedures set forth by the city. The appeal shall be held within a reasonable time after the filing the appeal, but in no event later than 90 days from the date of such filing. The city shall notify the appellant of the time and location at least ten days prior to the date of the hearing.

(C) At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing. The decision of the Planning Commission shall be final.

SEC. 11-467. CHANGE IN LOCATION; UPDATED REGISTRATION FORM.

Any time the location of the Commercial Cannabis Business or retailer specified in the regulatory permit is proposed to be changed, the applicant shall be required to first secure a new Commercial Cannabis Business Permit, and discretionary land use permit for the new location before moving to that location, with such approvals subject to terminating the Commercial Cannabis Business Permit at the existing location so there is no net increase in the number of Cannabis Business Permits issued within the City. The process and the fees shall be the same as for a new facility and in accordance with the regulations specified in this article. No proposed change in location shall be considered until such time as the original location has first been

opened for business for a minimum of one (1) year consistent with the requirement of the city's regulations.

SEC. 11-468. TRANSFER OF CANNABIS BUSINESS PERMIT.

(A) The holder of a Cannabis Business Permit shall not transfer ownership or control of the permit to another Person unless and until the transferee obtains an amendment to the permit from the city manager or his or her designee stating that the transferee is now the permittee. Such an amendment may be obtained only if the transferee files an application with the city manager or his or her designee in accordance with all provisions of this article (as though the transferee were applying for an original Cannabis Business Permit) accompanied by a transfer fee in an amount set by resolution of the city council (or if not set, shall be the same amount as the application fee), and the city manager or his or her designee determines, after hearing, in accordance with this section that the transferee passed the background check required for permittees and meets all other requirements of this article. The decision of the city manager is final.

(B) Commercial Cannabis Business Permits issued through the grant of a transfer by the city manager or his or her designee shall be valid for a period of one year beginning on the day the city manager or his or her designee approves the transfer of the permit. Before the transferee's permit expires, the transferee shall apply for a renewal permit in the manner required by this article.

(C) Changes in ownership of a permittee business structure or a substantial change in the ownership of a permittee business entity (i.e., changes that result in a cumulative change of more than 51% of the original ownership) must be approved by the city manager or his or her designee through the transfer process contained in subsection (A). Failure to comply with this provision is grounds for permit revocation.

(D) (1) A permittee may change the form of business entity without applying to the city manager or his or her designee for a transfer of permit, provided that either:

(a) The membership of the new business entity is substantially similar to original permit holder business entity (at least 51% of the membership is identical), or

(b) If the original permittee is an unincorporated association, mutual or public benefit corporation, agricultural or consumer cooperative corporation and subsequently transitions to or forms a new business entity as allowed under the MAUCRSA provided that the Board of Directors (or in the case of an unincorporated association, the individual(s) listed on the City permit application) of the original permittee entity are the same as the new business entity.

(2) Although a transfer is not required in these two circumstances, the permit holder is required to notify the city manager in writing of the change within ten days of the change. Failure to comply with this provision is grounds for permit revocation.

(E) No Commercial Cannabis Business Permit may be transferred when the city manager or his or her designee has notified the permittee that the permit has been or may be suspended or revoked.

(F) Any attempt to transfer a Commercial Cannabis Business Permit either directly or indirectly in violation of this section is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the permit.

(G) Notwithstanding any language in this section to the contrary, no transfer of a local equity ownership interest in a business that obtained its Commercial Cannabis Business Permit as a Local Equity Applicant shall be allowed if such proposed transfer would reduce the local equity

interest in the Commercial Cannabis Business to a level below that required for a Local Equity Applicant.

SEC. 11-469. CITY BUSINESS TAX CERTIFICATE.

Prior to commencing operations, a Commercial Cannabis Business shall obtain a City of Oxnard business tax certificate, pursuant to Article I.

SEC. 11-470. BUILDING PERMITS AND INSPECTION.

Prior to commencing operations, a Commercial Cannabis Business shall be subject to a mandatory building inspection and must obtain all required permits and approvals which would otherwise be required for any business of the same size and intensity operating in that zone. This includes but is not limited to obtaining any required building permit(s), the fire department approvals, health department approvals and other zoning and discretionary land use permit(s) and approvals.

SEC. 11-471. CERTIFICATION FROM THE COMMUNITY DEVELOPMENT DIRECTOR.

Prior to submittal of a Commercial Cannabis Business Permit application, a certification from the community development director or his or her designee(s) certifying that the business is located on a site that meets all of the requirements of chapter 16 and this article shall be obtained. A fee shall be established by city council resolution for submittal and processing of this certification.

SEC. 11-472. RIGHT TO OCCUPY AND TO USE PROPERTY.

(A) As a condition precedent to the city's issuance of a Commercial Cannabis Business Permit pursuant to this article, any person intending to open and to operate a Commercial Cannabis Business shall provide sufficient evidence of the legal right to occupy and to use the proposed location. In the event the proposed location will be leased from the property owner, the applicant shall be required to provide a signed and notarized statement from the owner of the property acknowledging that the property owner has read this article and consents to the operation of the Commercial Cannabis Business on the owner's property.

(B) The lease, sublease or other agreement to occupy the property must be at fair market value and not have any terms or conditions for the permittee to pay the property owner, commercial broker, or any third party a percentage of gross receipts, royalties, equity, or other unreasonable compensation as determined by the city. In addition, all leases, subleases, or other agreements must be based on a monthly rate.

SEC. 11-473. LOCATION AND DESIGN OF CANNABIS BUSINESSES.

Specific types of Commercial Cannabis Businesses are subject to the following zoning and locational requirements:

(A) All Cannabis manufacturing, testing, and distribution businesses have been conceptually identified on land use maps, with actual siting subject to land use siting criteria and buffer requirements stipulated in this article. Manufacturing, testing, and distribution facilities are conceptually permitted on property zoned limited manufacturing (ML), light manufacturing (M1), heavy industrial (M2), and business and research park (BRP), as well as auto sales and service, business park, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Manufacturing, testing, and/or distribution facilities may also be located in the following specific plan areas subject to relevant specific plan requirements: Northeast Community Specific Plan, Sakioka Farms, Camino Real Business Park, McInnes Ranch Business Park Specific Plan, and Northfield Seagate Business Park Specific Plan.

(B) All Cannabis retail dispensary businesses have been conceptually identified on land use maps, with actual siting subject to land use siting criteria and buffer requirements as stipulated in this subsection (B). Retailers are conceptually permitted in property zoned neighborhood shopping center (C-1), neighborhood shopping center planned development (C-1-PD), general commercial (C-2), general commercial planned development (C-2-PD), Coastal Neighborhood Commercial (CNC), and commercial planned development (CPD), business park, retail commercial, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Retail dispensaries may also be located in the following specific plan areas subject to relevant specific plan requirements: RiverPark - commercial office, commercial convention, and commercial regional; Sakioka Farms; and Camino Real Business Park.

(C) Compliance with any specific plan requirements.

(D) The property on which any Commercial Cannabis Business is located must also meet all of the following distance requirements:

(1) It shall be no closer than 600 feet of any of the following:

(a) Any school providing instruction in kindergarten or any grades 1 through 12, whether public, private, or charter, including pre-school, transitional kindergarten, and K-12.

(b) A commercial daycare center licensed by the city or county that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius.

(c) A youth center that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius.

(2) The distance specified in this subsection shall be the horizontal distance measured in a straight line from the property line of the identified use to the closest property line of the lot on which the cannabis use is located without regard to intervening structures.

(E) Each proposed Commercial Cannabis Business use shall:

(1) Conform with the city's general plan, any applicable specific plans, master plans, and design requirements.

(2) Comply with all applicable zoning, and specific plan requirements, and related development standards.

(3) Be constructed in a manner that minimizes odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties.

(4) Be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required for the development.

(5) Be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.

(6) Be provided with adequate electricity, sewerage, disposal, water, fire protection

(sprinkler and alarm; retrofit when determined necessary by the fire marshal) and storm drainage facilities for the intended purpose.

SEC. 11-474. LIMITATIONS ON CITY'S LIABILITY.

To the fullest extent permitted by law, the city shall not assume any liability whatsoever with respect to having issued a Commercial Cannabis Business Permit pursuant to this article or otherwise approving the operation of any Commercial Cannabis Business. As a condition to the approval of any Commercial Cannabis Business Permit, the applicant shall be required to meet all of the following conditions before they can receive the Commercial Cannabis Business Permit:

(A) They must execute an agreement, in a form approved by the city attorney, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the city and its officers, officials, employees, representatives, and agents harmless, from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to the city's issuance of the Commercial Cannabis Business Permit, the city's decision to approve the operation of the Commercial Cannabis Business or activity, the process used by the city in making its decision, or the alleged violation of any federal, state or local laws by the Commercial Cannabis Business or any of its officers, employees or agents.

(B) Maintain insurance at coverage limits, and with conditions thereon determined necessary and appropriate from time to time by the city manager.

(C) Reimburse the city for all costs and expenses, including but not limited to legal fees and costs and court costs, which the city may be required to pay as a result of any legal challenge related to the city's approval of the applicant's Commercial Cannabis Business Permit, or related to the city's approval of a Commercial Cannabis Activity. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve any of the obligations imposed hereunder.

SEC. 11-475. [RESERVED]

SEC. 11-476. RECORDS AND RECORDKEEPING.

(A) Each owner and operator of a Commercial Cannabis Business shall maintain accurate books and records in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis (at or before the time of the renewal of a Commercial Cannabis Business Permit issued pursuant to this article), or at any time upon reasonable request of the city, each Commercial Cannabis Business shall file a sworn statement detailing the number of sales by the Commercial Cannabis Business during the previous 12-month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid. On an annual basis, each owner and operator shall submit to the city a financial audit of the business's operations conducted by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the city manager or his or her designee(s).

(B) Each owner and operator of a Commercial Cannabis Business shall maintain a current register of the names and the contact information (including the name, address, and telephone

number) of anyone owning or holding an interest in the Commercial Cannabis Business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Business. The register required by this paragraph shall be provided to the city manager or his or her designee(s) upon a reasonable request.

(C) All Commercial Cannabis Businesses shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase as set forth MAUCRSA.

(D) Each Commercial Cannabis Business shall allow the city to have access to the businesses books, records, accounts, together with any other data or documents relevant to its permitted commercial cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than 24 hours after receipt of the city's request, unless otherwise stipulated by the city. The city may require the materials to be submitted in an electronic format that is compatible with the city's software and hardware.

SEC. 11-477. OPERATIONAL STANDARDS.

(A) A permitted Commercial Cannabis Business shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the Commercial Cannabis Business Except as may otherwise be determined by the city manager or his or her designee(s), these security measures shall include, but shall not be limited to, all of the following and are considered in addition to the best practices identified in the guidelines for issuance of a Cannabis Business Permit and/or conditions imposed as part of the discretionary land use permit approval:

- (1) Alarm system (perimeter, fire, and panic buttons).
- (2) Remote monitoring of alarm systems by licensed security professionals and first responders (Knox box, etc.).
- (3) Perimeter lighting systems (including motion sensors) for after-hours security.
- (4) Perimeter security and lighting as approved by the police chief, community development department or his or her designee.
- (5) Preventing individuals from remaining on the premises of the Commercial Cannabis Business if they are not engaging in an activity directly related to the permitted operations of the Commercial Cannabis Business.
- (6) Establishing limited access areas accessible only to authorized Commercial Cannabis Business personnel.
- (7) Plan for cash handling as relevant to manufacturing, testing, and distribution operations.
- (8) Except for live growing plants which are being cultivated at a cultivation facility, all Cannabis and Cannabis Products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.
- (9) Installing 24-hour security surveillance cameras of at least HD-quality to monitor all entrances and exits to and from the premises, all interior spaces within the Commercial Cannabis

Business which are open and accessible to the public, all interior spaces where cannabis, cash or currency, is being stored for any period of time on a regular basis and all interior spaces where diversion of cannabis could reasonably occur. All cameras shall record in color. All exterior cameras shall be in weatherproof enclosures, shall be located so as to minimize the possibility of vandalism, and shall have the capability to automatically switch to black and white in low light conditions. The Commercial Cannabis Business shall be responsible for ensuring that the security surveillance camera's footage is remotely accessible by the city manager or his or her designee(s), and that it is compatible with the city's software and hardware. In addition, remote and real-time, live access to the video footage from the cameras shall be provided to the city manager or his or her designee(s). Video recordings shall be maintained for a minimum of 90 days and shall be made available to the city manager or his or her designee(s) upon request. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the site of the Commercial Cannabis Business, and shall be capable of enlargement via projection or other means. Internet protocol address information shall be provided to the Oxnard police department by the Commercial Cannabis Business, to facilitate remote monitoring of security cameras by the department or its designee.

(10) Sensors shall be installed to detect entry and exit from all secure areas, and shall be monitored in real time by a security company licensed by the State of California Bureau of Security and Investigative Services.

(11) Panic buttons shall be installed in all Commercial Cannabis Businesses with direct notification to Oxnard police department dispatch, and shall be configured to immediately alert dispatch for the Oxnard police department.

(12) Having a professionally installed, maintained, and monitored real-time alarm system by a security company licensed by the State of California Bureau of Security and Investigative Services.

(13) Any bars installed on the windows or the doors of the Commercial Cannabis Business shall be installed only on the interior of the building.

(14) Security personnel shall monitor premises in accordance with a security plan as authorized by the city manager or his or her designee(s), and must have a verified response security patrol when closed. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the city manager or his or her designee(s), with such approval not to be unreasonably withheld. Firearms may be carried by security personnel while they are on duty if authorized by the police chief.

(15) Each Commercial Cannabis Business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

(16) Entrance areas are to be locked at all times and under the control of a designated responsible party that is either: (a) an employee of the Commercial Cannabis Business; or (b) a licensed security professional.

(17) Each Commercial Cannabis Business shall have an accounting software system in place to provide point of sale data as well as audit trails or both product and cash, where applicable.

(18) Each Commercial Cannabis Business shall demonstrate to the police chief, city manager or their designees compliance with the state's track and trace system for Cannabis and Cannabis Products, as soon as it is operational.

(19) Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.

(20) Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.

(B) Each Commercial Cannabis Business shall identify a designated security representative/liaison to the city, who shall be reasonably available to meet with the city manager or his or her designee(s) regarding any security related measures or and operational issues. The designated security representative/liaison shall, on behalf of the Commercial Cannabis Business, annually maintain a copy of the current security plan on the premises of the business, to present to the city manager or his or her designee upon request that meets the following requirements:

(1) Confirms that a designated manager will be on duty during business hours and will be responsible for monitoring the behavior of employees.

(2) Identifies all managers of the Commercial Cannabis Business and their contact phone numbers.

(3) Confirms that first aid supplies and operational fire extinguishers are located in the service areas and the manager's office.

(4) Confirms that burglar, fire, and panic alarms are operational and monitored by a licensed security company 24 hours a day, seven days a week, and provides contact information for each licensed security company.

(5) Identify a sufficient number of licensed, interior and exterior security personnel who will monitor individuals inside and outside the Commercial Cannabis Business, the parking lot, and any adjacent property under the business's control.

(6) Confirm that the licensed security personnel shall regularly monitor the parking lot and any adjacent property to ensure that these area are: (a) free of individuals loitering or causing a disturbance; (b) are cleared of employees and their vehicles one-half hour after closing.

(C) As part of the application and permitting process, each Commercial Cannabis Business shall have a storage and transportation plan, which describes in detail the procedures for safely and securely storing and transporting all cannabis, cannabis products, and any currency.

(D) The Commercial Cannabis Business shall cooperate with the city whenever the city manager or his or her designee(s) makes a request, without prior notice, to inspect or audit the effectiveness of any security plan or of any other requirement of this article. Prevention fire inspectors shall be allowed access to audit buildings for fire life safety concerns on a yearly basis or as determined necessary per the fire marshal.

(E) A Commercial Cannabis Business shall notify the city manager or his or her designee(s) within 24 hours after discovering any of the following:

(1) Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the city manager or his or her designee(s).

(2) Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Business or any agent or employee of the Commercial Cannabis Business.

(3) The loss or unauthorized alteration of records related to Cannabis, customers or employees or agents of the Commercial Cannabis Business.

(4) Any other breach of security.

(F) Compliance with the foregoing requirements shall be verified by the city manager or his or her designee prior to commencing business operations. The city manager or his or her designee may supplement these security requirements once operations begin, subject to review by the city manager if requested by the business owner.

SEC. 11-478. RESTRICTION ON ALCOHOL AND TOBACCO SALES.

(A) No person shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on or about the premises of the Commercial Cannabis Business.

(B) No person shall cause or permit the sale of tobacco products on or about the premises of the Commercial Cannabis Business.

SEC. 11-479. FEES AND CHARGES.

(A) No person may commence or continue any Commercial Cannabis Activity in the city without timely paying in full all fees and charges required for the operation of a Commercial Cannabis Activity. Fees and charges associated with the operation of a Commercial Cannabis Activity shall be established by resolution of the city council which may be amended from time to time.

(B) All Commercial Cannabis Businesses authorized to operate under this article shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, state and local law. Each Commercial Cannabis Business shall cooperate with the city with respect to any reasonable request to audit the Commercial Cannabis Business's books and records for the purpose of verifying compliance with this section, including but not limited to a verification of the amount of taxes required to be paid during any period.

(C) Prior to operating in the city and as a condition of issuance of a regulatory permit, the operator of each cannabis facility shall enter into an operational agreement with the city setting forth the terms and conditions under which the cannabis facility will operate that are in addition to the requirements of this article, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare.

SEC. 11-480. MISCELLANEOUS OPERATING REQUIREMENTS.

(A) Commercial Cannabis Businesses may operate only during the hours specified in the Commercial Cannabis Business Permit issued by the city and/or as determined within the discretionary land use permit.

(B) Restriction on consumption - Cannabis shall not be consumed by any employee on the premises of any Commercial Cannabis Business.

(C) No Cannabis or Cannabis Products or graphics depicting Cannabis or Cannabis Products shall be visible from the exterior of any property issued a Commercial Cannabis Business Permit, or on any of the vehicles owned or used as part of the Commercial Cannabis Business. No outdoor storage of Cannabis or Cannabis Products is permitted at any time.

(D) Reporting and tracking of product and of gross sales - Each Commercial Cannabis Business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the Commercial Cannabis Business including, but not limited to, such matters as Cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the city. The Commercial Cannabis Business shall ensure that such information is compatible with the city's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review.

Furthermore, any system selected must be approved and authorized by the city manager or his or her designee(s) prior to being used by the permittee.

(E) All Cannabis and Cannabis Products sold, distributed or manufactured shall be cultivated, manufactured, and transported by licensed facilities that maintain operations in full conformance with the state and local regulations.

(F) Emergency contact and emergency response plan - Each Commercial Cannabis Business shall provide the city manager or his or her designee(s) with the name, telephone number (both landline and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day. Each Commercial Cannabis Business must have a fire evacuation plans, and plan to address robberies and other emergencies. Said plan shall be reviewed and approved by the fire and police chiefs or designee.

(G) Signage and notices -

(1) In addition to the requirements otherwise set forth in this section, business identification signage for a Commercial Cannabis Business shall conform to the requirements of the city regulations, including, but not limited to, seeking the issuance of a city sign permit.

(2) No signs placed on the premises of a Commercial Cannabis Business shall obstruct any entrance or exit to the building or any window.

(3) Each entrance to a Commercial Cannabis Business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the Commercial Cannabis Business is prohibited.

(4) Business identification signage shall be limited to that needed for identification only and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No Commercial Cannabis Business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the Commercial Cannabis Business or elsewhere including, but not limited to, the public right-of-way.

(5) Signage shall not be directly illuminated, internally or externally. No banners, flags, billboards or other prohibited signs may be used at any time.

(H) Minors -

(1) Persons under the age of 21 years shall not be allowed on the premises of a Commercial Cannabis Business and shall not be allowed to serve as a driver for a mobile delivery service. It shall be unlawful and a violation of this article for any person to employ any person at a Commercial Cannabis Business who is not at least 21 years of age.

(2) The entrance to the Commercial Cannabis Business shall be clearly and legibly posted with a notice that no person under the age of 21 years of age is permitted to enter upon the premises of the Commercial Cannabis Business.

(I) Odor control - Odor control devices and techniques shall be incorporated in all Commercial Cannabis Businesses to ensure that odors from Cannabis are not detectable off-site. Commercial Cannabis Businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Commercial Cannabis Business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Commercial Cannabis Business. As such, Commercial Cannabis Businesses must install and maintain the following equipment, or any other equipment which the community development director or his

or her designee(s) determine is a more effective method or technology:

(1) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;

(2) An air system that creates negative air pressure between the Commercial Cannabis Businesses interior and exterior, so that the odors generated inside the Commercial Cannabis Business are not detectable on the outside of the Commercial Cannabis Business.

(J) Display of permit and city business tax certificate - The original copy of the Commercial Cannabis Business Permit issued by the city pursuant to this article and the city issued business license shall be posted inside the Commercial Cannabis Business in a location readily-visible to the public.

(K) Background check - Pursuant to Cal. Penal Code Sections 11105(b)(11) and 13300(b)(11), which authorizes city authorities to access state and local summary criminal history information for employment, licensing, or certification purposes; and authorizes access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation, every person listed as an owner, manager, supervisor, employee, contract employee or who otherwise works in a Commercial Cannabis Business must submit fingerprints and other information deemed necessary by the police chief or his or her designee(s) for a background check by the City of Oxnard police department. Pursuant to Cal. Penal Code Sections 11105(b)(11) and 13300(b)(11), which requires that there be a requirement or exclusion from employment, licensing or certification based on specific criminal conduct on the part of the subject of the record, no person shall be issued a permit to operate a Commercial Cannabis Business or a related work permit unless they have first cleared the background check, as determined by the police chief or his or her designee(s), as required by this section. A fee for the cost of the background investigation, which shall be the actual cost to the city to conduct the background investigation as it deems necessary and appropriate, shall be paid at the time the application for a Commercial Cannabis Business Permit is submitted.

(L) Loitering - The Owner and/or operator of a Commercial Cannabis Business shall prohibit loitering by persons outside the facility both on the premises and within 50 feet of the premises.

SEC. 11-481. OTHER OPERATIONAL REQUIREMENTS.

The city manager or his or her designee may develop other Commercial Cannabis Business operational requirements or regulations as are determined to be necessary to protect the public health, safety and welfare.

SEC. 11-482. OPERATING REQUIREMENTS FOR TESTING LABS.

(A) Testing Laboratories shall be required to conduct all testing in a manner pursuant to Cal. Bus. and Prof. Code Section 26100 and shall be subject to state and local law. Each Testing Laboratory shall be subject to additional regulations as determined from time to time as more regulations are developed under this article and any subsequent state legislation regarding the same.

(B) Testing Laboratories shall conduct all testing in a manner consistent with general requirements for the competence of testing and calibrations activities, including sampling using

verified methods.

(C) All Cannabis Testing Laboratories performing testing shall obtain and maintain ISO/IEC 17025 accreditation as required by the Bureau of Cannabis Control.

(D) Testing Laboratories shall destroy any harvest batch whose testing sample indicates noncompliance with health and safety standards required by the Bureau of Cannabis Control unless remedial measures can bring the cannabis or cannabis products into compliance with quality standards as specified by law and implemented by the Bureau of Cannabis Control.

(E) Each operator shall ensure that a Testing Laboratory employee takes the sample of Cannabis or Cannabis Products from the distributor's premises for testing required by state law and that the Testing Laboratory employee transports the sample to the Testing Laboratory.

(F) Except as provided by state law, a Testing Laboratory shall not acquire or receive Cannabis or Cannabis Products except from a licensee in accordance with state law, and shall not distribute, sell, or dispense Cannabis, or Cannabis Products, from the licensed premises from which the Cannabis or Cannabis Products were acquired or received. All transfer or transportation shall be performed pursuant to a specified chain of custody protocol.

(G) A Testing Laboratory may receive and test samples of Cannabis or Cannabis Products from a qualified patient or primary caregiver only if the qualified patient or primary caregiver presents the qualified patient's valid physician's recommendation for Cannabis for medicinal purpose. A Testing Laboratory shall not certify samples from a qualified patient or primary caregiver for resale or transfer to another party or licensee. All tests performed by a testing laboratory for a qualified patient or primary caregiver shall be recorded with the name of the qualified patient or primary caregiver and the amount of the Cannabis or Cannabis Products received.

(H) Approval of Testing Laboratories shall be through approval of a development design review (DDR) permit to be issued by the community development director of the city. The appeal of the approval or denial of such permit shall be to the Planning Commission pursuant to Section 11-466.

SEC. 11-483. OPERATING REQUIREMENTS FOR DISTRIBUTORS.

(A) A Distributor shall not store non-cannabis goods or non-cannabis accessories that are to be sold to another party on any licensed premises. Additionally, a Distributor shall not distribute non-cannabis goods or non-cannabis accessories at a licensed premises. For the purposes of this section, non-cannabis goods are any goods that do not meet the definition of cannabis goods as defined in Title 16, Cal. Code of Regulations, Section 5000.

(B) After taking physical possession of a Cannabis goods batch, the Distributor shall contact a Testing Laboratory and arrange for a laboratory employee to come to the Distributor's licensed premises to select a representative sample for laboratory testing.

(C) A Distributor shall ensure that all Cannabis goods batches are stored separately and distinctly from other Cannabis goods batches on the Distributor's premises.

(D) The Distributor shall ensure that the batch size from which the sample is taken meets the requirements of state law, specifically the testing provisions within the California Code of Regulations.

(E) A Distributor or an employee of the Distributor shall be physically present to observe the laboratory employee obtain the sample of Cannabis goods for testing and shall ensure that the increments are taken from throughout the batch. The sampling shall be video-recorded and the

recording kept available to state and local authorities for a minimum of 180 days, pursuant to Title 16, Cal. Code of Regulations, Section 5305.

(F) A Distributor shall not transport Cannabis or Cannabis Products to a licensed retail facility until and unless it has verified that the Cannabis or Cannabis Products have been tested and certified by a Testing Laboratory as being in compliance with state health and safety requirements pursuant to Title 16, Cal. Code of Regulations, Sections 5705, 5710 and 5714.

(G) Approving of Distributor shall be through the approval of a development design review (DDR) permit to be issued by the community development director of the City of Oxnard. The appeal of the approval or denial of such permit shall be to the Planning Commission pursuant to Section 11-466.

SEC. 11-484. OPERATING REQUIREMENTS FOR CANNABIS MANUFACTURING: EDIBLES AND OTHER CANNABIS PRODUCTS; SALE OR DISTRIBUTION OF EDIBLE AND OTHER CANNABIS PRODUCTS.

(A) Cannabis manufacturing facilities requiring a type-6, type-7, type S, or any subsequent created Manufacturing state license (using non-volatile and volatile solvents) as defined in MAUCRSA, may be permitted to operate within those zone districts as defined in the city code.

(B) Any compressed gases used in the manufacturing process shall not be stored on any property within the city in containers that exceeds the amount which is approved by the Oxnard fire department and authorized by the regulatory permit. Each site or parcel subject to a Commercial Cannabis Business Permit shall be limited to a total number of compressed gas tanks allowed on the property at any one time, as determined by the Oxnard fire department.

(C) Cannabis Manufacturing facilities may use the hydrocarbons N-butane, isobutane, ethanol, propane, or heptane or other solvents or gases exhibiting low to minimal potential human-related toxicity approved by the community development department. These solvents must be of at least 99% purity and any extraction process must use them in a professional grade closed loop extraction system designed to recover the solvents and work in an environment with proper ventilation, controlling all sources of ignition where a flammable atmosphere is or may be present.

(D) If an extraction process uses a professional grade closed loop CO₂ gas extraction system every vessel must be certified by the manufacturer for its safe use. The CO₂ must be of at least 99% purity.

(E) Closed loop systems for compressed gas extraction systems must be used and must be commercially manufactured and bear a permanently affixed and visible serial number.

(F) Certification from an engineer licensed by the state, or from a state certified professional engineer or state certified industrial hygienist from another state, must be provided to the community development department for a professional grade closed loop system used by any commercial cannabis manufacturing manufacturer to certify that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices, including but not limited to:

- (1) The American Society of Mechanical Engineers (ASME);
- (2) American National Standards Institute (ANSI);
- (3) Underwriters Laboratories (UL); or
- (4) The American Society for Testing and Materials (ASTM).

(G) The certification document must contain the signature and stamp of the professional

engineer and serial number of the extraction unit being certified.

(H) Professional closed loop systems, other equipment used, the extraction operation, and facilities must be approved for their use by the Oxnard fire department and meet any required fire, safety, and building code requirements specified in the California Building Reference Codes.

(I) Cannabis Manufacturing facilities may use heat, screens, presses, steam distillation, ice water, and other methods without employing solvents or gases to create keef, hashish, bubble hash, or infused dairy butter, or oils or fats derived from natural sources, and other extracts.

(J) Cannabis Manufacturing facilities may use food grade glycerin, ethanol, and propylene glycol solvents to create or refine extracts. Ethanol should be removed from the extract in a manner to recapture the solvent and ensure that it is not vented into the atmosphere.

(K) Cannabis Manufacturing facilities creating Cannabis extracts must develop standard operating procedures, good manufacturing practices, and a training plan prior to producing extracts for the marketplace.

(L) Any person using solvents or gases in a closed looped system to create cannabis extracts must be fully trained on how to use the system, have direct access to applicable material safety data sheets and handle and store the solvents and gases safely.

(M) Parts per million for one gram of finished extract cannot exceed state standards for any residual solvent or gas when quality assurance tested.

(N) Approval of manufacturing facilities shall be through approval of a development design review (DDR) permit to be issued by the community development director of the city. The appeal of the approval or denial of such permit shall be to the Planning Commission pursuant to Section 11-466.

SEC. 11-485. OPERATING REQUIREMENTS FOR STORE FRONT/RETAIL FACILITIES.

(A) No more than the number of cannabis retailers authorized by section 11-456 shall operate within the city at any one time.

(B) Approval of retail dispensaries shall be through approval of a special use permit to be issued by the Planning Commission. The appeal of the approval or denial of such special use permit shall be to the City Council pursuant to Sections 14-464 and 11-465.

(C) Retailers shall verify the age and all necessary documentation of each individual to ensure the customer is not under the age of 18 years. If the potential customer is 18 to 20 years old, retailer shall confirm the customer's possession of a valid doctor's recommendation and state-issued medical marijuana card. Persons 18 to 20 years old who are unable to produce either form of medical documentation cannot purchase cannabis legally and are to be denied admittance to the retail facility. For adult-use purchases, retailers shall verify that all customers are 21 years of age or older for the purchase of Cannabis or Cannabis Products.

(D) Entrances into the retailer shall be locked at all times with entry strictly controlled. A "buzz-in" electronic/mechanical entry system shall be utilized to limit access to and entry to the retail area to separate it from the reception/lobby area. Individuals must show their government-issued identification, and, in the case of medical cannabis facilities, their physician's recommendation, or a cannabis card issued pursuant to Cal. Health and Safety Code Section 11362.71 in order to gain access into the retailer. The government-issued identification and, if applicable, doctor's recommendation or cannabis card must also be shown at the point of sale

station at the time of purchase. Doctor recommendations are not to be obtained or provided at the retail location.

(E) Uniformed licensed security personnel shall be employed to monitor site activity, control loitering and site access, and to serve as a visual deterrent to unlawful activities. Security personnel may be allowed to carry firearms if authorized by the police chief.

(F) Retailers may have only that quantity of Cannabis and Cannabis Products to meet the daily demand readily available for sale on-site in the retail sales area of the retailer. Additional product may be stored in a secured, locked area to which customers, vendors, and visitors shall not have access.

(G) All restroom facilities shall remain locked and under the control of management.

(H) Retailers authorized to conduct retail activities shall only serve customers who are within the licensed premises, or at a delivery address that meets the requirements of this subsection.

(1) The sale and delivery of Cannabis goods shall not occur through a pass-through window or a slide-out tray to the exterior of the premises.

(2) Retailers shall not operate as or with a drive-in or drive-through at which Cannabis goods are sold to persons within or about a motor vehicle.

(3) No Cannabis shall be sold and/or delivered by any means or method to any person within a motor vehicle.

(4) All Cannabis goods sold by a Retailer shall be contained in child-resistant packaging.

(5) Retailers shall record point-of-sale areas and areas where Cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling Cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.

(6) A retail licensee who is engaged in retail sale shall hire or contract for security personnel who are at least 21 years of age to provide security services for the licensed retail premises. All security personnel hired or contracted for by the licensee shall be licensed by the Bureau of Security and Investigative Services and shall comply with Cal. Bus. and Prof. Code Chapters 11.4 and 11.5 of Division 3.

(I) Access to retailer premises -

(1) Access to the premises of a retail licensee/permittee shall be limited to individuals who are at least 21 years of age.

(2) Notwithstanding subsection (I)(1) above, individuals who are at least 18 years of age and in possession of a valid physician's recommendation or state-issued medical marijuana card shall be granted access to the premises of a retail licensee/permittee for the sole purpose of purchasing medicinal cannabis consistent with the physician's recommendation.

(J) Authorized sales - A retailer shall only sell adult-use Cannabis and adult-use Cannabis Products to individuals who are at least 21 years of age. A retailer shall only sell medicinal Cannabis or medicinal Cannabis Products to individuals who are at least 18 years of age, but not yet 21, if those individuals are in possession of a valid physician's recommendation. Medicinal cannabis sales to individuals 21 years of age and older are unrestricted.

(K) Limited access areas - A retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas. Authorized individuals include individuals employed by the retailer as well as any outside vendors, contractors, or other individuals conducting business that requires access to the limited access area. All individuals granted access to the limited access area shall be at least 21 years of age, and if not employed by the retailer, shall be escorted at all times by an employee of the licensee/permittee. A retailer

shall maintain a log of all individuals who are not employees who are granted access to the limited access area. These logs shall be made available to the police chief or the development services director upon request.

(L) Operating hours of the store front retailer license shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week or a reduced duration as stipulated through the discretionary land use permit.

(M) Parking requirements shall be in accordance with the Oxnard City Code - 1 parking space per 250 square feet or as stipulated in a city traffic engineer approved parking study.

(N) *Store front/retail security requirements.* All security measures required by section 11-477 (operational standards) are directly applicable to and binding on all Commercial Cannabis Businesses, including all Retailers.

SEC. 11-486. OPERATING REQUIREMENTS FOR RETAILERS (A) Retailers that provide delivery are required to verify the age and the necessary documentation of each medical customer to ensure the customer is not under the age of 18 years, and to verify that the potential customer has a valid doctor's recommendation. Doctor recommendations are not to be obtained or provided at the retail location. The age verification requirement applies to both the customer and any person accepting delivery on behalf of the customer. If the latter, the individual must be at least 21 years of age.

(B) Operating hours of the non-store front Retailer shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week or a reduced duration as stipulated through the discretionary land use permit.

(C) The non-store front Retailer shall only sell cannabis or cannabis products to a natural person 21 years of age or older, or a natural person 18 years of age or older who possesses a physician's recommendation for cannabis medical use only, or a cannabis card issued pursuant to Cal. Health and Safety Code Section 11362.71.

(D) The non-store front Retailer may only have on-site that quantity of Cannabis and Cannabis Products reasonably anticipated to meet the weekly demand for which they may need to be readily available for sale.

SEC. 11-487. NON-STORE FRONT RETAILER VEHICLE REQUIREMENTS.

Prior to commencing operations, a non-store front Retailer shall provide the following information to the city.

(A) Proof of ownership of the vehicle or a valid lease for any and all vehicles that will be used to deliver Cannabis or Cannabis Products.

(B) The year, make, model, color, license plate number, and vehicle identification number (VIN) for any and all vehicles that will be used to deliver Cannabis or Cannabis Products.

(C) Proof of insurance as required in section 11-474(B) for any and all vehicles being used to deliver Cannabis or Cannabis Products.

(D) The licensee shall provide the city with the information required by this section in writing for any new vehicle that will be used to deliver Cannabis and/or Cannabis Products prior to using the vehicle to deliver Cannabis and/or Cannabis Products.

(E) The Commercial Cannabis Business shall provide the city with any changes to the information required by this section in writing within 30 calendar days.

SEC. 11-488. PROMULGATION OF REGULATIONS, STANDARDS AND OTHER LEGAL DUTIES.

(A) In addition to any regulations adopted by the city council, the city manager or his or her designee is authorized to establish any additional rules, regulations and standards governing the issuance, denial or renewal of Commercial Cannabis Business Permits, the ongoing operation of Commercial Cannabis Businesses and the city's oversight, or concerning any other subject determined to be necessary to carry out the purposes of this article.

(B) Regulations shall be published on the city's website.

(C) Regulations promulgated by the city manager shall become effective upon date of publication. Commercial Cannabis Businesses shall be required to comply with all state and local laws and regulations, including but not limited to any rules, regulations or standards adopted by the city manager or his or her designee.

(D) Testing Laboratories, distribution facilities and special events shall be subject to state law and shall be subject to additional regulations as determined from time to time as more regulations are developed pursuant to this section and any subsequent state legislation regarding the same.

SEC. 11-489. COMMUNITY RELATIONS.

(A) Each Commercial Cannabis Business shall provide the name, telephone number, and email address of a community relations contact to whom notice of problems associated with the Commercial Cannabis Business can be provided. Each Commercial Cannabis Business shall also provide the above information to all businesses and residences located within 600 feet of the Commercial Cannabis Business.

(B) During the first year of operation pursuant to this article, the Owner, manager, and community relations representative from each Commercial Cannabis Business holding a permit issued pursuant to this article shall attend quarterly meetings with the city manager or his or her designee(s), and other interested parties as deemed appropriate by the city manager or his or her designee(s), to discuss costs, benefits, and other community issues arising as a result of implementation of this article. After the first year of operation, the Owner, manager, and community relations representative from each such Commercial Cannabis Business shall meet with the city manager or his or her designee(s) when and as requested by the city manager or his or her designee(s).

(C) Commercial Cannabis Businesses to which a permit is issued pursuant to this article shall describe benefits that the cannabis business would provide to the local community, such as community contributions, volunteer services and/or economic incentives.

SEC. 11-490. PERMIT HOLDER RESPONSIBLE FOR VIOLATIONS.

The person to whom a Commercial Cannabis Business Permit is issued pursuant to this article shall be responsible for all violations of the laws of the state or of the regulations and/or the ordinances of the city whether committed by the permittee or any employee or agent of the permittee, which violations occur in or about the premises of the Commercial Cannabis Business whether or not said violations occur within the permit holder's presence.

SEC. 11-491. INSPECTION AND ENFORCEMENT.

(A) The city manager, or his or her designee(s) charged with enforcing the provisions of the city code, or any provision thereof, may enter the location of a Commercial Cannabis Business at any time, without notice, and inspect the location of any Commercial Cannabis Business as well as any recordings and records required to be maintained pursuant to this article or under applicable provisions of state law.

(B) It is unlawful for any person having responsibility over the operation of a Commercial Cannabis Business, to impede, obstruct, interfere with, or otherwise not to allow, the city to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a Commercial Cannabis Business under this article or under state or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a Commercial Cannabis Business under this article or under state or local law.

(C) The city manager, or his or her designee(s) charged with enforcing the provisions of this article may enter the location of a Commercial Cannabis Business at any time during the hours of operation and without notice to obtain samples of the cannabis to test for public safety purposes. Any samples obtained by the City of Oxnard shall be logged, recorded, and maintained in accordance with established procedures by the City of Oxnard city manager or these regulations.

SEC. 11-492. COMPLIANCE WITH STATE REGULATIONS.

It is the stated intent of this article to regulate commercial cannabis activity in the city in compliance with all provisions MAUCRSA and any subsequent state legislation.

SEC. 11-493. VIOLATIONS DECLARED A PUBLIC NUISANCE.

Each and every violation of the provisions of this article is hereby deemed unlawful and a public nuisance.

SEC. 11-494. EACH VIOLATION A SEPARATE OFFENSE.

Each and every violation of this article shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the city. Additionally, as a nuisance per se, any violation of this article shall be subject to injunctive relief, any permit issued pursuant to this article being deemed null and void, disgorgement and payment to the city for any monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or in equity. The city may also pursue any and all remedies and actions available and applicable under State and local laws for any violations committed by the Commercial Cannabis Business or persons related to, or associated with, the Commercial Cannabis Activity. Additionally, when there is determined to be an imminent threat to public health, safety or welfare, the city manager, or his or her designee(s), may take immediate action to temporarily suspend a Commercial Cannabis Business Permit issued by the city, pending a hearing before the city manager, or his or her designee(s).

SEC. 11-495. CRIMINAL PENALTIES.

Each and every violation of the provisions of this article may at the discretion of the district attorney or city attorney be prosecuted as an infraction or misdemeanor and upon conviction be subject to imprisonment in the county jail for a period of not more than six months, or both such fine and imprisonment. Each Commercial Cannabis Business may be cited for any violation of any law and/or any rule, regulation and/or standard adoption pursuant to this article. A fine not to exceed \$10,000 for the first violation, \$15,000 for the second violation and revocation of the permit for a period of two years after which time the business operator would have to reapply. The fine for operating an unlicensed and/or unpermitted Commercial Cannabis Business shall be \$30,000 per day and the issuance of a notice to appear in court. Each day a violation is committed or permitted to continue shall constitute a separate offense. At the discretion of the city manager or his or her designee, higher or lower fines or penalties may be recommended based on the facts of individual cases where generally supported by aggravating or mitigating circumstances. Aggravating factors may include, but are not limited to: prior disciplinary history, nature and severity of the act(s), violations, offenses, or crime(s) under consideration, actual or potential harm to the public, actual or potential harm to any consumer, prior warning letters, licensee involvement, premises in high crime area, lack of cooperation by licensee in investigation, appearance and actual age of minor, continuing course or pattern of conduct. Mitigating factors may include, but are not limited to: length of licensure at subject location without prior discipline problems, positive action by licensee to correct problem, documented training of licensee and employees and cooperation by licensee in investigation.

SEC. 11-496. REMEDIES CUMULATIVE AND NOT EXCLUSIVE.

The remedies provided herein are not to be construed as exclusive remedies. The city is authorized to pursue any proceedings or remedies provided by law.”

Section 2. Article XVI of Chapter 7 of the Oxnard City Code (Oxnard City Code Section 7-280 to 7-284) is hereby repealed.

Section 3. Article XV of Chapter 11 of the Oxnard City Code regarding Medical Cannabis Delivery (Oxnard City Code Section 11-390 to 11-403) is hereby repealed.

Section 4. If any section, subsection, phrase, or clause of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

Section 5. Within 15 days after passage, the City Clerk shall cause a summary of this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. 2994 was first read on December 1, 2020, and was adopted on 15 December, 2020, to become effective thirty (30) days thereafter.

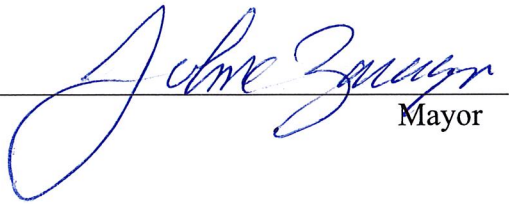
The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Oxnard, State of California, held on the 15th day of December, 2020, by the following vote:

AYES: Councilmembers Basua, Lopez, MacDonald, Madrigal, Perello, Ramirez, and Zaragoza.

NOES: None.

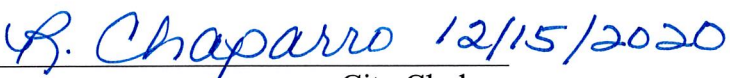
ABSTAIN: None.

ABSENT: None.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, City Attorney

**D. Yuma Way CA, LLC dba Releaf on Vine
Conditional Commercial Cannabis Business Permit**

Kathleen Mallory
Planning and Sustainability Manager
Community Development Department
214 South C Street
Oxnard, CA 93030
(805) 385-8370
kathleen.mallory@oxnard.org



Yuma Way CA, LLC. dba Releaf On Vine
Jessica Reuven
5153 Bluebell Avenue
Valley Village, CA 91607
(Via Email and First Class Mail)

March 1, 2021

Subject: City of Oxnard - Selection of Top Thirteen (13) Retail Cannabis Applicants

Dear Selected Retail Cannabis Applicant:

Congratulations! The City has concluded Phases 2 and 3 of the retail cannabis application review process and you have been selected as one of the thirteen (13) retail applicants to apply for a Special Use Permit. The final rankings are attached.

In accordance with the Retail Cannabis Application Procedures Guideline and Oxnard City Code Section 11-457, the City Manager has reviewed the City Selection Committee's evaluation and accepted the final determination.

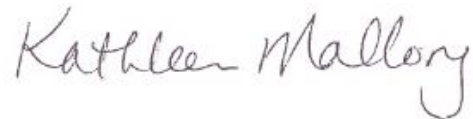
The City will be issuing thirteen (13) retail cannabis permits once the process outlined below is completed. Based upon the approved rankings, the top retail applicants are:

1. SGI Oxnard, LLC - 2343 North Oxnard Boulevard
2. TAT OXN LLC dba The Artist Tree - 600 North A Street
3. Haven #8, LLC dba Haven - 220 South A Street
4. TD Enterprises LLC dba Oxnard Holistics - 1013-1015 Harbor Boulevard
5. Blue Enterprises Oxnard LLC dba Cookies Oxnard - 2655 North Vineyard Avenue
6. EEL Oxnard LLC dba Catalyst-Oxnard - 4749 South Rose Avenue
7. Harbor Management Group LLC dba Safeport - 2150 Trabajo Drive
8. Blooming Organics LLC dba Elevate Oxnard - 2731 East Vineyard Avenue
9. Boxnard, LLC - 1970 North Ventura Road
10. Blooming Organics dba Elevate Downtown Oxnard - 156 South A Street
11. Kind Lifestyle Market LLC - dba Kind Lifestyle Market - 911 South Oxnard Boulevard
12. Yuma Way CA, LLC dba Releaf On Vine - 2544 East Vineyard Avenue
13. HPC of Oxnard LLC - 360 West Esplanade Drive

The next step in the retail cannabis application process is for the selected applicants to submit an application for a Special Use Permit (SUP). Retail cannabis applicants will be required to secure approval of an SUP within 12 months of receiving notification that they have been selected to apply for an SUP. Please note that the Commercial Cannabis Business Permit (retail) will not be issued until you obtain an SUP.

To obtain information on how to apply for the SUP and the process to advance your retail permit, please contact Jose Coyotl (805) 385-7863 or Jose.Coyotl@oxnard.org who will instruct you through the next steps in the permitting process.

Congratulations on your successful advancement.

A handwritten signature in dark ink that reads "Kathleen Mallory". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Kathleen M. Mallory
Planning & Sustainability Manager

c: Alexander Nguyen, City Manager
Ashley Golden, Assistant City Manager
Kenneth Rozell, Chief Assistant City Attorney
Matt Eaton, HdL
Vyto Adomaitis, Director, Community Development
Jose Coyotl, Associate Planner
Project file

Attachment: Final Retail Cannabis Ranking - February 26, 2021

		Final Retail Cannabis Applicants - February 26, 2021								
		13 Selected Retail Cannabis Applicants								
		3 Selected Local Equity Applicants								
	Tracking #	Applicant Name	Address	Local Equity	Phase 2 Score (out of 1,200)	Phase 2 Percentage	Phase 3 Score (out of 1800)	Phase 3 percentage	Total Ranking Based upon Phase 2 and 3	
1	CCB 2021-03	SGI Oxnard LLC	2343 N. Oxnard Blvd. Oxnard CA	No	1,196	99.67%	1,800	100.00%	2,996	
2	CCB 2021-28	TAT OXN LLC dba The Artist Tree	600 N. A Street Oxnard CA	No	1,195	99.58%	1,798	99.89%	2,993	
3	CCB 2021-23	Haven #8 LLC dba Haven	220 S. A Street Oxnard CA	No	1,196	99.67%	1,792	99.56%	2,988	
4	CCB 2021-26	TD Enterprise LLC dba Oxnard Holistics	1013-1015 Harbor Blvd. Oxnard CA	No	1,179	98.25%	1,792	99.56%	2,971	
5	CCB 2021-27	Blue Enterprises Oxnard LLC dba Cookies Oxnard	2655 N. Vineyard Ave. Oxnard CA	No	1,187	98.92%	1,783	99.06%	2,970	
6	CCB 2021-32	EEL Oxnard LLC dba Catalyst-Oxnard	4749 S. Rose Ave Oxnard CA	No	1,173	97.75%	1,792	99.56%	2,965	
7	CCB 2021-24	Harbor Management Group LLC dba Safeport	2150 Trabajo Dr Oxnard CA	No	1,187	98.92%	1,775	98.61%	2,962	
8	CCB 2021-15	Blooming Organics LLC dba Elevate Oxnard	2731 E. Vineyard Ave. Oxnard CA	No	1,151	95.92%	1,763	97.94%	2,914	
9	CCB 2021-31	Boxnard LLC	1970 N. Ventura Road Oxnard CA	No	1,191	99.25%	1,722	95.67%	2,913	
10	CCB 2021-14	Blooming Organics LLC dba Elevate Downtown Oxnard	156 S. A Street Oxnard CA	No	1,148	95.67%	1,763	97.94%	2,911	
11	CCB 2021-13	Kind Lifestyle Market LLC dba Kind Lifestyle Market	911 S. Oxnard Blvd. Oxnard CA	No	1,187	98.92%	1,705	94.72%	2,892	
12	CCB 2021-10	Yuma Way CA LLC dba Releaf on Vine	2544 E. Vineyard Ave. Oxnard CA	No	1,191	99.25%	1,678	93.22%	2,869	
13	CCB 2021-43	HPC of Oxnard LLC	360 W. Esplanade Dr. Oxnard CA	No	1,156	96.33%	1,683	93.50%	2,839	
14	CCB 2021-19	Advocate Society LLC dba Advocate Society	2550 E. Vineyard Ave. Oxnard CA	YES	1,196	99.67%	1,642	91.22%	2,838	
15	CCB 2021-07	Vineyard Retail LLC dba Legendary Organics Oxnard	2561 N. Vineyard Ave. Oxnard CA	No	1,160	96.67%	1,668	92.67%	2,828	
16	CCB 2021-34	Canna Connect Corp dba Culture Cannabis Club	138 S. A Street Oxnard CA	No	1,175	97.92%	1,633	90.72%	2,808	
17	CCB 2021-44	South Oxnard Investment dba Traditional Oxnard	1804 Saviers Road Oxnard CA	No	1,178	98.17%	1,617	89.83%	2,795	
18	CCB 2021-38	FGH Retail Services LLC	2320 N. Rose Ave. Oxnard CA	YES	1,187	98.92%	1,567	87.06%	2,754	
19	CCB 2021-45	99 High Tide - La Sirena	138 S. A Street Oxnard CA	YES	1,176	98.00%	1,567	87.06%	2,743	
20	CCB 2021-37	The Set Oxnard LLC dba The Set	1744 Saviers Road Oxnard CA	No	1,177	98.08%	1,555	86.39%	2,732	
21	CCB 2021-36	Hempathy LLC dba Oxnard Healing Center	2981 Ventura Blvd. Oxnard CA	Yes	1,157	96.42%	1,567	87.06%	2,724	
22	CCB 2021-02	Pure CA LLC	156 S. A Street Oxnard CA	No	1,187	98.92%	1,533	85.17%	2,720	
23	CCB 2021-16	California Erudite Ventures dba HerbNJoy	211 E. Fifth Street Oxnard CA	No	1,185	98.75%	1,533	85.17%	2,718	
24	CCB 2021-25	JC Oxnard Ventures LLC dba Beyond Hello	600 S. Victoria Ave. Oxnard CA	No	1,143	95.25%	1,533	85.17%	2,676	
25	CCB 2021-47	Hijole Friole dba Wheelhouse/Station 320	320 S. Oxnard Blvd. Oxnard CA	Yes	1,120	93.33%	1,542	85.67%	2,662	
26	CCB 2021-20	Sweet Flower Oxnard LLC	2360 N. Oxnard Blvd. Oxnard CA	No	1,192	99.33%	1,458	81.00%	2,650	
27	CCB 2021-04	Authentic Oxnard LLC	1450 S. Oxnard Blvd. Oxnard CA	No	1,196	99.67%	1,450	80.56%	2,646	
28	CCB 2021-48	E7 Oxnard LLC	430 Meta Street Oxnard CA	No	1,187	98.92%	1,442	80.11%	2,629	
29	CCB 2021-12	High Farma Inc dba High Farma	136 W. First Street Oxnard CA	Yes	1,159	96.58%	1,450	80.56%	2,609	
30	CCB 2021-49	Sol Natural Inc dba Kindly	141 S. A Street, Suite 105 Oxnard CA	Yes	1,170	97.50%	1,433	79.61%	2,603	
31	CCB 2021-50	MED Enterprise Inc	2731 Vineyard Ave. Suite C Oxnard CA	Yes	1,174	97.83%	1,422	79.00%	2,596	
32	CCB 2021-29	JBIA Inc dba The High Class (THC)	2141 E. Channel Islands Blvd. Oxnard CA	Yes	1,143	95.25%	1,433	79.61%	2,576	
33	CCB 2021-51	TeraGreen LLC	2801 Paseo Mercado Oxnard CA	Yes	1,187	98.92%	1,388	77.11%	2,575	
34	CCB 2021-33	Coastal Retail Oxnard LLC dba Coastal	805 Ventura Blvd. Oxnard CA	No	1,187	98.92%	1,380	76.67%	2,567	
35	CCB 2021-11	Yuma Way CA LLC dba Releaf on Saviers	3454 Saviers Road Oxnard CA	No	1,186	98.83%	1,367	75.94%	2,553	
36	CCB 2021-01	Urban Leef LLC	905 S. A Street Oxnard CA	No	1,137	94.75%	1,400	77.78%	2,537	
37	CCB 2021-17	Adam Knopf dba Golden State Greens	3600 W. Fifth Street Oxnard CA	Yes	1,091	90.92%	1,425	79.17%	2,516	
38	CCB 2021-40	Blazzin Hydroponics Inc dba Oxnard Greens (156 S. A St)	156 S. A Street Oxnard CA	Yes	1,175	97.92%	1,317	73.17%	2,492	
39	CCB 2021-18	Ash's Third LLC dba UpNorth	3570-C Saviers Road Oxnard CA	No	1,187	98.92%	1,288	71.56%	2,475	
40	CCB 2021-46	99 HT/GSG LLC dba 99 High Tide	360 W. Esplanade Dr. Oxnard CA	Yes	1,092	91.00%	1,375	76.39%	2,467	
41	CCB 2021-35	DBO Investments OX LLC dba From the Earth	228 S. A Street Oxnard CA	No	1,159	96.58%	1,292	71.78%	2,451	
42	CCB 2021-30	Armory Oxnard LLC dba Armory Oxnard	923 E. Ventura Blvd. Oxnard CA	No	1,191	99.25%	1,202	66.78%	2,393	
43	CCB 2021-39	PCH Retail Partners VII LLC dba Emjay	211 E. Fifth Street Oxnard CA	No	1,078	89.83%	1,292	71.78%	2,370	
44	CCB 2021-41	Blazzin Hydroponics Inc dba Oxnard Greens (3700 W. Fifth)	3700 W. Fifth Street Oxnard CA	Yes	1,175	97.92%	1,167	64.83%	2,342	
45	CCB 2021-05	323 Cooper Road LLC dba Neighborgood	323 Cooper Road Oxnard CA	Yes	1,102	91.83%	1,192	66.22%	2,294	
46	CCB 2021-06	Inland Empire Consulting LLC dba Vibe By California - Oxnard	1037 & 1039 S. Ventura Rd. Oxnard CA	No	1,166	97.17%	1,075	59.72%	2,241	
47	CCB 2021-09	S&S Financial Group Inc	138 S. A Street Oxnard CA	No	1,018	84.83%	1,105	61.39%	2,123	
48	CCB 2021-21	C.I.D. Pacific LLC dba Channel Islands Dispensary	1031 S. Ventura Blvd. Oxnard CA	Yes	1,061	88.42%	1,025	56.94%	2,086	
49	CCB 2021-08	Green Dragon Collective	229 S. Oxnard Blvd. Oxnard CA	No	1,018	84.83%	917	50.94%	1,935	
50	CCB 2021-22	Progrow Group Inc dba RedHeye	1515 S. Oxnard Blvd. Oxnard CA	No	1,187	98.92%	683	37.94%	1,870	
51	CCB 2021-42	J&J Holdings Investments LLC dba First on A	216 W. First Street Oxnard CA	Yes	978	81.50%	600	33.33%	1,578	

E. Notice of Exemption

NOTICE OF EXEMPTION

Yuma Way CA, LLC. dba Releaf on Vine - Commercial Cannabis Business Retail Special Use Permit (SUP); PLANNING AND ZONING PERMIT NO. 21-516-08 (Retail): A request to permit the operation of a commercial cannabis retail facility within an existing 1,320 square-foot commercial suite of a 7,682 square-foot multi-tenant commercial building on a 0.63-acre site located at 2544 North Vineyard Avenue (APN: 145-0-231-065) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, and installation of new secure doors/windows. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. Filed by Jessica Reuven on behalf of Yuma Way CA, LLC. dba Releaf on Vine.

Finding:

The Planning Commission 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 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, qualifies as a Class 1 Categorical Exemption. This section applies to projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” The Project involves a request to retail cannabis products within an existing industrial building, the project request will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission 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, there is no requirement to prepare an environmental document, and the Planning Commission hereby authorizes and directs the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Scott Kolwitz
Planning and Environmental Services Manager

F. 2030 General Plan Consistency Chart

Attachment F

General Plan Consistency Chart

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).

2030 General Plan		Level I	Level II	Rationale
Policy CD-4.1	<i>Mitigate Land Use Conflicts</i> Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.	X		The Project proposes to locate within an established commercial shopping center which allows for retailing of cannabis products. The proposed site would operate with other businesses that engage in similar retail business practices therefore the Project would be compatible. Furthermore, the Project was reviewed for neighborhood compatibility, architectural design compatibility, security, and overall community benefits.
Policy CD-4.2	<i>Commercial Revitalization and Redevelopment</i> Encourage upgrading, beautification, and revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoining neighborhoods and increase overall jobs, sales and property valuation.	X		
Policy CD-4.4	<i>Commercial Area Aesthetics</i> Require that older commercial development upgrade/improve landscaping and architecture, if warranted, during discretionary review opportunities.	X		
Policy CD-15.5	<i>Share of Regional Taxable Sales</i> Increase Oxnard's share of tax base and enhance the fiscal health of the City.	X		Cannabis business taxes will be required to be paid as a condition of approval further strengthening the fiscal health of the City.
Policy CD- 17.1	<i>Retain Local Talent</i> Provide opportunities for a variety of local jobs and actively support efforts to retain residents		X	The Project will provide an opportunity for new careers in cannabis retail.

	who have completed higher education.			
Policy CD-18.1	<i>Attract New Businesses</i> Identify and attract a range of commercial, retail and industrial businesses that are compatible with the community's business climate and not detrimental to the existing local economy and environment.		X	The Project will help attract further cannabis related industries which currently are new and have the possibility of improving other local businesses and improving the local economy.
Policy CD-16.5	<i>Industrial and Commercial Development Standards</i> Require high quality development standards that increase the efficient use of existing industrial and commercial development areas so as to preserve agricultural land and minimize adverse environmental impacts.	X		The Project is conditioned to be consistent with the requirements of the General Commercial Planned Development zone which includes architectural and landscape standards suitable for commercial development.
Policy ICS-19.2	<i>Police Review of Development Projects</i> Continue to require the Police Department to review proposed development project and provide recommendation that enhance public safety	X		The Project's security plan was reviewed and conditionally approved by the Oxnard Police Department to ensure crime prevention through preventive security measures and environmental design.
Policy ICS-19.4	<i>Crime Prevention Device Requirements</i> Require crime prevention devices (e.g. deadbolt locks, peepholes, etc.) in all new development.	X		
Policy ICS-19.5	<i>Incorporating Security Design Principles</i> Encourage crime prevention and defensible space through design principles such as those employed through the National Crime Prevention Through Environmental Design program, Neighborhood Watch Program, and/or other appropriate methods to enhance public safety.	X		
Policy SH-7.2	<i>Handling of Hazardous Materials</i> Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.	X		The Project has been reviewed and will be conditioned to maintain and store hazardous material in compliance to local, state and federal standards.

G. Zoning Consistency Chart

ATTACHMENT G
Zoning Consistency with
The General Commercial Planned Development

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Maximum Building Height OCC Sec. 16-137	35 feet	22 feet No Change	YES
Front Yard Setback OCC Sec. 16-139	30 feet on Vineyard Avenue Scenic Corridor	60 feet No Change	YES
Side Yard Setback OCC 16-140	5 feet, 0 feet when a lot is zoned general commercial abuts another lot so zoned.	10 feet No Change	YES
Rear Yard Setback OCC Sec. 16-141	15 feet for buildings over 16 feet in height.	13 feet (legal non conforming) No Change	YES
Vehicle Parking Requirements for Commercial Uses OCC Sec. 16-622	<u>Shopping Center - Neighborhood</u> One space per 300 square feet of gross floor area (legal nonconforming). Total Required: 21 Parking Spaces <u>Cannabis Retail</u> One parking space per 250 square feet or as stipulated in a city traffic engineer approved parking study. Total Required: 5 Parking Space Total Parking Required: 26	26 Parking Spaces	YES
Bicycle Parking Requirements Commercial OCC Sec. 16-623	Five spaces at each entrance.	A minimum of 5 spaces	YES, as conditioned
Motorcycle Parking Requirements Commercial OCC Sec. 16-624	Uses with more than 25 automobile parking spaces shall provide one designated space for use by motorcycles, Required Motorcycle Parking: 1	1 spaces	YES

Outdoor Loading and Storage Areas OCC Sec. 16-644	2 loading spaces per 15,001 - 40,000 square feet of commercial gross floor area Shall be placed in the side or rear yards only and shall be screened. A minimum 12-foot high wall shall be provided adjacent to unloading areas to provide for proper screening. Required Loading Spaces: 2	Legal non conforming loading areas will be utilized along the west side of the building. The loading zone is accessible through a service door from the tenant space rear floor area.	YES, AS CONDITIONED
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H. Location and Design of Cannabis Business Consistency Chart

Attachment H

Location and Design of Cannabis Business Requirements Consistency Chart

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Cannabis Manufacturing, Testing and Distribution Businesses Siting Criteria and Buffer Requirements Sec. 11-473(A)	Manufacturing, testing, and distribution facilities are conceptually permitted on property that must be located on property zoned M-L, M-1, M-2, and BRP, as well as auto sales and service, business park, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Manufacturing, testing, and/or distribution facilities may also be located in the following specific plan areas subject to relevant specific plan requirements, and input from the business park association (if operational): Northeast Community Specific Plan, Sakioka Farms, Camino Real Business Park, McInnes Ranch Business Park Specific Plan, and Northfield Seagate Business Park Specific Plan.	N/A	N/A
Cannabis Retail Dispensary Businesses Siting Criteria and Buffer Requirements Sec. 11-473(B)	Retail dispensaries are conceptually permitted in property zoned DT-C, DT-G, C-1, C-1-PD, C-2, C-2-PD, CPD, and business park, retail commercial, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Retail dispensaries may also be located in the following specific plan areas subject to relevant specific plan requirements, and input from the business park association (if operational): RiverPark - commercial office, commercial convention, and commercial regional, Sakioka Farms, and Camino Real Business Park.	The location is within General Commercial Planned Development (C-2-PD).	YES
Letter of Support from the Specific Plan Management Company or Association	Compliance with any specific plan requirements, including a letter of support from the specific plan management	The project is in compliance with the C-2-PD zone (see Attachment G). The	YES

Sec. 11-473(C)	company or association	property is not located within a specific plan management company or association area.	
Distance Requirements Sec. 11-473(D)	(1) It shall be no closer than 600 feet of any of the following: (a) Any school providing instruction in kindergarten or any grades 1 through 12, whether public, private, or charter, including pre-school, transitional kindergarten, and K-12. (b) A commercial daycare center licensed by the city or county that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius. (c) A youth center that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius. (2) The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the identified use to the closest property line of the lot on which the cannabis use is located without regard to intervening structures.	The nearest commercial daycare center (Child Development Resources - Julie Irving Head Start Center) is approximately 786 feet away from the project site.	YES
Findings Sec. 11-473(E)(1)	Conform with the city's General Plan, any applicable specific plans, master plans, and design requirements.	The project is in compliance with the General Plan and C-2-PD zone (see Attachment F and G).	YES
Findings Sec. 11-473(E)(2)	Comply with all applicable zoning, and specific plan requirements, and related development standards.	The project is in compliance with the C-2-PD zone district and other pertinent sections of the OCC (see Attachment F and G).	YES
Findings Sec. 11-473(E)(3)	Be constructed in a manner that minimizes odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties.	The project includes Odor Control devices	YES, AS CONDITIONED

Findings Sec. 11-473(E)(4)	Be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required for the development.	The project is in compliance with the requirements for development (see Attachment G).	YES
Findings Sec. 11-473(E)(5)	Be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.	The project is indirectly served by and connected to Highway 101. The proposed use is anticipated to generate traffic in quantities that are consistent with the original commercial uses which were intended to occupy the building.	YES
Findings Sec. 11-473(E)(6)	Be provided with adequate electricity, sewerage, disposal, water, fire protection (sprinkler and alarm; retrofit when determined necessary by the fire marshal) and storm drainage facilities for the intended purpose.	The project is currently served by adequate electricity, sewerage, disposal, and water. The proposed use is anticipated to generate traffic in quantities that are consistent with the original commercial uses which were intended to occupy the building. The project has been conditioned to comply with Fire Marshal requirements.	YES, AS CONDITIONED
Cannabis Retail Operating Requirement - Limited Access Areas Sec. 11-485(K)	A retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas.	The project is designed with a check in lobby area and a staff click to enter feature to enter the cannabis retail sale floor area. The project has been conditioned to comply with limited access area requirements.	YES, AS CONDITIONED
Cannabis Retail Operating Hour Requirements Sec. 11-485(L)	Operating hours of the storefront retailer license shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week or reduced as stipulated through the discretionary land use permit.	The project will operate within the hours of 9:00 a.m. and 9:00 p.m. The project has been conditioned to restrict store retail hours based on the operating hour requirements.	YES, AS CONDITIONED
Cannabis Retail Parking Requirements Sec. 11-485(M)	Parking requirements shall be in accordance with chapter 16, article X of the Oxnard City Code - 1 parking space per 250	The project meets the parking requirements.	YES, AS CONDITIONED

	square feet or as stipulated in a city traffic engineer approved sparking study.		
Cannabis Retail Storefront/ Retail Security Requirements Sec. 11-485(N)	All security measures required by section 11-477 (operating standards) are directly applicable to and binding on all commercial cannabis businesses, including all retailers.	The project is conditioned to provide security as specified by the Security Plan approved by the Chief of Police.	YES, AS CONDITIONED

I. Draft Resolution of Approval for Commercial Cannabis Retail

RESOLUTION NO. XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-516-08 (COMMERCIAL CANNABIS RETAIL) TO ALLOW A COMMERCIAL CANNABIS RETAIL FACILITY WITHIN AN EXISTING 1,320 SQUARE-FOOT COMMERCIAL SUITE OF A 7,682 SQUARE-FOOT MULTI-TENANT COMMERCIAL BUILDING ON A 0.63-ACRE SITE LOCATED AT 2544 NORTH VINEYARD AVENUE (APN: 145-0-231-065) , SUBJECT TO CERTAIN FINDINGS AND CONDITIONS.

WHEREAS, on October 21, 2021, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has conducted a duly noticed public hearing and considered an application for Planning and Zoning Permit No. 21-516-08 filed by Jessica Reuven on behalf of Yuma Way CA, LLC. in accordance with Section 16-530 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 Section 15301 (Existing Facilities) Categorical Exemption. Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

The project site is located within the 2030 General Plan land use designation of Commercial General and the zoning is General Commercial Planned Development (C-2-PD). The Project is surrounded by commercial buildings. 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 cannabis retail facility is consistent with the 2030 General Plan, and the Oxnard City Code and is compatible with the 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 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 cannabis retail facility 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 uses of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by an established 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 October 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 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, the proposed project is consistent with the following:

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

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

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

As described in the Staff Report, the proposed cannabis retail facility is an allowable use within the General Commercial Planned Development (C-2-PD) zone, subject to approval of a Special Use Permit. Therefore, the proposed cannabis retail use is in conformance with the 2030 General Plan, Oxnard City Code, and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

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

As described in the Staff Report, the Project will allow cannabis retail within an existing commercial multi tenant building. As the Project will be located more than 600 feet from established commercial cannabis sensitive uses, the Project is consistent with public health, safety and general welfare by City standards. As conditioned, the Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. As such, this Project meets this finding.

3. **The 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 described in the Staff Report, the Project will be located within an existing development within the General Commercial Planned Development (C-2-PD) zone which has previously been reviewed and approved to ensure the development is adequately proportional to the size of the property and served by public infrastructure. The existing project site is a developed 0.63-acre lot. Pursuant to the C-2-PD zone, the Project will be located within an existing building designed to be consistent with the development and design standards included within the C-2-PD zone, including, but not limited to, maximum building height, front, side and rear setbacks, lot coverage, landscaping, and equipment screening standards. The existing development is not consistent with the City's parking standards for bicycle parking (5 required). The parking lot will provide parking for a minimum of 26 vehicles,

including 1 accessible parking space, 17 standard parking spaces, and 7 compact parking spaces, and the project has been conditioned to provide a total of 5 bicycle spaces within the whole of the shopping center's shared parking lot. The project site has a frontage and vehicular access on North Vineyard Avenue and Ventura Boulevard. Proposed interior tenant improvements to the site will be reviewed for compliance with C-2-PD zoning requirements. 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. Therefore, this Project meets this finding.

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

As described in the Staff Report, the project is currently served by existing infrastructure and will continue to be accessed directly from North Vineyard Avenue and Ventura Boulevard, which indirectly connects to Highway 101. The proposed cannabis retailer is not anticipated to generate significant traffic that would require improvements to infrastructure. Therefore, the site for the proposed retail of cannabis products will be served by highways adequate in width and improved as necessary to carry project-generated traffic.

The existing development is not consistent with the City's parking standards for bicycle parking (5 required). The parking lot as designed will provide parking for a minimum of 26 vehicles, including 1 accessible parking space, 17 standard parking spaces, and 7 compact parking spaces, and 1 motorcycle parking space. Based on the configuration of the proposed cannabis retail facility the entire project site requires 1 loading space. The project will utilize an existing legal nonconforming loading zone at the southeast side of the building accessed by a service door entrance to the tenant space. The project is consistent with City parking requirements. The project has been conditioned to include a total of 5 bicycle parking spaces within the whole of the shopping center's shared parking lot, to design bicycle space during the building permit process, and provide these spaces prior to a Certificate of Occupancy being issued. The project also includes short and long term parking to support bicycle use. Therefore, the site will be served by streets, highways, transit and bike facilities adequate to provide access to the proposed building and its anticipated uses. As such, this Project meets this finding.

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

As described in the Staff Report, the proposed Project will operate within an existing development with minor tenant improvements proposed. The Project has been reviewed by City Departments and divisions who have determined that the project is currently served by adequate electricity, sewerage, disposal, and water. The proposed use is not anticipated to generate utility demands in quantities that are

different from other commercial uses which have previously occupied the building. Therefore, the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities. As such, this Project meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determined that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15301 (Existing Facilities) of the State CEQA Guidelines pertaining to projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request to retail cannabis products within an existing commercial building, the project request will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the Project will have a significant effect on the environment. The Planning and Environmental Services Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 21-516-08 (Commercial Cannabis Business Retail Special Use Permit), subject to the attached conditions of approval.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves Planning and Zoning Permit No. 21-516-08 (Commercial Cannabis Business Retail Special Use Permit), subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of §16-545 of the Oxnard City Code.

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated October 21, 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”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Planning Manager allows the Applicant to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
4. By commencing any activity related to the project or using any structure authorized by this permit, the Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
6. Applicant shall complete the “Notice of Land Use Restrictions and Conditions” form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
7. Applicant shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
8. Before placing or constructing any signs on the project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the project property. (PL/B, G-10)
9. Applicant shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
10. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the project property, except as provided in a permit issued by the Fire Chief.
11. Applicant shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
12. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
13. Prior to issuance of building permits, Applicant 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).

State Law and Regulations Compliance

14. The permittee shall comply with all relevant law, ordinance, or regulation of the State of California, City of Oxnard, and any other governmental entity Laws and Regulations at all times during the life of the permit.

15. Wherever a condition requires that something be initially “built,” “constructed,” “equipped,” “installed,” “provided” or the like in a certain fashion or per certain requirements or approvals, it also requires that the same shall at all times be “maintained” in accordance with the condition, requirement or approval.

PLANNING DIVISION STANDARD CONDITIONS

16. 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*)
17. Before the City issues building permits, the Applicant shall include a reproduction of all conditions of this permit as adopted by Resolution of the Community Development Director / Planning Commission in all sets of construction documents and specifications for the project. (PL, *PL-3*)
18. Before the City issues building permits, the Applicant 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 / Planning Commission. The Applicant may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
19. The Applicant may not modify any use approved by this permit unless the Planning Manager determines that the Applicant has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
20. During the plan check review process, the Applicant shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
21. Prior to issuance of building permits, the Applicant shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. The Applicant shall submit a plan showing both the lighting and landscape on the same sheet.
22. 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. The Applicant shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. The applicant 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*)

23. 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*)
24. Applicant 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*)
25. 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*)
26. Prior to issuance of building permits, Applicant 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*).
27. Applicant 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*)

COMMERCIAL

28. Applicant 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. Applicant 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*)
29. Applicant 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*)
30. For any exterior utility meter panels, Applicant 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*)

31. Prior to issuance of a certificate of occupancy, Applicant shall remove all construction materials and vehicles from the subject property. (PL/B, PL-47)
32. Applicant shall restripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, PL-49)

Special Conditions of Approval

33. Prior to occupancy, faded striping in parking areas directly in front of the building shall be repainted per City standards.
34. In accordance with Oxnard City Code Section 16-637, parking facilities for 5 bicycles shall be provided, the configuration and location of which shall be as reviewed and approved by the City Planning Division. The project plans shall be revised to identify bicycle racks, with a minimum of 5 bicycle spaces, to be provided on site near the front entrance of the building located at 2544 North Vineyard Avenue and the remaining required spaces equally distributed in the shopping center near front entrances. Bicycle parking area dimensions and location shall be a paved area at least 6' x 1'6" for each required parking space. Staff shall review all construction documents prior to building permit issuance to assure that the bicycle rack has been provided and is not in conflict with the applicable development standards for building in the General Commercial Planned Development (C-2-PD) zone district.

The applicant shall submit a bicycle parking plan to be reviewed and approved by the Community Development Director or his/her designee(s). All bicycle parking shall comply with AASHTO, NACTO, or APBP standards, as permitted by the California Building Code. The bicycle parking shall be designed to provide two (2) points of contact on the bicycle, be supported upright, and cause no stress onto tires. All provided bicycle parking shall be able to accommodate a standard U-lock. Bicycle parking area dimensions and location shall be a paved area at least 6' x 1'6" for each required parking space and shall be located outside of pedestrian walkways, loading areas, landscape planters, etc. Where feasible, bicycle-parking areas should be covered.

35. No final inspection or occupancy permit shall be granted until all construction and landscaping is complete in accordance with the plans approved and the conditions required herein.
36. All landscape materials shall be as represented to or as specified by the Planning Commission, and any deviation will require the express approval of the Chief of Police. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans and in a manner acceptable to the Chief of Police. This includes landscape materials being maintained in a healthy and weed-free manner at all times.

PLANNING DIVISION CANNABIS CONDITIONS

Automatic Expiration

37. The Commercial Cannabis Business Permits shall expire, and be subject to the renewable process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the Special Use Permit (SUP) pursuant to the Oxnard City Code Section 11-459.

Renewal

38. All Commercial Cannabis Business Permits shall be renewed in accordance with Chapter 11, Article XVII of the Oxnard City Code.

Appeals

39. The permittee shall within ten (10) calendar days after the date of a decision of the City Manager or his/her designee(s) to revoke, suspend or deny a permit, or to add conditions to a permit, an aggrieved party may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper. At the time of filing, the permittee shall pay the designated appeal fee, established by Resolution of the City Council from time to time.

Revocations of Commercial Cannabis Business Permits

40. Commercial Cannabis Business Permits may be revoked for any violation of any law and/or any rule, regulation and/or standard adopted pursuant to Sections 11-461, 11-462, 11-468, or 11-477 pursuant to any policy, procedure or regulation adopted by the City. The City Manager or his/her designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit's conditions and/or a license issued by the State of California, or by any of its departments or divisions, or if there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operations of this use, which is detrimental to the public safety or health. The City Manager or his/her designee shall immediately inform the Community Development Director and Planning Manager of the suspension and the Planning Manager shall schedule a hearing on the revocation of the permit by the Community Development Director or other competent hearing officer to be held no more than 30-days after the beginning of the suspension. In the hearing, notice will be provided establishing the causal factors that caused the suspension and determination shall be made with the below options:
- a. End the suspension of the permit;
 - b. Continue the suspension of the permit pending other legal action;
 - c. Amend the permit conditions;

- d. Direct the permittee to change operations or business practices that precipitated the suspension of the permit;
 - e. Or, any combination of the above;
 - f. And, provide benchmarks and timeline for corrective action to take place.
41. The Applicant agrees suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a commercial cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a commercial cannabis business, such revocation or termination shall also revoke or terminate the ability of a commercial cannabis business to operate within the City of Oxnard.

Enforcement and Compliance

42. For the life of the permit, the Applicant shall be responsible for all violations of the laws of the State of California or of the regulations and/or the ordinances of the City of Oxnard, whether committed by the Applicant or any employee or agent of the Applicant, which violations occur in or about the premises of the commercial cannabis business whether or not said violations occur within the permit holder's presence.
43. Applicant agrees to pay enforcement, compliance, and inspection fees set by the City's Fee Schedule. Applicant shall deposit the equivalent of 30 hours of the Planning Hourly Fee (currently \$134.27 per hour) during plan check review to cover staff time, billed at an hourly rate, for conditions compliance, required inspection, and reporting associated with commercial cannabis project, PZ 21-516-08. Additional funds will be required as deposits are depleted to less than the equivalent of 10 hours of the Planning Hourly Fee or as additional funds are needed as determined by the Community Development Director.
44. All operators are subject to all penalties as outlined in Oxnard City Code.

Property Owner Authorization

45. Prior to the issuance of a zone clearance or business license, whichever comes first, the Applicant shall be required to provide a signed and notarized statement from the owner of the property acknowledging that the property owner agrees to use of the property for a Commercial Cannabis Business Permits subject to Chapter 11, Article XVI, Section 11-475 of the Oxnard City Code.

Business Location Transfers

46. Commercial Cannabis Business Permits represent a land use entitlement and cannot be transferred from one location to another unless they comply with the transfer provisions outlined in Chapter 11, Article XVII of the Oxnard City Code.

Business Notification

47. The Applicant shall provide to the City, the name, telephone number, and email address of a community relations contact (community relations officer) designated by Applicant. The community relations contact shall be responsible for responding to complaints, should they arise between the hours of 10:00 p.m. and 7:01 a.m. Complaints shall be addressed within fifteen minutes of receiving the initial complaint
48. The Applicant shall provide the name/phone number/email address for the business community relations officer to all businesses and residences located within six hundred (600) feet of the commercial cannabis business before operation of the business. The contact name and number shall be prominently posted outside of the facility
49. During the first year of operation, the owner, manager, and community relations officer shall attend quarterly meetings with the City Manager or his/her designee(s), and other interested parties as deemed appropriate by the City Manager or his/her designee(s), to discuss conditions of approval, operations, and overall cannabis activities in the subject location.
50. After the first year of operation should no permit condition(s) violations be identified, the owner, manager, and community relations officer shall meet with the City Manager or his/her designee(s) when and as requested by the City Manager or his/her designee(s).

Inventory Tracking

51. Prior to issuance of a certificate of occupancy, the Applicant shall have in place a State of California approved point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the City. The commercial cannabis business shall ensure that such information is compatible with the City's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review at the request of the City. Furthermore, any system selected must be approved and authorized by the City Manager or his/her designee(s) prior to being used by the permittee.
52. All cannabis and cannabis products sold, distributed or manufactured shall be cultivated, manufactured, and transported by licensed facilities that maintain operations in full conformance with the State and local regulations.

Onsite Restrictions

53. Sales of cannabis may only occur between the hours of 9:00 A.M. and 9:00 P.M. daily.

54. The Applicant shall conform with the following requirements to prevent minors from having access to cannabis products:
- a. Persons under the age of twenty-one (21) years, or eighteen (18) years with a medical marijuana card, shall not be allowed on the premises of a commercial cannabis business and shall not be allowed to serve as a driver for a mobile delivery service. It shall be unlawful and a violation of this Article for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.
 - b. The entrance to the commercial cannabis business shall be clearly and legibly posted with a notice that no person under the age of twenty-one (21) years of age is permitted to enter upon the premises of the commercial cannabis business.
55. Cannabis shall not be consumed by any employee or patron on the premises of any commercial cannabis business.
56. No outdoor storage of cannabis or cannabis products is permitted at any time.

Operational Requirements for Retailers

57. Sales and service of cannabis or cannabis products is limited to only the customer service area, which consists of approximately 7,682 square feet inside the building as identified on PZ No. 21-516-08 floor plans presented at the Planning Commission public hearing on October 21, 2021 and incorporated herein.
58. Access to the customer service area is to be controlled by an access door from a common lobby. A maximum of two (2) patrons may be served by one (1) budtender at any time. The budtenders and security personnel shall be readily identifiable personnel and are to monitor and control the behavior of customers in and around the premises.
59. There shall not be any amplified music or live bands unless the licensee has a valid Entertainment Permit issued by the City of Oxnard, pursuant to Oxnard City Code Section 11-187.

Odor Control

60. Odor control devices and techniques shall be incorporated in all commercial cannabis businesses to ensure that odors from cannabis are not detectable off-site. Commercial cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the commercial cannabis business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the commercial cannabis business. As such, commercial cannabis businesses must install and maintain the following equipment, or any other equipment which the

Community Development Director or his/her designee(s) determine is a more effective method or technology:

- a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; and
- b. An air system that creates negative air pressure between the commercial cannabis businesses interior and exterior, so that the odors generated inside the commercial cannabis business are not detectable on the outside of the commercial cannabis business.

Signage and Notices

61. The permittee shall conform with the following Signage Specifications:
 - a. In addition to the requirements otherwise set forth in this section, business identification signage for a commercial cannabis business shall conform to the requirements of the City of Oxnard regulations, including, but not limited to, seeking the issuance of a City sign permit.
 - b. No signs placed on the premises of a commercial cannabis business shall obstruct any entrance or exit to the building or any window.
 - c. Each entrance to a commercial cannabis business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the commercial cannabis business is prohibited.
 - d. Business identification signage shall be limited to that needed for identification only and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No commercial cannabis business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the commercial cannabis business or elsewhere including, but not limited to, the public right-of-way.
 - e. Signage shall not be directly illuminated, internally or externally. No banners, flags, billboards or other prohibited signs may be used at any time.
 - f. No cannabis or cannabis products or graphics depicting cannabis or cannabis products shall be visible from the exterior of any property issued a commercial cannabis business permit, or on any of the vehicles owned or used as part of the commercial cannabis business.

Community Benefits Agreement

62. Prior to issuance of a certification of occupancy, Applicant shall enter into a signed and recorded Community Benefits Agreement with the City. Said agreement shall include the following:
63. Retail
 - a. One time payment of \$250,000
 - b. Donation of 1% of gross revenues to the City of Oxnard required to be paid with the associated yearly business license fee. This amount is in addition to the license fee and the City cannabis taxes.

- c. Requirement to hire 75% of the businesses employees from the City of Oxnard, as defined in Chapter 11 of the Oxnard City Code.

BILLING AND LICENSING CONDITIONS

Cannabis Business Tax Certificate

64. Prior to commencing operations, any business engaged in a Commercial Cannabis Business shall obtain a Commercial Cannabis Business tax certificate, pursuant to Article I. The Commercial Cannabis Business taxes imposed by Chapter 11, Article XVI of the Oxnard City Code shall be paid, in arrears, on a quarterly basis to the City Licensing Department.
65. The Applicant for a Commercial Cannabis Business shall secure from the Department of Billing and Licensing a commercial cannabis business tax certificate.
66. On applying for a Commercial Cannabis Business tax certificate, the applicant shall furnish to the tax administrator a sworn statement, on a form provided by the tax administrator setting forth the following:
 - a. The exact nature of the Commercial Cannabis Business for which the Commercial Cannabis Business tax certificate is applied;
 - b. The street address where such business is to be conducted, the street addresses of the residences of the owners of the business or names and street addresses of the officers or partners if a corporation or partnership;
 - c. If the amount of the Commercial Cannabis business tax is measured by gross receipts, the applicant shall estimate the gross receipts for a period of one full calendar quarter. Such an estimate, if accepted by the tax administrator as reasonable, shall be used in determining the amount of the Commercial Cannabis Business tax. However, the amount is only provisional.
 - d. At the end of the tax period, the tax administrator may request the certificate to verify gross receipts. Within 30 days of the request, the certificate shall report to the tax administrator the gross receipts during the Commercial Cannabis Business tax period, and the Commercial Cannabis Business tax will be redetermined. If the certificant underpaid the redetermined Commercial Cannabis Business tax, the certificant shall immediately pay the amount due.

Reporting and remittance of quarterly tax payments

67. The Commercial Cannabis Business tax shall be paid in arrears on a quarterly basis.
68. Each person owing Commercial Cannabis Business tax for a calendar quarter shall, no later than the last day of the month following the close of the calendar quarter, file with the tax administrator a statement of the tax owed for that calendar quarter and the basis for calculating the tax.

69. For the purpose of ascertaining the amount of Commercial Cannabis Business tax owed or verify any representations made by any taxpayer to the city in support of his or her calculation, proof of gross revenues (including but not limited to bookkeeping records, State and Federal income tax returns, and other records relating to the gross receipts of the business) must be provided prior to obtaining or renewing a Commercial Cannabis Business tax certificate.
70. Quarterly after commencing operations, Applicant shall allow the City of Oxnard officials or their designees to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted commercial cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City. The City may require the materials to be submitted in an electronic format that is compatible with the City's software and hardware.
71. At all times during the life of the permit, Applicant shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, state and local law. Each commercial cannabis business shall cooperate with the City with respect to any reasonable request to audit the Commercial Cannabis Business' books and records for the purpose of verifying compliance with this section, including but not limited to a verification of the amount of taxes required to be paid during any period.
72. The Applicant shall maintain accurate books and records in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis (at or before the time of the renewal of a Commercial Cannabis Business permit issued pursuant to Chapter 11, Article XVI, Section 11-476 of the Oxnard City Code), or at any time upon reasonable request of the City, each Commercial Cannabis Business shall file a sworn statement detailing the fiscal value of sales by the Commercial Cannabis Business during the previous twelve-month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid. On an annual basis, each owner and operator shall submit to the City a financial audit of the business's operations conducted by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the City Manager or his/her designee(s)

Employee Work Permit

73. Prior to issuance of a certificate of occupancy for the Commercial Cannabis Business, all employees are required to comply with Chapter 11, Article XVI, Section 11-455 of the Oxnard City Code which specifies the requirements for employees of cannabis operators; the Cannabis Employee Work Permit is required to be obtained from the City Licensing Department.

74. Cannabis Employee Permit Requirements shall comply with Chapter 11:
- Cannabis Employee Work Permit Application;
 - Cannabis Employee Work Permit Fee \$125.00, or as update by the City;
 - Age and verification of applicant, copy of government ID required (must be at least 21 years of age);
 - Investigation Questionnaire;
 - Live Scan (fingerprinting and a recent photograph of the applicant); and
 - A statement signed under penalty of perjury that the information is true and correct.
75. A Cannabis Employee Work Permit shall be valid for up to twelve (12) months from the date of certificate of occupancy and shall be renewed on an annual basis by the permittee/employer and all applicable employees. If a permit is issued for less than a 12-month basis, then the cost of such permit shall be adjusted on a pro-rata basis.
76. The Applicant and Commercial Cannabis Business employees will be issued a permit in the form of a personal identification card that shall be worn in a prominent and visible location. The identification card shall be maintained in good and readable condition at all times.

Employment Transfers

77. In the event a person changes employment from one Commercial Cannabis Business in the City to another, the work permit holder shall notify the applicable Department Head or his/her designee(s) in writing of the change within ten (10) days, or the work permit shall be suspended or revoked, and such person shall not be permitted to work at any Commercial Cannabis Business within the City.

Revocation of Employee Work Permit

78. The City may immediately revoke the commercial cannabis employee permit should the permit holder be convicted of a crime listed in Chapter 11, Article XVI, Section 11-455 of the Oxnard City Code or if facts become known to the City that the permit holder has engaged in activities showing that he or she has been convicted of a crime involving dishonesty.

Appeal of Employee Work Permit Revocation

79. The Applicant may appeal the denial or revocation of a commercial cannabis employee permit by filing a notice of appeal with the City Clerk within ten (10) days of the date the applicant received the notice of denial/ revocation. Revocation shall follow the provisions contained in Oxnard City Code Chapter 11.

POLICE CONDITIONS

Security Measures

80. The Applicant shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the Commercial Cannabis Business. Except as may otherwise be determined by the City Manager or his/her designee(s), these security measures shall include, but shall not be limited to, all of the following and are considered in addition to the Best Practices identified in the guidelines for issuance of a Cannabis Business Permit and/or conditions imposed as part of the land use permit approval.
81. An alarm system shall include intrusion, fire, and panic button components. The system shall be remotely monitored by a licensed alarm service provider.
82. An access control system and security personnel shall restrict access to the site to persons engaged directly with the permitted operations of the Commercial Cannabis Business.
83. Security personnel shall remove any person on or about the Commercial Cannabis Business who is not engaged directly with the permitted operations of the business.
84. Except for live growing plants which are being cultivated at a cultivation facility, all cannabis and cannabis products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.
85. A security camera system shall monitor activity inside and around the Commercial Cannabis Business. The system shall provide secure real-time access to the City Manager or his/her designee(s) of any and all cameras at the site. The system shall meet or exceed current industry standards. The system shall be reevaluated every five years on the anniversary of the issuance of the permit to ensure the system, software and equipment meets current industry standards. The Commercial Cannabis Business shall upgrade equipment within six-months of the reevaluation when findings have identified needed improvements or upgrades.
86. A security plan shall be approved by the Police Chief or his/her designee(s). The security plan shall include all elements of the alarm system, security camera system, and access control system. The plan shall also include security policies, cash handling policies, security personnel post orders, and requirements for security patrols during hours the business is closed. The security plan is subject to review on the annual anniversary of the issuance of the permit. Should a deficiency in the plan be discovered

through findings during an inspection, a theft event, an audit or other significant event where a flaw in the security plan failed to sufficiently capture or deter a theft, loss of product, or an injury the plan may be amended by the Police Chief or his/her designee(s).

87. Any bars installed on the windows or the doors of the Commercial Cannabis Business shall be installed only on the interior of the building.
88. Security personnel shall monitor premises in accordance with a security plan as authorized by the City Manager or his/her designee(s), and must have a verified response security patrol when closed. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the City Manager or his/her designee(s), with such approval not to be unreasonably withheld. Firearms may be carried by security personnel while they are on duty if authorized by the Police Chief.
89. Each Commercial Cannabis Business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.
90. Entrance areas are to be locked at all times and under the control of a designated responsible party that is either:
 - a. An employee of the Commercial Cannabis Business; or
 - b. A licensed security professional
91. Each Commercial Cannabis Business shall have an accounting software system in place to provide point of sale data as well as audit trails or both product and cash, where applicable.
92. Each Commercial Cannabis Business shall demonstrate to the Police Chief, City Manager or their designee(s) compliance with the state's track and trace system for cannabis and cannabis products, as soon as it is operational.
93. Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.
94. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.
95. The Applicant shall identify a designated security representative/liaison to the City of Oxnard, who shall be reasonably available to meet with the City Manager or his/her designee(s) regarding any security related measures or and operational issues. The designated security representative/liaison shall, on behalf of the Commercial Cannabis Business, annually maintain a copy of the current security plan on the premises of the business, to present to the City Manager or his/her designee(s) upon request that meets the following requirements:

- a. Confirms that a designated Manager will be on duty during business hours and will be responsible for monitoring the behavior of employees.
 - b. Identifies all Managers of the Commercial Cannabis Business and their contact phone numbers.
 - c. Confirms that first aid supplies and operational fire extinguishers are located in the service areas and the Manager's office.
 - d. Confirms that burglar, fire, and panic alarms are operational and monitored by a licensed security company 24 hours a day, seven days a week, and provides contact information for each licensed security company.
 - e. Identify a sufficient number of licensed, interior and exterior security personnel who will monitor individuals inside and outside the Commercial Cannabis Business, the parking lot, and any adjacent property under the business' control.
 - f. Confirm that the licensed security personnel shall regularly monitor the parking lot and any adjacent property to ensure that these areas are: (i) free of individuals loitering or causing a disturbance; (ii) are cleared of employees and their vehicles one-half hour after closing.
96. The Applicant shall have a storage and transportation plan, which describes in detail the procedures for safely and securely storing and transporting all cannabis, cannabis products, and any currency. The storage and transportation plan shall be a confidential document that is intended to be reviewed and approved by the City Manager and his/her designee(s) and not available for public consumption.
97. The Applicant shall cooperate with the City whenever the City Manager or his/her designee(s) makes a request, without prior notice, to inspect or audit the effectiveness of any security plan or of any other requirement of this Article. Prevention Fire Inspectors shall be allowed access to audit buildings for Fire Life Safety concerns on a yearly basis or as determined necessary per the Fire Marshal.
98. The Applicant shall notify the Police Chief within twenty-four (24) hours after discovering any of the following:(Section 11.437 (E))
 - a. Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the City Manager or his/her designee(s).
 - b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Business or any agent or employee of the Commercial Cannabis Business.
 - c. The loss or unauthorized alteration of records related to cannabis, customers or employees or agents of the Commercial Cannabis Business.
 - d. Any other breach of security.
99. The Applicant acknowledges compliance with the foregoing requirements shall be verified by the City Manager or his/her designee(s) prior to commencing business operations. The City Manager or his/her may supplement these security requirements once operations begin, subject to review by the City Manager if requested by the business owner.

100. The Applicant shall post in a location readily-visible to the public location the original copy of the Commercial Cannabis Business permit conditions of approval and the City issued business license.
101. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.
102. Security personnel shall remove any person on or about the Commercial Cannabis Business who is not engaged directly with the permitted operations of the business.
103. Prior to the establishment of any Commercial Cannabis Business or the operation of any such business, the employer intending to establish a Commercial Cannabis Business must first obtain all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such Commercial Cannabis Business intends to establish and to operate.
104. The Applicant acknowledges no person shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on or about the premises of the Commercial Cannabis Business.
105. The Applicant acknowledges no person shall cause or permit the sale or tobacco products on or about the premises of the Commercial Cannabis Business.
106. Prior to beginning employment all employees are required to secure and have issued a background check and passed a live scan through the Police Department as specified in Chapter 11, Article XVII of the Oxnard City Code. Results of the background check/live scan shall be provided to the employee and employer(s).
107. Inbound and outbound shipping of product and/or cash shall only occur during daylight hours. Deliveries and departure times of product and/or cash shall be irregular and maintained as a confidential matter known only to those persons who have a need to know.
108. No signage, graphic or symbol displayed visible outside the building shall show that the site is a cannabis business unless the specific sign, graphic or symbol is jointly approved by the Planning Manager and the Chief of Police or their designees.

Exterior Lighting

109. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline 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.
 - a. 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:
 - b. 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.
 - c. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - d. 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.
110. 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 schemes.
111. All exterior lighting shall operate from dusk to dawn.
112. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
113. 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.
114. 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.
115. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This plan shall include all outdoor areas as well as the parking facility.

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 any walking/driving surface. This plan shall be submitted to specialprojects@oxnardpd.org and approved prior to the issuance of building permits.

116. Safe Room construction shall consist of the below minimum features:
 - a. Concrete or CMU wall or walls and/or
 - b. Wood or steel stud constructed walls and ceiling wrapped with a metal mesh enveloped under drywall surfacing. Metal mesh shall have a minimum weight of .45 lbs. per sq. ft. and be opened spaced no more than 76%.
 - c. Other than doors, openings in the metal mesh walls shall not be larger than 12-inches square to provide HVAC ventilation and similar mechanical access.
 - d. Each door and window shall have callouts on plans identifying their size and design features.
 - e. Any service windows shall be constructed with a securable metal door or plate and have a vertical opening no taller than 12-inches.
117. Retail sites shall install security glass or interior mounted roll-up security screens for each window. Design, placement and exceptions shall be approved by Planning and Police prior to the issuance of Building Permits.

Operations and Inspections

118. The permittee is authorized to operate the commercial cannabis retail business license between the hours of 9:00 a.m. to 9:00 p.m, subject to lighting requirements of Conditions 20-23.
119. Cash handling procedures shall be approved by the police chief or his/her designee.
120. Except for live growing plants which are being cultivated at a cultivation facility, all cannabis and cannabis products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.
121. A security camera system shall monitor activity inside and around the Commercial Cannabis Business. The system shall provide secure real-time access to the City Manager or his/her designee(s) of any and all cameras at the site. The system shall meet or exceed current industry standards. The system shall be reevaluated every five years on the anniversary of the issuance of the permit to ensure the system, software and equipment meets current industry standards. The Commercial Cannabis Business shall upgrade equipment within six-months of the reevaluation when findings have identified needed improvements or upgrades.

122. The business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.
123. Each Commercial Cannabis Business shall have an accounting software system in place to provide point of sale data as well as audit trails or both product and cash, where applicable.
124. Each Commercial Cannabis Business shall demonstrate to the Police Chief, City Manager or their designee(s) compliance with the state's track and trace system for cannabis and cannabis products, as soon as it is operational.
125. Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.
126. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.
127. Scheduled and unscheduled inspections of the site may occur during the business' authorized hours of operation, or under the below listed circumstances:
 - a. At a time while the business is closed that is mutually agreed to by the business' management and the Police Department
 - b. During any criminal investigation at the business.
128. The Applicant acknowledges compliance with the foregoing requirements shall be verified by the City Manager or his/her designee(s) prior to commencing business operations. The City Manager or his/her may supplement these security requirements once operations begin, subject to review by the City Manager if requested by the business owner.
129. The Applicant shall post in a location readily-visible to the public location the original copy of the Commercial Cannabis Business permit conditions of approval and the City issued business license.
130. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.
131. Prior to the establishment of any Commercial Cannabis Business or the operation of any such business, the employer intending to establish a Commercial Cannabis Business must first obtain all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such Commercial Cannabis Business intends to establish and to operate.
132. Prior to beginning employment all employees are required to secure and have issued a background check and passed a live scan through the Police Department as specified in

Chapter 11, Article XVII of the Oxnard City Code. Results of the background check/live scan shall be provided to the employee and employer(s).

Retail Cannabis Conditions

133. Each customer entering the business shall present a valid form of government issued photo identification. A staff member or licensed security professional shall use an approved “identification card scanner” which verifies the age of the customer. The security officer will also visually confirm that the person presenting the identification card by matching the person with the card’s photo and confirming other data on the card.
134. The permittee shall acquire an “identification card scanner” for use by security officers to screen all customers as they enter the business. These scanners shall have these features:
 - a. Determine that the person is legal age to enter the premises.
 - b. Records the data from the presented identification including name, address, and date of birth and the time and date of the scan.

Security Camera System

135. A security camera system shall be installed and operated 24-hours a day to monitor the activity at the site. The system shall be designed to capture images of all persons and all vehicles that enter the site. Cameras shall also be distributed throughout the site to capture general activities. The camera system shall comply with 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 capability to facilitate the later identify persons involved in criminal or problem activities.
 - 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 a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.
 - g. All entry doorways to the premises shall be monitored by a camera or cameras that are strategically mounted to capture quality images of the heads and shoulders of persons who enter. Such cameras shall be mounted no higher than 7-feet above the floor/ground.
 - h. At least one camera shall be dedicated to the point of sale, or equivalent as determined by the Police Chief, to monitor the exchange of money and identification checks for age.
 - i. A monitor shall be placed near the primary entrance to the business to show patrons their image has been captured.

- j. Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.
- k. Site management shall provide in a timely manner any digital records of security camera or access control systems requested pursuant to a police investigation or for the periodic inspection of equipment required under these conditions.
- l. The video system shall be made available to the Chief of Police or his/her designee at all times by means of a secure Internet connection.
- m. Height gauges are required on the interior frame of each exterior door.
- n. A high-definition cloud based-video security system shall be used with a required 90 day tamper proof hard drive or software system pursuant to BCC 5044. System will be remotely accessible by the Chief of Police or his designee at all times. Prior to 90 days, no video will be erased without prior approval from the Chief of Police. At no time shall the business be open if the security system is down regardless of the presence of armed security guards.
- o. Cameras shall be mounted outside the business to monitor pedestrian and vehicular traffic around the business. Where possible and practical, cameras will be positioned to capture the faces of persons approaching the business and the license plates of vehicles driving on parking area drive aisles.

Access Control Systems

136. The site shall be equipped with an access control system that shall restrict access throughout the site.
- a. The access control system shall have the capability to add, subtract or modify a cardholder's access.
 - b. Access to various areas or rooms within the site will be restricted based on the cardholder's need for access according to the business plan and the security plan.
 - c. The primary entry to the site shall be controlled by a card or similar instrument coupled with a keypad to provide entry. A keypad entry will be required for the first access of each business day. Each employee authorized for "opening" entry shall have their own access and their own emergency code.
 - d. Access to interior "safe rooms" where product and cash are stored shall require keypad and pass card to enter.
 - e. Those persons authorized to utilize keypad entry locations will have two passcodes unique for their use. One passcode for normal entry and one for "distress" entry. The "distress" entry shall be used if the cardholder is entering under distress such as a robbery, kidnap or threat of harm. Permittee shall coordinate with the alarm service provider for this function.
 - f. An access card providing universal access to the site shall be provided to the Oxnard Fire Department for placement in the site Knox Box.

Alarm Systems

137. Intrusion/burglar alarms shall be "dual" technology and have the capability to differentiate between human and non-human motion. The burglar alarm sensors shall be mounted throughout the premises and shall specifically include: Receiving Area, Safe

Room, Security Room, Holding Area, All Areas Noted Corridors, Processing, Receiving, Retail Area “Safe Room”, Delivery, On-Line Storage “Safe Room”, Education Room, Waiting Room, Grand Lobby, Retail (non-cannabis) and the Roof.

138. Panic alarms shall be installed at various sites within the business to be used in the event of a robbery.

Security Site Plan

139. A Security Site Plan in a pdf format shall be submitted to the Chief of Police or his or her designee and approved prior to the issuance of building permits. The plan shall include:
- The plan shall identify the location of each security camera, camera recording/support equipment, all elements of an access control system, and any safe or secure room or rooms designed to maintain valuable assets or records.
 - The plan shall include a chart shall identify each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).
 - The plan shall identify any area which is served by an intrusion/burglary alarm system.
 - The plan shall identify the location of each panic alarm installation.
 - The Security Site Plan shall identify all the components of the access control system, their location and a chart that identifies each instrument with an alpha-numeric with the device name, make and model.
140. The Security Plan includes all matters relating to the security camera system, access control system, alarm system, security officer post orders, security site plan and other documents related to the safe and secure operation regulated under this permit. An updated Security Plan in a pdf format shall be submitted to the Police Department to specialprojects@oxnardpd.org under any of the below circumstances:
- Any modification to the site that changes the location of walls, doors or windows.
 - Any system upgrades or significant changes to the security camera or access control systems.
 - Or, when deemed appropriate by the Chief of Police or his or her designee based on security deficiencies discovered during any inspection of the site or any violation of the conditions of this permit.
141. Any component of the security system including all elements of the alarm, camera and access control systems are subject to replacement, upgrades, adjustments or additions should any of these circumstances occur:
- Equipment is outdated and not up to current industry standards or formats.
 - Or, through the oversight process exercised by the City of Oxnard or the State of California, deficiencies are discovered in the security and monitoring equipment which can be addressed through the adjustment or addition of security equipment.

142. The permittee shall create and maintain Post Orders for security officers working at the site. Post Orders shall be a “living document” and shall be subject to change based on operational experiences, noted deficiencies, and recommendations by the Oxnard Police Department. These orders shall outline the following:
- a. Specific duties and responsibilities for each security officer.
 - b. Procedures security officers shall follow during normal operations, emergency circumstances and when a crime is discovered.
 - c. Post orders shall delineate activities that security officers shall not perform as they distract or interfere from their security role.
 - d. Post Orders shall be identified by the last approved revision date and shall include the approval of the permittee and a designee from the Oxnard Police Department. Each updated revision shall be reviewed and acknowledged by each security officer working the site.
 - e. The Post Orders shall be reviewed and approved by the Oxnard Police Department prior to the issuance of the permit and shall be subject to revision as part of any inspection.
 - f. A copy of the current approved version of the Post Orders shall be available on-site for review by any security officer assigned at the site or any representative of the City of Oxnard visiting the site.

Notifications

143. The permittee shall establish and maintain the following to facilitate communication and notifications between the permittee and the Oxnard Police Department:
- a. Identify two management level employees as points of contact 24-hours a day, 7-days a week available to respond to the site in the event of an emergency or unlawful entry at the site.
 - b. A designated email address for the Oxnard Police Department to use for notifications pertaining to the business.
 - c. The management “points of contact” and the email address for notifications shall be provided by an email to: specialprojects@oxnardpd.org and shall include the names of the point of contact managers, their positions within the business and their phone numbers.
 - d. The Oxnard Police Department may establish additional staff members as points of contact for the permittee.
144. The Police Chief may temporarily suspend this permit pending a hearing as outlined in Article V of the Oxnard City Ordinance under any of the below circumstances:
- a. Discovery of any controlled substance or product classified in Schedules I, II, III and IV of the Uniform Controlled Substances Act of the Health and Safety Code and not identified as being permitted at the site within the scope of this permit or an authorizing permit issued by the State of California.
 - b. Failure to maintain security features at or above industry standards, failure to correct security deficiencies required in these conditions in a timely manner,

and/or failure to accurately or timely report a loss or theft of product as required under this permit.

- c. Any sales or transfer of cannabis products outside the restrictions, regulations and tracking mechanisms established through this permit or related cannabis permits issued by the State of California.

- 145. Bollards or similar barriers shall be placed in front of all windows that the bottom sill is lower than 30-inches above grade and the windows are in close proximity to a vehicle driving surface. Gaps between barriers or other structural features shall be no wider than 5-feet. These barriers shall be identified on the Security Site Plan.
- 146. All applications of window tinting shall be identified on submitted security site plans. "Black-out" tinting will not be allowed. Tinting that provides for clear outward viewing but blocks viewing from the outside is allowable.
- 147. Windows shall be protected by either of the following technologies:
 - a. Interior mounted security screens that are 50% see through which allows the interior of the business to be seen during hours where the screen is secured.
 - b. A transparent material that can withstand the impact of a sledge hammer or similar impact tool without breaching the window sufficiently to create a puncture hole of any size.
- 148. All signage for the site shall require joint approval from authorized designees of the Planning Division and the Police Department.

Cannabis Deliveries

- 149. All deliveries of cannabis shall require the following:
 - a. The persons making the delivery shall be a minimum of 21-years of age.
 - b. Cannabis products for delivery shall be locked in the truck of the vehicle or secured in a non-portable box or storage unit in the passenger compartment during transport.
 - c. Each driver making a cannabis delivery shall check the identification of the person depicted on the identification is of age and is the person receiving the delivery. The driver shall ensure the recipient of the cannabis product is 21-years of age, or 18 years of age and possess a cannabis medical card. The driver shall photograph or scan the identification using an identification scanner to record and verify the age of the person taking record of the delivery.
 - d. The permittee shall provide information on any website menu that clearly states that all deliveries that include cannabis will require the recipient of the cannabis products to present their government photo identification as proof of age. Recommended language for on-line menus: "The City of Oxnard required the delivery driver to photograph and scan a government issued photo identification of the recipient of all deliveries of cannabis products.
 - e. The permittee shall require that staff members taking phone orders for delivery of cannabis products shall advise customers of the requirements under subsection "(c)" of this condition.

- f. On-line orders for delivery which include cannabis products shall have a check box where the customer acknowledges that the recipient of the order must show a government issued photo identification at the time of delivery.

Police Special Conditions

- 150. The unit's address "2544" shall be painted on the exterior of the rear door in numerals that are 3-inches in height.
- 151. The unit's address "2544" shall be painted on the roof of the building above the unit in numerals that are 3-feet in height.
- 152. Bollards and enhanced security features are required for the storefront windows pursuant to general Police Conditions.
- 153. The property shall have and maintain at each vehicle entrance signs posted pursuant to 22658(a) CVC to prohibit unauthorized parking on private property.

FIRE DEPARTMENT STANDARD CONDITIONS

- 154. Applicant shall construct all vehicle access driveways on the project property to be at least 26 feet wide. The Applicant shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. The Applicant shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
- 155. 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)
- 156. Before the City issues building permits, the Applicant 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)
- 157. At the Applicant's expense, Applicant 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. The Applicant shall obtain permits for the tests from the Engineering Division. Applicant shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)
- 158. 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)

159. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, F-6)
160. At all times during construction, the Applicant 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)
161. The Applicant shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
162. The Applicant shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)
163. The applicant shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
164. 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)
165. The Applicant 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)
166. The Applicant 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)
167. The Applicant shall install in each structure in the project where automatic fire sprinklers are installed a system that automatically opens the skylights in areas affected by fire before the fire sprinklers are activated. (FD, F-14)
168. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)
169. The Applicant 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, Applicant shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

170. 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.
171. Before the city issues a certificate of occupancy, the Applicant shall install a Knox key vault at a location to be determined by the Fire Department.
172. The Applicant shall allow installation of public safety radio equipment in the tower, steeple, roof or other elevated portion of the building. Such equipment shall not conflict with the architectural design of the building and shall comply with zoning and planning requirements and conditions.
173. The Applicant shall provide the City Manager or his/her designee(s) with the name, telephone number (both landline and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day. Each commercial cannabis business must have a fire evacuation plan, and plan to address robberies and other emergencies. Said plan shall be reviewed and approved annually by the Fire Department.

ENVIRONMENTAL RESOURCES DIVISION

174. Applicant shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Applicant shall arrange for self-hauling.
175. FOR COMMERCIAL/INDUSTRIAL PROJECTS: To be in compliance with state law, Applicant shall make provisions to divert a minimum of 50%, with an aim of diverting 75% to achieve the new state diversion goal, of the waste material generated during occupancy through source reduction, recycling, reuse, and organics collection programs. Applicant shall submit an “ Environmental Resources Division Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. The Occupancy Plan must clearly state how recyclable and organic material will be managed on site to be in compliance with applicable state law, including what service provider(s) will manage/transport materials to appropriate facilities. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

176. Applicant 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)

177. Applicant shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Applicant, within 24 hours of its appearance. If Applicant 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)
178. 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)
179. Applicant shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
180. Applicant shall be responsible for all project related actions of Applicant's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
181. Applicant shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
182. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

183. Developer shall verify that the existing sanitary sewer and water services are adequately sized to serve the proposed improvements and provide the information on the improvement plans. (DS)
184. Existing water services and meters serving the project not meeting City standards shall be upgraded. (DS)
185. Show all applicable existing and proposed utilities (sewer, water, storm, gas, elect.) affected by the proposed improvement on the site engineering plan. (DS)
186. The project shall comply with the latest California Building Code disabled access requirements. (DS)
187. The existing trash enclosure shall be retrofitted with a roof and shall include architectural screen mesh between the top of wall and roof to prevent unauthorized access and be sprinklered if required by the Fire Department. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 21th day of October 2021.

Daniel Chavez, Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 21th day of October 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

J. Staff Presentation

PZ 21-516-08
Yuma Way CA, LLC dba Releaf on Vine
Commercial Cannabis Business Retail
Special Use Permit (SUP)
2544 North Vineyard Avenue
(APN: 145-0-231-065)

Planning Commission Hearing
By: Jose Coyotl, Associate Planner

October 21, 2021



Project Description

- A request to permit the operation of a commercial cannabis retail facility within an existing 1,320 square-foot commercial suite of a 7,682 square-foot multi-tenant commercial building on a 0.63-acre site.
- As part of the project there will be a tenant improvement consisting of
 - the installation of new partition walls
 - security upgrades to the existing building
 - minor plumbing upgrades
 - upgrades to an existing fire alarm system
 - installation of secure doors/windows
- Cannabis retail operations will be conducted between 9:00 AM to 9:00 PM daily.
- Application filed by Jessica Reuven

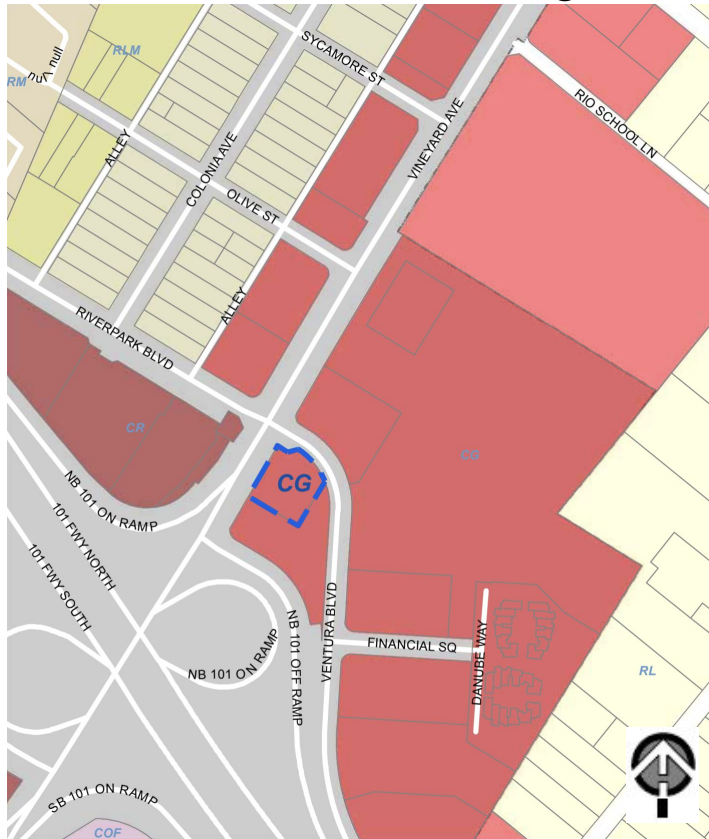
Project Location

Subject Site: 2544 North Vineyard Avenue



General Plan & Zoning Maps

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



General Commercial Planned Development
(C-2-PD)

Existing Site

Subject Site: 2544 North Vineyard Avenue

Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Multi-tenant commercial shopping center.
North	CG	C-2-PD	Multi-tenant commercial shopping center.
South	CG	C-2-PD	Office Building
East	CG	C-2-PD	Multi-tenant commercial shopping center.
West	Commercial Regional (CR)	Riverpark Specific Plan (SPLAN)	Fast food restaurants.

Existing Conditions

Street view looking southeast.



Background: Development History

- On April 21, 1988, the Planning Commission approved Planned Development Permit No. 448 to allow the construction of a 7,682 square-foot multi-tenant commercial building.

Background: Cannabis Regulations

- On April 2018, the City Council adopted a cannabis delivery ordinance including permit fees (Ord. No. 2937 - Chapter 11, Article XV).
- In January 2019, the State legalized cannabis delivery by state-licensed firms and eliminated the City's ability to regulate cannabis delivery.
- On June 18, 2019, City Council adopted Ord. No. 2960 establishing regulations pertaining to manufacturing, testing, and distribution of cannabis.
- On October, 1, 2019, City Council then adopted Ord. No. 2965, modifying the discretionary permitting process along with other non-substantive ordinance adjustments pertaining to manufacturing, testing, and distribution of cannabis.
- On September 15, 2020, City Council adopted Ord. No. 2985 to update the cannabis regulations in the City's newly adopted Industrial Code (Chapter 16 of the Oxnard City Code (OCC)).

Background: Cannabis Regulations (cont.)

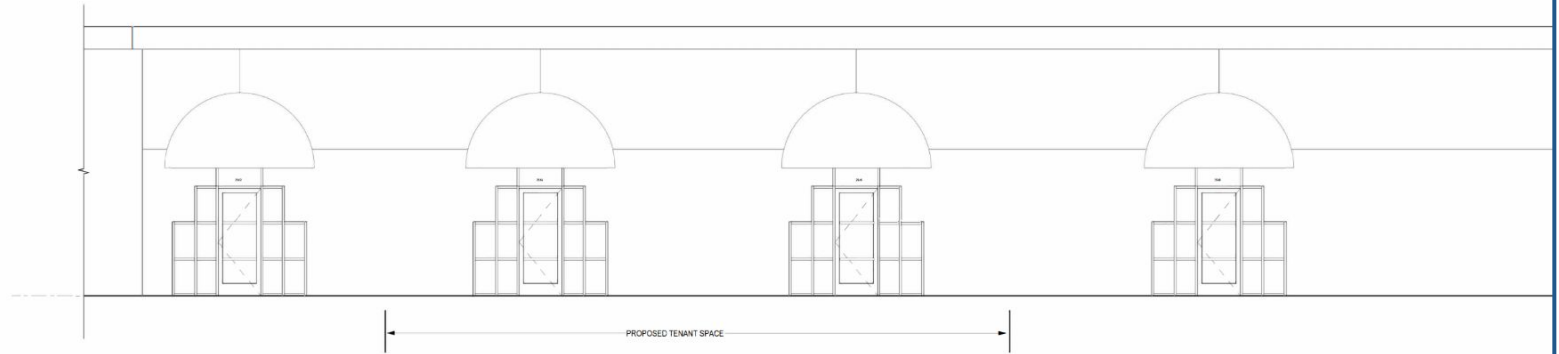
- On December 1, 2020, City Council adopted Ord. No. 2994 establishing regulations to repeal and readopt the former City's Commercial Cannabis Regulations pertaining to cannabis manufacturing, distribution, testing, and retail dispensaries contained in Chapter 11, Article XVII ("Code").

Commercial Cannabis License Selection

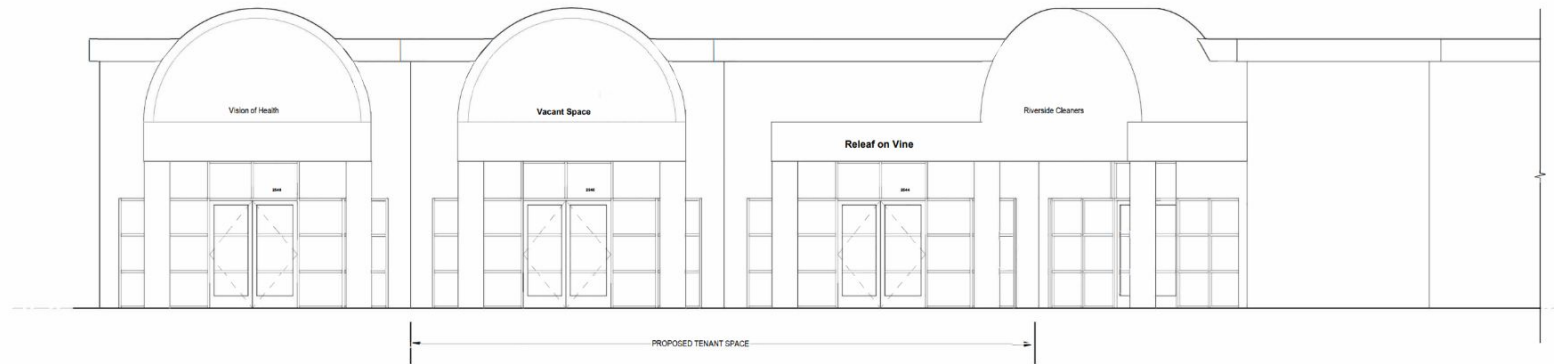
- On January 7, 2021, Yuma Way CA, LLC dba Releaf on Vine filed for a request to obtain a Commercial Cannabis Business Permit for a 1,320 square foot cannabis retail facility.
- On March 1, 2021, Yuma Way CA, LLC dba Releaf on Vine was awarded a conditional Commercial Cannabis Business Permit for cannabis retail. In order to successfully commence and inaugurate the Commercial Cannabis Business Permit Yuma Way CA, LLC dba Releaf on Vine is required to receive approval of a SUP as specified within OCC Section 11-457.

SITE PLAN
1/8" = 1' - 0"
1' 10' 20'
N

Elevations



1. Back Elevation
1/4" = 1'-0"



2. Front Elevation
1/4" = 1'-0"

Floor Plan / Security Plan

- The applicant provided a security plan with a detailed floor plan which was reviewed and conditionally approved by the Police Department.
- Security measures include:
 - Private Security is required at the property.
 - Security cameras will be installed.
 - Adequate lighting will be provided onsite.
 - Cannabis products will be monitored, tracked, and placed in secure storage.

Public Comments

- The project site is located within the El Rio Neighborhood.
- On September 20, 2021, the project was presented to the public during a Community Workshop meeting.
- On September 9, 2021, the site was posted with Project details and Community Workshop information and the Developer mailed out 2,008 meeting agenda notices to the residents of the El Rio West and Riverpark Neighborhoods.
- The meeting was attended by approximately 25 members of the public and persons had an opportunity to ask questions.

Public Comments

- Staff received five comments summarized below:
 - The project would have sufficient parking and the applicant would be a good business to allow further tenants to move into the shopping center.
 - Issues with notifying the adjacent community of the project and the method of public outreach conducted by the Applicant.
 - The selection of cannabis locations and limited vehicle circulation at the project site.
 - Support of the project based on the new retailer helping revitalize the shopping corridor.
 - Support of the project based on the grounds the cannabis retailer would be good for other businesses.

Public Comments

- Following the Community Workshop, Staff found the El Rio neighborhood had not been notified of the Community Workshop meeting. As a result, a copy of the Planning Commission Hearing public notice was mailed to all residents of the El Rio neighborhood.
- To date, staff has not received any public comments regarding this Project.

Key Conditions of Approval

- **Conditions # 14, 40, 41:** Abide by City of Oxnard and State of California rules and regulations related to this business.
- **Conditions # 37:** The commercial cannabis business permit shall expire, and be subject to the renewable process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the SUP pursuant to the Oxnard City Code Section 11-459.

Retail Operating Conditions

- **Conditions # 57-59,133-134:** Provide regulatory action of cannabis retail procedures to allow only eligible members of the community to purchase product and allow for a secure selling environment.

Police Conditions

- **Conditions # 80-153:** Security features will be implemented as required by adopted cannabis Ordinance.

Key Conditions of Approval (Cont.)

Fire Department Conditions

- **Conditions #154-173:** This broad range of numbers indicates that the system is to be designed to be a safe facility.

Community Benefits / Community Relations

- **Condition #47-50, 62-63:** The project is conditioned to be a good neighbor / member of the community.

Taxes and Inventory Tracking

- **Condition #51-52, 65-73:** These set of conditions help the operator be responsible corporate citizen.

Environmental Review

- In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The project includes:
 - A request for to operate a cannabis retail facility within an existing individual building.
 - The Project will not increase the square footage of the existing building
- No substantial evidence the project will have a significant effect on environment.
- A Notice of Exemption will be filed.

Staff Recommendation

That the Planning Commission

- a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-516-08 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

End of Presentation

Planning Commission Hearing: October 21, 2021



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jose Coyotl, Associate Planner

DATE: October 21, 2021

SUBJECT: **Project Name: EEL - Oxnard, LLC dba Catalyst - Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP); Planning and Zoning Permit No. 21-516-30 (Retail); Located at 4749 South Rose Avenue (APN: 224-0-020-285).**

1) Recommendation: That the Planning Commission (“**Commission**”)

- a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-516-30 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

2) Project Description and Applicant: A request to permit the operation of a commercial cannabis retail facility within an existing 1,465 square-foot commercial suite of a 53,990 square-foot multi-tenant commercial building on a 5.26-acre site located at 4749 South Rose Avenue (APN: 224-0-020-285) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, and installation of new secure doors/windows (Attachments A and B). Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. For the purposes of this Staff Report, the foregoing project description shall be referred to as the “**Project**”. Filed by Blake Hogen (“**Applicant**”), 6700 Pacific Coast Highway, Suite 201, Long Beach, CA 90803, on behalf of EEL - Oxnard, LLC. dba Catalyst - Oxnard.

3) Existing & Surrounding Land Uses: The 5.26-acre property is developed with a 53,990 square-foot multi-tenant commercial building, and 229 associated parking spaces. The project will be located within the 53,990 square-foot multi-tenant commercial building located at 4749 South Rose Avenue. The nearest public elementary school is Williams Elementary School, located approximately 1,166 feet north of the project site which is outside the required 600-foot radius away from a sensitive use. The following table

identifies the General Plan and zoning designations of the project site and adjacent properties:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Multi-tenant commercial shopping center.
North	Residential Low (RL) and Residential Medium (RM)	Single-Family (R-1) and Garden Apartment Planned Development (R-3-PD)	Single-family homes and multi-family apartments.
South	Mobile Home Park (MHP)	Mobile Home Park - Planned Development	Mobile home park.
East	RM	R-3-PD	Multi-family apartment.
West	Mobile Home Park (MHP)	Mobile Home Park - Planned Development (MH-PD)	Mobile home park.

4) Background Information:

Cannabis Regulations

In April 2018, the City Council adopted a cannabis delivery ordinance including permit fees (Ord. No. 2937 - Chapter 11, Article XV). In January 2019, the State legalized cannabis delivery by state-licensed firms and eliminated the City's ability to regulate cannabis delivery.

On June 18, 2019, the City Council adopted Ord. No. 2960 establishing regulations pertaining to manufacturing, testing, and distribution of cannabis. On October 1, 2019, the City Council adopted Ord. No. 2965, modifying the discretionary permitting process along with other non-substantive ordinance adjustments pertaining to manufacturing, testing, and distribution of cannabis. On December 17, 2019, the City Council adopted Ord. 2972 establishing regulations for retail cannabis (dispensary) uses. On September 15, 2020, the City Council adopted Ord. No. 2985 to permit cannabis retail dispensaries in the downtown zones ("Downtown-Core" and "Downtown-General"), and updated the cannabis regulations in the City's newly adopted Industrial Code (Chapter 16 of the OCC). On October 20, 2020, the City Council adopted a cannabis local equity program.

On December 1, 2020, the City Council adopted Ord. No. 2994 (Attachment C) establishing regulations to repeal and readopt the former City's Commercial Cannabis Regulations pertaining to cannabis manufacturing, distribution, testing, and retail dispensaries contained in Chapter 11, Article XVII ("Code"). The adapted ordinance made modifications to implement the City's Local Equity Cannabis program, update appeal provisions, and made a

number of other nonsubstantive updates to the existing cannabis regulations. The City Council also repealed Chapter 11, Article XV (Medical Cannabis Delivery), and Chapter 7, Article XVI (Cannabis and Medical Cannabis Activities) due to State legalization of state-licensed cannabis delivery operators.

Development History

On August 3, 1972, the Planning Commission approved Planned Development Permit No. 204 to allow the construction of a 56,000 square-foot multi-tenant commercial building.

On February 26, 1976, the Planning Commission approved Amendment-1 to Planned Development No. 204 to allow a revised master sign program for additional signage to be attached to the existing free standing signs to be attached to the freestanding signs to include one double face 3-foot by 16-foot lighted sign attached to the Alpha Beta sign and six plaque type (reader board) signs attached to the Brand's store sign.

On March 30, 1976, the City Council denied an appeal challenging the approval of Amendment-1 to Planning Development No. 204.

Commercial Cannabis Retail License Selection

On January 7, 2021, EEL - Oxnard, LLC. dba Catalyst - Oxnard filed for a request to obtain a Commercial Cannabis Business Permit for a 1,465 square-foot cannabis retail facility.

On March 1, 2021, EEL - Oxnard, LLC. dba Catalyst - Oxnard was awarded a conditional Commercial Cannabis Business Permit for cannabis retail (Attachment D). In order to successfully commence and inaugurate the Commercial Cannabis Business Permit EEL - Oxnard, LLC. dba Catalyst - Oxnard is required to receive approval of a SUP as specified within OCC Section 11-457.

5) Environmental Determination:

In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request for retailing of cannabis products within an existing commercial building, the project request will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, Staff recommends that the Planning Commission find the Project is Categorical Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities) (Attachment E).

6) Analysis:

a) General Discussion:

As discussed below, the Project has been found to be consistent with the General Plan, General Commercial zone, and the OCC.

In accordance with OCC Section 11-473(A) and 11-473(B), permitted uses within the General Commercial zone, includes a commercial cannabis business retail of cannabis, provided that the owner has first obtained a commercial cannabis business permit per discretionary cannabis use pursuant to Article XVI, Chapter 11 of the OCC (SUP for retail). The site will be secure at all times by the use of proper security measures as reviewed by the Police Department.

b) General Plan, Specific Plan, and Zoning Consistency:

General Plan:

The City's 2030 General Plan land use designation for the subject site is Commercial General (CG), which allows for retail centers and free-standing commercial uses along arterials, may also include office, residential uses up to 18 dwelling units per acre, live/work, work/live and mixed uses. The proposed Project is consistent with the 2030 General Plan and the property's land use designation (Attachment F).

Zoning Consistency:

The Project is within the General Commercial Planned Development (C-2-PD) zone. The C-2-PD is intended to provide a wide range of commercial uses including retail. As demonstrated within the table of Attachment G, the Project is in compliance with the General Commercial Planned Development zone.

Location and Design of Cannabis Business Requirements:

In accordance with OCC Section 11-473 (Location and Design of Cannabis Business), the retail sale of cannabis products is a conceptually permitted use on the property subject to relevant requirements. As demonstrated in the table of Attachment H, the Project has been found to be in compliance with Section 11-473.

As demonstrated within the referenced table attachments, this Project is consistent with the City's General Plan, General Commercial Planned Development zone, and Section 11-473 (Location and Design of Cannabis Business). Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) Circulation and Parking:

Vehicular access to the site will occur via two existing approximately 30-foot drive aisles off Pleasant Valley Road, one 30-foot drive aisle to a private alleyway, and two approximately 30-foot drive aisles off Rose Avenue. In order to minimize security issues unloading of cannabis products, the project will utilize a legal non conforming loading zone along the west side of the buildings accessed by a service door to the tenant space. In order to comply with parking requirements for the proposed cannabis retail use the applicant will be making modifications to the existing parking configuration resulting in 262 parking spaces which includes: 9 ADA, 2 motorcycle, and and 251 standard parking stalls. Required parking is provided as follows:

USE TYPE & SQUARE FOOTAGE	PARKING STANDARD	PARKING REQUIRED	PROPOSED	COMPLIES?
Shopping Center - Neighborhood 52,925 square feet	1 per 250 square feet of area	212	262	Yes
Cannabis Retail Use 1,465 square feet	1 per 250 square feet of area.	6		Yes
Bicycles	1 space per 33 automobile parking spaces	8	8	Yes
Total Provided Parking: :		218 Parking Spaces 8 Bicycle Spaces	262 Parking Spaces 10 Bicycle Spaces	

d) Police Department Review:

With implementation of the recommended operating conditions, the Police Department anticipates the retail of cannabis products will have little, if any, adverse impact on area crime or demand for policing services. Several conditions of approval have been incorporated into the draft resolutions of approval (Attachments I) in order to mitigate Police Department concerns in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

7) Cannabis Review Committee:

The Project was reviewed by the Cannabis Review Committee (CRC) on June 14, 2021. Conditions of approval from CRC are included in the attached Resolution.

8) Community Workshop and Public Input:

The project site is located within the Villa Capri Neighborhood. On August 16, 2021, the site was posted with Project details and Community Workshop information, and the Developer mailed out 642 meeting agenda notices to the residents of Via Capri and Tierra Vista. On August 5, 2021, the project was presented to the public during a Community Workshop meeting. There were 18 members that participated at the Community Workshop for this item. Staff received three comments regarding the cannabis retail facility. The first comment inquired about the selection of cannabis locations and the need for the project to have better lighting within the shopping center. The second comment was based on the objection of cannabis uses due to religious beliefs and crime/drug use in the immediate area. The third comment was regarding community benefits the Applicant would provide in the immediate City along with employment benefits offered. Staff did not receive any public comments during the meeting. To date, staff has not received any public comments regarding this Project.

9) Appeal Procedure:

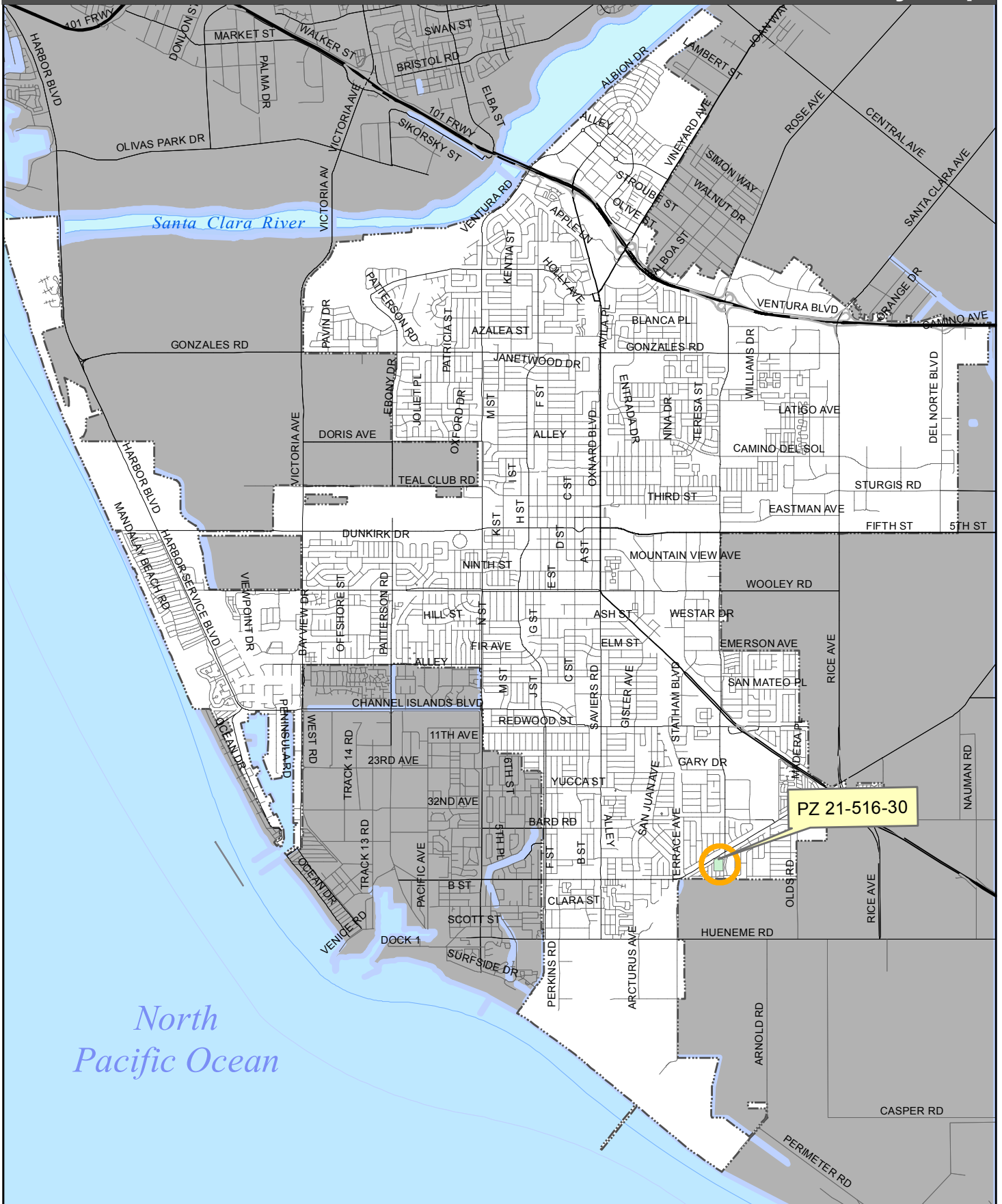
In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 21-516-30 (Commercial Cannabis Retail- Special Use permit) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be deemed final.

Attachments:

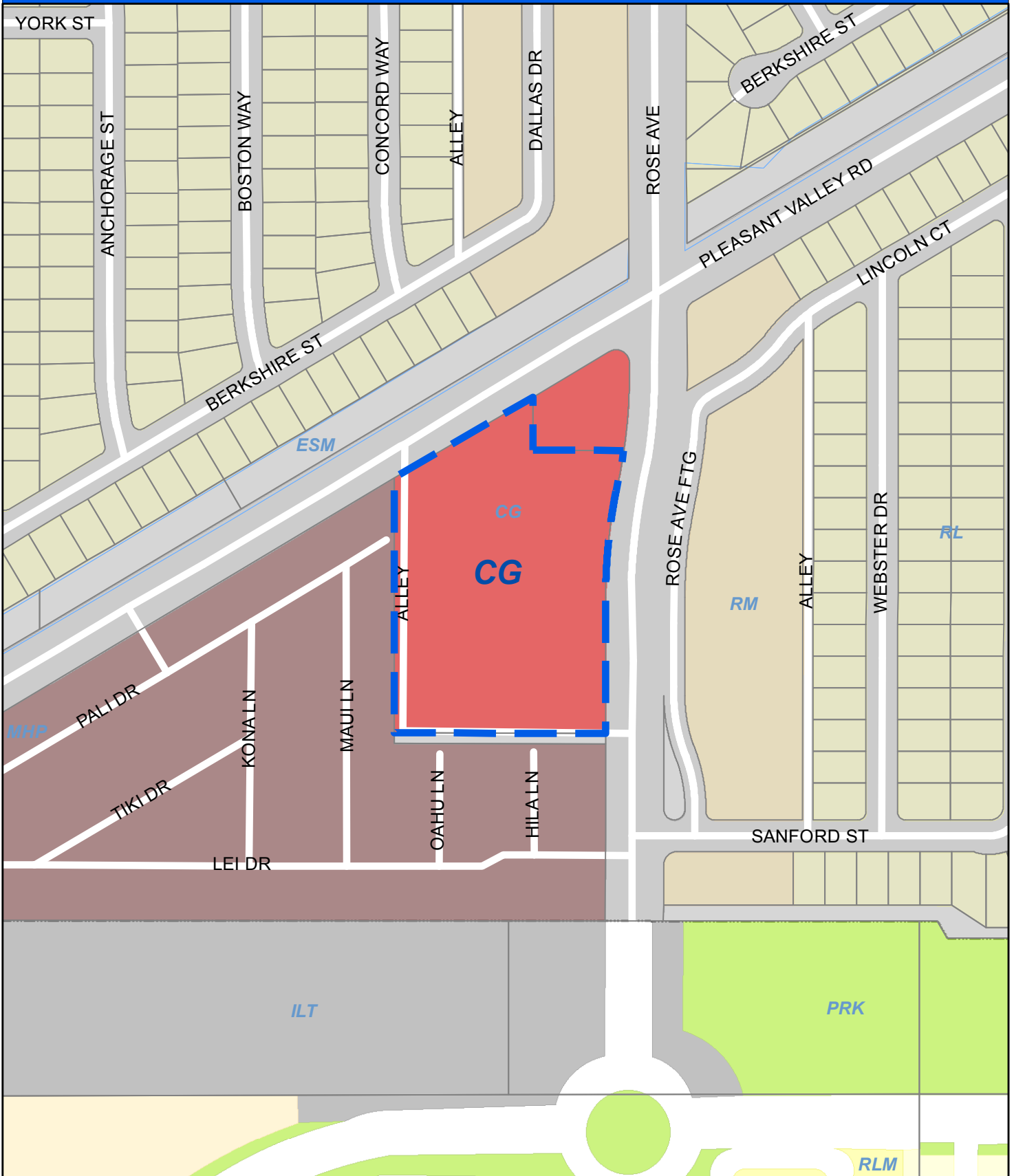
- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Cannabis Ordinance No. 2994
- D. EEL - Oxnard, LLC. dba Catalyst - Oxnard Conditional Commercial Cannabis Business Permit
- E. Notice of Exemption
- F. 2030 General Plan Consistency Chart
- G. Zoning Consistency Chart
- H. Location and Design of Cannabis Business Consistency Chart
- I. Draft Resolution of Approval for Commercial Cannabis Retail
- J. Staff Presentation

A. Maps (Vicinity, General Plan, Zoning, Aerial)

Vicinity Map

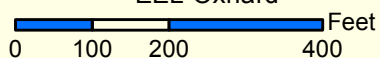


2030 General Plan Land Use Map



Oxnard Planning
October 5, 2021

PZ 21-516-30
Location: 4749 S Rose Ave
APN: 2240020285
EEL Oxnard



2030 General Plan Land Use Map



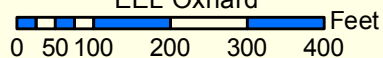
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Zoning/Specific Plan Map



Oxnard Planning
October 5, 2021

PZ 21-516-30
Location: 4749 S Rose Ave
APN: 2240020285
EEL Oxnard



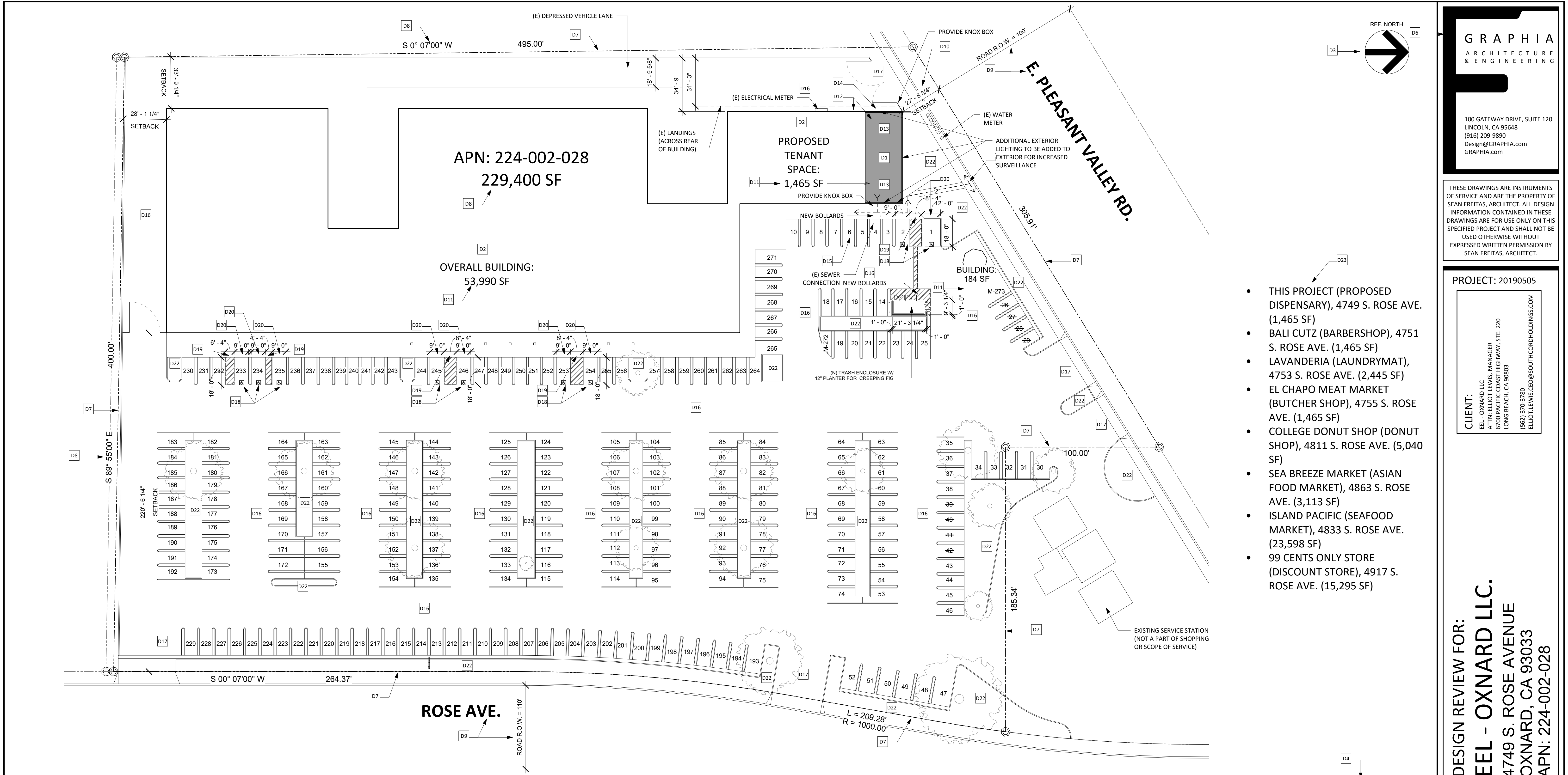
Zoning/Specific Plan Map



1:3,000



B. Reduced Project Plans



- THIS PROJECT (PROPOSED DISPENSARY), 4749 S. ROSE AVE. (1,465 SF)
- BALI CUTZ (BARBERSHOP), 4751 S. ROSE AVE. (1,465 SF)
- LAVANDERIA (LAUNDRYMAT), 4753 S. ROSE AVE. (2,445 SF)
- EL CHAPO MEAT MARKET (BUTCHER SHOP), 4755 S. ROSE AVE. (1,465 SF)
- COLLEGE DONUT SHOP (DONUT SHOP), 4811 S. ROSE AVE. (5,040 SF)
- SEA BREEZE MARKET (ASIAN FOOD MARKET), 4863 S. ROSE AVE. (3,113 SF)
- ISLAND PACIFIC (SEAFOOD MARKET), 4833 S. ROSE AVE. (23,598 SF)
- 99 CENTS ONLY STORE (DISCOUNT STORE), 4917 S. ROSE AVE. (15,295 SF)

GRAPHIA
ARCHITECTURE
& ENGINEERING

100 GATEWAY DRIVE, SUITE 120
LINCOLN, CA 95648
(916) 209-9890
Design@GRAPHIA.com
GRAPHIA.com

THESE DRAWINGS ARE INSTRUMENTS OF SERVICE AND ARE THE PROPERTY OF SEAN FREITAS, ARCHITECT. ALL DESIGN INFORMATION CONTAINED IN THESE DRAWINGS ARE FOR USE ONLY ON THIS SPECIFIED PROJECT AND SHALL NOT BE USED OTHERWISE WITHOUT EXPRESSED WRITTEN PERMISSION BY SEAN FREITAS, ARCHITECT.

PROJECT: 20190505

CLIENT:
EEL - OXNARD LLC
ATTN: ELLIOT LEWIS, MANAGER
6700 PACIFIC COAST HIGHWAY, STE. 220
LONG BEACH, CA 90803
(562) 370-3780
ELLIOT.LEWIS.CEO@SOUTH-CORDHOLDINGS.COM

DESIGN REVIEW FOR:
EEL - OXNARD LLC.
4749 S. ROSE AVENUE
OXNARD, CA 93033
APN: 224-002-028

PREMISES SITE DIAGRAM

SCALE
1" = 30'-0"

1

SUMMARY TABLE	
PROJECT ADDRESS:	4749 S. ROSE AVE., OXNARD, CA 93033
SITE AREA:	229,400 SF
BUILDING AREA:	53,990 SF
PROJECT TENANT AREA:	1,465 SF
ZONING:	C2PD
OCCUPANCY TYPE:	M (MERCANTILE)
SCOPE OF WORK:	REMODELING EXISTING COMMERCIAL TENANT SPACE FOR A NEW MARIJUANA DISPENSARY. (INCLUDES: DEMO WORK, ACCESSIBILITY UPGRADES, NEW WALLS, RETAIL AREA, PROCESSING SPACES, STORAGE AND RELATED DATA, SECURITY, MECHANICAL, ELECTRICAL, PLUMBING, SIGNAGE & PARKING IMPROVEMENTS, AND NEW TRASH ENCLOSURE.
HOURS OF OPERATION:	10:00 AM TO 8:00 PM (7 DAYS A WEEK)

PREMISES SITE DIAGRAM KEYNOTES		
D1	EXISTING LOCATION FOR THIS PROJECT WITHIN EXISTING SHOPPING CENTER	
D2	EXISTING 53,990 SF SHOPPING CENTER.	
D3	NORTH ARROW	
D4	DRAWING SCALE	
D5	DATE OR PREPARATION	
D6	NAME OR PLAN PREPARER	
D7	PROPERTY LINE	
D8	EXISTING PROPERTY LINE DIMENSIONS & SITE SQUARE FOOTAGE	
D9	EXISTING ADJACENT STREET NAMES & DIMENSIONS	
D10	EXISTING BUILDING SETBACK DIMENSIONS	
D11	EXISTING SQUARE FOOTAGE OF BUILDINGS	
D12	EXISTING TRASH ENCLOSURE LOCATIONS (SECURE WASTE IS LOCATED IN THE BUILDING)	
D13	EXISTING ROOFTOP HVAC EQUIPMENT (ABOVE - TO REMAIN)	
D14	LOADING & UNLOADING LOCATION	
D15	EXIST' PARKING STALL LOCATIONS - 238 SPACES (RESTRIPED PARKING LOT IF THE PARKING LINES ARE FADED)	
D16	EXISTING DRIVEWAYS	
D17	EXISTING PROPERTY INGRESS AND EGRESS	
D18	EXISTING ACCESSIBLE PARKING STALLS TO BE BROUGHT TO CURRENT CBC CODE (INCLUDING NEW STRIPING, SIGNAGE, & VAN ACCESSIBLE PARKING STALL).	
D19	EXISTING ACCESSIBLE CURB RAMP	
D20	EXISTING ACCESSIBLE PARKING SIGNAGE	
D21	EXISTING PATH OF TRAVEL TO BUILDING WALKWAY, TENANT ENTRANCE & PUBLIC WAY	
D22	EXISTING LANDSCAPE AREA	
D23	EXISTING TENANTS, USES & SQUARE FOOTAGES FOR TENANTS WITHIN SHOPPING CENTER	

D5

PARKING ANALYSIS:				
REQUIRED PARKING:				
COMPONENT	LAND USE	SIZE	ZONING REQUIREMENT	REQUIRED PARKING
SHOPPING CENTER (NOT INCLUDING DISPENSARY)	RETAIL COMMERCIAL	52,525 SF	1 SPACE PER 250 SF	211 STALLS
CANNABIS DISPENSARY	RETAIL COMMERCIAL	1,465 SF	1 SPACE PER 250 SF	6 STALLS
DETACHED RETAIL SPACE	RETAIL COMMERCIAL	185 SF	1 SPACE PER 250 SF	1 STALL
TOTAL REQUIRED PARKING:				218 STALLS
ACTUAL PARKING:				
PARKING TYPE		PROVIDED STALLS		
COMPACT PARKING STALLS		0 STALLS		
ACCESSIBLE PARKING STALLS		9 STALLS		
MOTORCYCLE PARKING STALLS		2 STALLS		
STANDARD PARKING STALLS		262 STALLS		
STANDARD PARKING STALLS (NOT AVAILABLE FOR USE; SEE NOTE)		11 STALLS (UNAVAILABLE)		
TOTAL ACTUAL PARKING:		262 STALLS		
BICYCLE PARKING & STORAGE:				
BICYCLE RACK STALLS	8 STALLS		BICYCLE LOCKERS	0 LOCKERS
NOTE: THERE ARE 273 (INCLUDING 2 MOTORCYCLE) PARKING SPACES IN SHOPPING CENTER (262 PARKING SPACES AVAILABLE FOR VEHICLE PARKING). SPACES 11-13 TO BE REMOVED FOR NEW TRASH ENCLOSURE, 26-29 & 39-42 NOT AVAILABLE FOR PARKING.				

TITLE:
PREMISES SITE PLAN

ISSUES:
Project Issue Date: 01-06-2021
Project Status: DESIGN REVIEW
Sheet Issue Date: 09-07-2021
Revision Number:
Revision Date:

ARCHITECT'S APPROVAL

SEAN FREITAS
REGISTERED ARCHITECT
NO. C23563
EXPIRATION DATE: 12/31/2024

THIS PROJECT IS NOT APPROVED FOR CONSTRUCTION UNLESS THE DRAWINGS ARE STAMPED AND WET SIGNED BY THE ARCHITECT AND THE BUILDING AUTHORITY HAVING JURISDICTION OVER THE PROJECT.

SHEET:
A1.00
SHEET: OF SHEETS

NOTE:
PROJECT TO MEET ALL CURRENT CITY CODES & STANDARDS,
INCLUDING THE CALIFORNIA BUILDING STANDARDS CODE.



PROPOSED EXTERIOR
PERSPECTIVE



EXISTING EXTERIOR
PERSPECTIVE

GRAPHIA
ARCHITECTURE
& ENGINEERING

100 GATEWAY DRIVE, SUITE 120
LINCOLN, CA 95648
(916) 209-9890
Design@GRAPHIA.com
GRAPHIA.com

THESE DRAWINGS ARE INSTRUMENTS
OF SERVICE AND ARE THE PROPERTY OF
SEAN FREITAS, ARCHITECT. ALL DESIGN
INFORMATION CONTAINED IN THESE
DRAWINGS ARE FOR USE ONLY ON THIS
SPECIFIED PROJECT AND SHALL NOT BE
USED OTHERWISE WITHOUT
EXPRESSED WRITTEN PERMISSION BY
SEAN FREITAS, ARCHITECT.

PROJECT: 20190505

CLIENT:
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DESIGN REVIEW FOR:
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OXNARD, CA 93033
APN: 224-002-028

TITLE:
ELEVATIONS

ISSUES:

Project Issue Date:

Project Status:

Sheet Issue Date:

Revision Number:

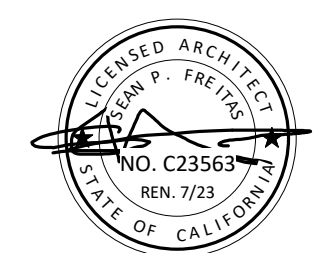
Revision Date:

01-06-2021

DESIGN REVIEW

09-07-2021

ARCHITECT'S APPROVAL



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UNLESS THE DRAWINGS ARE STAMPED AND WET SIGNED BY
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JURISDICTION OVER THE PROJECT.

SHEET:

A6.00

SHEET: OF SHEETS

C. Cannabis Ordinance No. 2994

ORDINANCE NO. 2994

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OXNARD, CALIFORNIA REPEALING AND READOPTING ARTICLE XVII OF CHAPTER 11 OF THE OXNARD CITY CODE (OXNARD CITY CODE SECTIONS 11-450 TO 11-496) REGARDING COMMERCIAL CANNABIS ACTIVITY, REPEALING CHAPTER 7, ARTICLE XVI OF THE OXNARD CITY CODE (OXNARD CITY CODE SECTION 7-280 TO 7-285) REGARDING CANNABIS AND MEDICAL CANNABIS MEDICAL ACTIVITIES, AND REPEALING ARTICLE XV OF CHAPTER 11 OF THE OXNARD CITY CODE (OXNARD CITY CODE SECTIONS 11-390 TO 11-403) REGARDING MEDICAL CANNABIS DELIVERY

The City Council of the City of Oxnard does hereby ordain as follows:

Section 1. Article XVII of Chapter 11 of the Oxnard City Code regarding Commercial Cannabis Activity is hereby repealed and readopted to read as follows:

“ARTICLE XVII. COMMERCIAL CANNABIS ACTIVITY

SEC. 11-450. PURPOSE AND INTENT.

It is the purpose and intent of this article to implement the provisions of the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”) to accommodate the needs of medically-ill persons in need of and provide access to cannabis for medicinal purposes as recommended by their health care provider(s), and to provide access to adult-use for persons over the age of 21 as authorized by the Control, Regulate and Tax Adult Use of Cannabis Act (“AUMA” or “Proposition 64” enacted by California voters in 2016), while imposing sensible regulations on the use of land to protect the city’s residents, neighborhoods, and businesses from disproportionately negative impacts. As such, it is the purpose and intent of this article to regulate the Cultivation, Processing, manufacturing, testing, Sale, Delivery, Distribution, and transportation of Cannabis and Cannabis Products in a responsible manner to protect the health, safety, and welfare of the residents of the city and to enforce rules and regulations consistent with state law. It is the further purpose and intent of this article to require all commercial cannabis operators to obtain and renew annually a permit to operate within the city. Nothing in this article is intended to authorize the possession, use, or provision of Cannabis for purposes that violate state or federal law. The provisions of this article are in addition to any other permits, licenses and approvals which may be required to conduct business in the city, and are in addition to any permits, licenses and approval required under state, city, or other law.

SEC. 11-451. LEGAL AUTHORITY.

Pursuant to Sections 5 and 7 of Article XI of the California Constitution, the provisions of the MAUCRSA, any subsequent state legislation and/or regulations regarding same, the city is authorized to adopt ordinances that establish standards, requirements and regulations for the

licensing and permitting of Commercial Cannabis Activity. Any standards, requirements, and regulations regarding health and safety, security, and worker protections established by the state, or any of its departments or divisions, shall be the minimum standards applicable in the city to all Commercial Cannabis Activity.

SEC. 11-452. CANNABIS CULTIVATION AND COMMERCIAL CANNABIS ACTIVITIES PROHIBITED UNLESS SPECIFICALLY AUTHORIZED BY THIS ARTICLE.

Except as specifically authorized in this article, the commercial Cultivation, Manufacture, Processing, storing, laboratory testing, Labeling, Sale, Delivery, Distribution or transportation (other than as provided under Cal. Bus. and Prof. Code Section 26090(e)), of Cannabis or Cannabis Product is expressly prohibited in the city.

SEC. 11-453. COMPLIANCE WITH STATE AND LOCAL LAWS.

It is the responsibility of the Owners and operators of a Commercial Cannabis Business to ensure that it is always operating in a manner compliant with all applicable state and local laws, and any regulations promulgated thereunder. Nothing in this article shall be construed as authorizing any actions that violate federal, state or local law with respect to the operation of a Commercial Cannabis Business. It shall be the responsibility of the owners and the operators of a Commercial Cannabis Business to ensure that the Commercial Cannabis Business is, at all times, operating in a manner compliant with all applicable federal, state and local laws, including the MAUCRSA, and any subsequently enacted state law or regulatory, licensing, or certification requirements, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of the local Commercial Cannabis Business Permit. Nothing in this article shall be construed as authorizing any actions that violate federal or state law regarding the operation of a Commercial Cannabis Business.

SEC. 11-454. DEFINITIONS.

When used in this article, the following words shall have the meanings ascribed to them as set forth herein. Any reference to California statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision.

(A) A-LICENSE - A state license issued by the Bureau of Cannabis Control for Cannabis or Cannabis Products that are intended for adults 21 years of age and over and who do not possess physician's recommendations.

(B) A-LICENSEE - Any person holding a license for Cannabis or Cannabis Products that are intended for adults 21 years of age and over and who do not possess physician's recommendations.

(C) APPLICANT - An Owner applying for a Commercial Cannabis Business Permit pursuant to this article.

(D) BATCH - A specific quantity of homogeneous Cannabis or Cannabis Product that is one of the following types:

(1) HARVEST BATCH - A specifically identified quantity of dried flower or trim, leaves,

and other Cannabis plant matter that is uniform in strain, harvested at the same time, and, if applicable, cultivated using the same pesticides and other agricultural chemicals and harvested at the same time.

(2) MANUFACTURED CANNABIS BATCH - Either of the following:

(a) An amount of Cannabis concentrates or extract that is produced in one production cycle using the same extraction methods and standard operating procedures.

(b) An amount of a type of manufactured Cannabis produced in one production cycle using the same formulation and standard operating procedures.

(E) BUREAU - The Bureau of Cannabis Control within the Department of Consumer Affairs, formerly named the Bureau of Marijuana Control, the Bureau of Medical Cannabis Regulation, and the Bureau of Medical Marijuana Regulation, or its successor.

(F) CANNABIS - All parts of the Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Cannabis also means the separated resin, whether crude or purified, obtained from cannabis. Cannabis does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. For the purpose of this article, Cannabis does not mean “industrial hemp” as defined by Cal. Health and Safety Code Section 11018.5 or Cal. Food and Agricultural Code Section 81000.

(G) CANNABIS ACCESSORIES - The same meaning as in Cal. Health and Safety Code Section 11018.2.

(H) CANNABIS INNOVATION ZONE - A park or campus which is one contiguous commercial area of land which has many Cannabis related businesses grouped together. Each individual business would be clearly defined, which has a unique entrance and immovable physical barriers between uniquely licensed premises.

(I) CANNABIS CONCENTRATE - Cannabis that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product’s potency. Resin from granular trichomes from a Cannabis plant is a concentrate for purposes of this article. A Cannabis concentrate is not considered food, as defined by Cal. Health and Safety Code Section 109935, or drug, as defined by Cal. Health and Safety Code Section 109925.

(J) CANNABIS PRODUCT - A product containing Cannabis, including, but not limited to, manufactured Cannabis, - intended to be sold for use by Cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Cal. Health and Safety Code Section 11362.5 (as the same may be amended from time-to-time) or pursuant to the Adult Use of Cannabis Act. For purposes of this article, Cannabis does not include industrial hemp as defined by Cal. Food and Agricultural Code Section 81000, or Cal. Health and Safety Code Section 11018.5.

(K) CANNABIS PRODUCTS - The same meaning as in Cal. Health and Safety Code Section 11018.1.

(L) CANOPY - The designated area(s) at a licensed premise, except nurseries that will contain mature plants at any point in time.

(1) Canopy shall be calculated in square feet and measured using clearly identifiable boundaries of all areas(s) that will contain mature plants at any point in time, including all of the

space(s) within the boundaries; and

(2) Canopy may be non contiguous but each unique area included in the total canopy calculation shall be separated by an identifiable boundary which include, but are not limited to: interior walls, shelves, greenhouse walls, hoop house walls, garden benches, hedgerows, fencing, garden beds or garden plots; and

(3) If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total Canopy calculation.

(M) CAREGIVER or PRIMARY CAREGIVER - The same meaning as that term is defined in Cal. Health and Safety Code Section 11362.7.

(N) CHILD RESISTANT - Designed or constructed to be significantly difficult for children under five years of age to open, and not difficult for normal adults to use properly.

(O) CITY - The City of Oxnard including the area within the territorial city limits of the city and such territory outside of the city over which the city council has jurisdiction or control by virtue of any provision of law.

(P) COMMERCIAL CANNABIS ACTIVITY - Includes the possession, Manufacture, Distribution, Processing, storing, Sale, laboratory testing, packaging, Labeling or transportation of Cannabis and Cannabis Products as provided for in this division.

(Q) COMMERCIAL CANNABIS BUSINESS - Any business or operation which engages in medicinal or adult-use Commercial Cannabis Activity.

(R) COMMERCIAL CANNABIS BUSINESS PERMIT - A regulatory permit issued by the city pursuant to this article to a Commercial Cannabis Business and is required before any Commercial Cannabis Activity may be conducted in the city. The initial permit and annual renewal of a Commercial Cannabis Business Permit is made expressly contingent upon the business's ongoing compliance with all of the requirements of this article and any regulations adopted by the city governing the Commercial Cannabis Activity at issue.

(S) CULTIVATION - Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of Cannabis.

(T) CULTIVATION SITE - A location where Cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or a location where any combination of those activities occurs.

(U) CUSTOMER - A natural person 21 years of age or over, or a natural person 18 years of age or older who possesses a physician's recommendation or a medical marijuana identification card.

(V) DAY CARE CENTER - The same meaning as in Cal. Health and Safety Code Section 1596.76.

(W) DELIVERY - The commercial transfer of Cannabis or Cannabis Products to a Customer. Delivery also includes the use by a retailer of any technology platform owned and controlled by the Retailer.

(X) DIRECTOR - The director of the California Department of Consumer Affairs. .

(Y) DISTRIBUTION - The procurement, sale, and transport of Cannabis and Cannabis Products between licensees.

(Z) DISTRIBUTOR - A person holding a valid Commercial Cannabis Business Permit for Distribution issued by the city, and, a valid state license for Distribution, required by state law to engage in the business of purchasing Cannabis from a licensed cultivator, or Cannabis Products from a licensed Manufacturer, for sale to a licensed Retailer.

(AA) DRIED FLOWER - All dead Cannabis that has been harvested, dried, cured, or otherwise processed, excluding leaves and stems.

(BB) **EDIBLE CANNABIS PRODUCT** - Cannabis Product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Cal. Food and Agricultural Code Division 15 (commencing with Section 32501). An Edible Cannabis Product is not considered food, as defined by Cal. Health and Safety Code Section 109935, or a drug, as defined by Cal Health and Safety Code Section 109925.

(CC) **FUND** - The Cannabis Control Fund established pursuant to Cal. Bus. and Prof. Code Section 26210.

(DD) **GREENHOUSE** - A fully enclosed permanent structure that is clad in transparent material with climate control, such as heating and ventilation capabilities and supplemental artificial lighting, and that uses a combination of natural and supplemental lighting for Cultivation.

(EE) **KIND** - Applicable type or designation regarding a particular Cannabis variant or Cannabis Product type, including, but not limited to, strain name or other grower trademark, or growing area designation.

(FF) **LABELING** - Any label or other written, printed, or graphic matter upon a Cannabis Product, upon its container.

(GG) **LICENSE** - A state license issued by the state and includes both an A-license and an M-license, as well as a Testing Laboratory license.

(HH) **LICENSEE** - Any person holding a license under this article, regardless of whether the license held is an A-license or an M-license, and includes the holder of a Testing Laboratory license.

(II) **LICENSING AUTHORITY** - The city and/or state agency responsible for the issuance, renewal, or reinstatement of the license, or the city and/or state agency authorized to take disciplinary action against the licensee.

(JJ) **LIMITED-ACCESS AREA** - An area in which cannabis is stored or held and is only accessible to a licensee or permittee and authorized personnel.

(KK) **LIVE PLANTS** - Living Cannabis flowers and plants, including seeds, immature plants, and vegetative stage plants.

(LL) **LOCAL JURISDICTION** - A city, county or city and county.

(MM) **LOCAL EQUITY APPLICANT** – Applicant with at least forty percent (40%) Local Ownership. To remain a Local Equity Applicant, a minimum of 40% Local Ownership must be maintained for the entire period of time in which a Local Equity Applicant has a Commercial Cannabis Business Permit. If an applicant does not obtain a Commercial Cannabis Business Permit based upon the local equity status, then that applicant shall not be deemed a Local Equity Applicant.

(NN) **LOCAL OWNERSHIP** -- Ownership interest(s) held by one or more natural persons who are a resident within the city's corporate boundaries as of the date the application is submitted and who maintain local residency at all times while their ownership interest(s) are used for qualifying as a Local Equity Applicant for one or more Commercial Cannabis Business Permits. Factors used to determine local residency shall include (as applicable) but are not limited to the following: ownership or rental of dwelling unit within the city's corporate boundaries that is the primary residence; California driver's license with a residential address within the city's corporate boundaries that is the primary residence; voter registration at a residential address within the city's corporate boundaries that is the primary residence; residential address within the city's corporate boundaries used for filing state and federal income

tax returns that is the primary residence; and the natural person does not have a homestead exemption in any jurisdiction other than within the city's corporate boundaries. Local Ownership" is subject to ongoing verification under penalty of perjury.

(OO) LOT - A Batch or a specifically identified portion of a Batch.

(PP) M-LICENSE - A state license issued by the state for Commercial Cannabis Activity involving medicinal Cannabis.

(QQ) M-LICENSEE - Any person holding a license by the state for Commercial Cannabis Activity involving medicinal cannabis.

(RR) MANUFACTURE - To compound, blend, extract, infuse, or otherwise make or prepare a Cannabis Product.

(SS) MANUFACTURED CANNABIS - Raw Cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, extraction or other manufactured product intended for internal consumption through inhalation or oral ingestion or for topical application.

(TT) MANUFACTURER - A licensee that conducts the production, preparation, propagation, or compounding of Cannabis or Cannabis Products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages Cannabis or Cannabis Products or labels or container.

(UU) MANUFACTURING SITE - A location that produces, prepares, propagates, or compounds Cannabis or Cannabis Products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a person issued a valid Commercial Cannabis Business Permit for Manufacturing from the city and, a valid state license as required for Manufacturing of Cannabis Products.

(VV) MEDICINAL CANNABIS or MEDICINAL CANNABIS PRODUCT - Cannabis or a Cannabis Product, respectively, intended to be sold for use pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Cal. Health and Safety Code Section 11362.5, by a medicinal Cannabis patient in California who possesses a physician's recommendation.

(WW) NONVOLATILE SOLVENT - Any solvent used in the extraction process that is not a volatile solvent. For purposes of this article, a nonvolatile solvent includes carbon dioxide (CO₂) used for extraction and ethanol used for extraction or post-extraction processing.

(XX) NURSERY - A Licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically, for the propagation and Cultivation of Cannabis.

(YY) OPERATION - Any act for which a license is required under the provisions of this article, or any commercial transfer of Cannabis or Cannabis Products.

(ZZ) OWNER - Any of the following:

(1) A Person with an aggregate ownership interest of 20% or more in the Person applying for a license, Commercial Cannabis Business Permit or a Licensee, unless the interest is solely a security, lien, or encumbrance.

(2) The manager of a nonprofit or other entity.

(3) A member of the board of directors of a nonprofit.

(4) An individual who will be participating in the direction, control, or management of the business applying for a license, or who has a financial interest in the business other than a fixed lease of real property.

(AAA) PACKAGE - Any container or receptacle used for holding Cannabis or Cannabis

Products.

(BBB) **PATIENT or QUALIFIED PATIENT** - The same definition as Cal. Health and Safety Code Sections 11362.7 *et seq.*, as it may be amended, and which means a person who is entitled to the protections of Cal. Health and Safety Code Section 11362.5.10.

(CCC) **PERSON** - Includes any individual, firm, partnership, joint venture, association, corporation, limited liability company, estate, trust, business, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

(DDD) **PERSON WITH AN IDENTIFICATION CARD** - The meaning given that term by Cal. Health and Safety Code Section 11362.7.

(EEE) **PHYSICIAN'S RECOMMENDATION** - A recommendation by a physician that a patient use Cannabis provided in accordance with the Compassionate Use Act of 1996 (Proposition 215), found at Cal. Health and Safety Code Section 11362.5.

(FFF) **PREMISES** - The designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or Licensee where the Commercial Cannabis Activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee unless the operator is granted a M-license and an A-license for the same type of activity and such operation is lawful under state and local laws, rules and regulations.

(GGG) **PROCESSING** - A Cultivation Site that conducts only trimming, drying, curing, grading, packaging, or labeling of Cannabis and nonmanufactured Cannabis Products.

(HHH) **PURCHASER** - The customer who is engaged in a transaction with a Licensee for purposes of obtaining cannabis or cannabis products.

(III) **RETAILER** - A Commercial Cannabis Business facility where Cannabis, Cannabis Products, or devices for the use of Cannabis or Cannabis Products are offered, either individually or in any combination, for retail Sale, including an establishment (whether fixed or mobile) that delivers, pursuant to express authorization, Cannabis and Cannabis Products as part of a retail sale, and where the operator holds a valid Commercial Cannabis Business Permit from the city authorizing the operation of a retailer, and a valid state license as required by state law to operate a retailer.

(JJJ) **SELL, SALE, and TO SELL** - Include any transaction whereby, for any consideration, title to Cannabis or Cannabis Products are transferred from one person to another, and includes the Delivery of Cannabis or Cannabis Products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same, but does not include the return of Cannabis or Cannabis Products by a Licensee to the licensee from whom the Cannabis or Cannabis Product was purchased.

(KKK) **STATE LICENSE** - A permit or license issued by the State of California, or one of its departments or divisions, under MAUCRSA and any subsequent State of California legislation regarding the same to engage in Commercial Cannabis Activity.

(LLL) **TESTING LABORATORY** - A laboratory, facility, or entity in the state that offers or performs tests of Cannabis or Cannabis Products and that is both of the following:

(1) Accredited by an accrediting body that is independent from all other persons involved in Commercial Cannabis Activity in the state.

(2) Licensed by the State of California.

(MMM) **TOPICAL CANNABIS** - A product intended for external application and/or absorption through the skin. A topical Cannabis Product is not considered a drug as defined by Cal. Health and Safety Code Section 109925.

(NNN) **TRANSPORT** - The transfer of Cannabis Products from the permitted business location of one Licensee to the permitted business location of another Licensee, for the purposes of conducting Commercial Cannabis Activity authorized by MAUCRSA which may be amended or repealed by any subsequent State of California legislation regarding the same.

(OOO) **UNIQUE IDENTIFIER** - An alphanumeric code or designation used for reference to a specific plant on a licensed premises and any Cannabis or Cannabis Product derived or manufactured from that plant.

(PPP) **VOLATILE SOLVENT** - Any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Examples of volatile solvents include, but are not limited to, butane, hexane, and propane.

(QQQ) **YOUTH CENTER** - Any public or private facility that is primarily used to host recreation or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades where ten or more video games or game machines or devices are operated, and where minors are legally permitted to conduct business, or similar amusement park facilities. It shall also include a park, playground or recreational area specifically designed to be used by children which has play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any similar facility located on a public or private school grounds, or on city, county or state parks. This definition shall not include any private martial arts, yoga, ballet, music, art studio or similar studio of this nature nor shall it include any private gym, athletic training facility, pizza parlor, dentist office, doctor's office primarily serving children or a location which is primarily utilized as an administrative office or facility for youth programs or organizations.

SEC. 11-455. CANNABIS EMPLOYEE PERMIT REQUIRED.

A request for a cannabis employee permit will only be initiated after securing a favorable recommendation for a Commercial Cannabis Business Permit. If an Owner has employees at the time of submittal of the Commercial Cannabis Business Permit application, a request for a cannabis employee permit can be initiated in advance of issuance of a discretionary land use permit.

(A) Any person who is an employee or who otherwise works within a Commercial Cannabis Business must be legally authorized to do so under applicable state law.

(B) Any person who is an employee or who otherwise works within a Commercial Cannabis Business must obtain a commercial cannabis employee work permit from the city prior to performing any work at any Commercial Cannabis Business.

(C) Applications for a commercial cannabis employee work permit shall be developed, made available, and processed by the city manager or his or her designee(s), and shall include, but not be limited to, the following information:

- (1) Name, address, and phone number of the applicant;
- (2) Age and verification of applicant. A copy of a birth certificate, driver's license, government issued identification card, passport or other proof that the applicant is at least 21 years of age must be submitted with the application;
- (3) Name, address of the Commercial Cannabis Business where the person will be employed, and the name of the primary manager of that business;
- (4) A list of any crimes enumerated in Cal. Bus. and Prof. Code Section 26057(b)(4) for

which the applicant or employee has been convicted;

(5) Name, address, and contact person for any previous employers from which the applicant was fired, resigned, or asked to leave and the reasons for such dismissal or firing;

(6) The application shall be accompanied by fingerprints and a recent photograph of the applicant in a form and manner as required by the city manager or his or her designee(s);

(7) A statement signed under penalty of perjury that the information provided is true and correct;

(8) If applicable, verification that the applicant is a qualified patient or primary caregiver;

(9) A fee paid in an amount set by resolution of the city council in an amount necessary to cover the costs of administering the employee work permit programs. The fee is non-refundable and shall not be returned in the event the work permit is denied or revoked.

(D) (1) The applicable city department head or his or her designee(s) shall review the application for completeness, shall conduct a background check to determine whether the applicant was convicted of a crime or left a previous employer for reasons that show the applicant:

(a) Has been convicted of a crime involving dishonesty, fraud or deceit, including but not limited to fraud, forgery, theft, or embezzlement as those offenses are defined in Cal. Penal Code Sections 186.11, 470, 484, and 504a; or

(b) Has committed a felony or misdemeanor involving fraud, deceit, or embezzlement; or

(c) Was convicted of a violent felony, a crime of moral turpitude; or

(d) The illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, except for cannabis related offenses for which the conviction occurred after the passage of the Compassionate Use Act of 1996.

(2) Discovery of these facts showing that the applicant is dishonest or has been convicted of the requisite crimes are grounds for denial of the permit. Where the applicant's sentence (including any term of probation, incarceration, or supervised release) for possession of, possession for sale, sale, manufacture, transportation, or cultivation of a controlled substance is completed, such underlying conviction shall not be the sole ground for denial of a commercial cannabis employee work permit. Furthermore, an applicant shall not be denied a permit if the denial is based solely on any of the following: (i) a conviction for any crime listed in subsection (D)(1)(d) above for which the applicant has obtained a certificate of rehabilitation pursuant to Cal. Penal Code, Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3, or (ii) a conviction that was subsequently dismissed pursuant to Cal. Penal Code Sections 1203.4, 1203.4a, or 1203.41 or any other provision of state law allowing for dismissal of a conviction.

(E) The applicable department head or his or her designee(s) shall issue the commercial cannabis employee permit or a written denial to the applicant within 30 days of the date the application was deemed complete. In the event the cannabis employee work permit cannot be issued within this time period, then the city manager or his or her designee(s) may issue a temporary work permit for an employee upon completing a preliminary background check and if the business can demonstrate to the city manager or his or her designee(s) that the employee is necessary for the operation of the business. The temporary permit may be immediately revoked by the city manager or his or her designee(s) upon determination that the applicant has failed the background check or upon the issuance of the permanent work permit.

(F) An employee work permit shall be valid for a 12-month period and must be renewed on an annual basis. Renewal applications shall contain all the information required in subsection (C)

above including the payment of a renewal application fee in an amount to be set by resolution of the city council.

(G) In the event a person changes employment from one Commercial Cannabis Business in the city to another, the work permit holder shall notify the applicable department head or his or her designee(s) in writing of the change within ten days, or the work permit shall be suspended or revoked, and such person shall not be permitted to work at any Commercial Cannabis Business in the city.

(H) The city may immediately revoke the commercial cannabis employee permit should the permit holder be convicted of a crime listed in subsection (D) above or if facts become known to the city that the permit holder has engaged in activities showing that he or she has been convicted of a crime involving dishonesty.

(I) The city manager or his or her designee(s) is hereby authorized to promulgate all regulations necessary to implement the work permit process and requirements.

(J) The applicant may appeal the denial or revocation of a commercial cannabis employee permit by filing a notice of appeal with the city clerk within ten days of the date the applicant received the notice of denial. The city manager or his/her designee shall hear such appeal and his/her decision shall be final and not subject to further appeals.

(K) The applicable city department head or his or her designee(s) shall issue a permit in the form of a personal identification card that can be worn in a prominent and visible location. The identification card shall be maintained in good and readable condition at all times.

SEC. 11-456. MAXIMUM NUMBER AND TYPE OF AUTHORIZED COMMERCIAL CANNABIS BUSINESSES PERMITTED.

(A) The number of each type of Commercial Cannabis Business that shall be permitted to operate in the city at any one time shall be as follows:

(1) Cannabis manufacturing - Maximum of eight at any one time, with up to three permits issued to Local Equity Applicants.

(2) Cannabis testing lab - Maximum of one at any one time.

(3) Cannabis distributor - Maximum of three at any one time, with up to one permit issued to a Local Equity Applicant.

(4) Cannabis retail - Maximum of 16 at any one time, with up to three permits issued to Local Equity Applicants.

(B) This section is only intended to create a maximum number of Commercial Cannabis Businesses that may be issued permits to operate in the city under each category. Nothing in this article creates a mandate that the city council must issue any or all of the Commercial Cannabis Business Permits.

(C) Each year following the city manager's initial award of Commercial Cannabis Business Permits, if any, or at any time at the city council's discretion, the city council may reassess the number of Commercial Cannabis Business Permits which are authorized for issuance. The city council, at its discretion, may determine that the number of Commercial Cannabis Business Permits should remain the same or be expanded.

SEC. 11-457. COMMERCIAL CANNABIS BUSINESS PERMIT; APPLICATION PROCEDURE.

(A) The city manager or his or her designee shall adopt procedures to govern the application process, and the manner in which the decision will ultimately be made regarding the issuance of any Commercial Cannabis Business Permit(s), which shall include or require the city manager to provide detailed objective review criteria to be evaluated on a point system or equivalent quantitative evaluation scale tied to each set of review criteria (“review criteria”). The city manager or his or her designee(s) shall be authorized to prepare the necessary forms, adopt any necessary rules to the application, regulations and processes, solicit applications, and conduct initial evaluations of the applicants.

(B) At the time of filing, each applicant shall pay an application fee established by resolution of the city council, to cover all costs incurred by the city in the application process.

(C) After the initial review, ranking, and scoring under the review criteria, the city manager or his or her designee(s) will make a final determination in accordance with this section and shall either deny or approve the final candidates and shall select the top candidates in each category of the Commercial Cannabis Businesses. Notwithstanding anything in this article to the contrary, the city manager’s decision as to the selection of the prevailing candidates shall be final and shall not be subject to appeal.

(D) Official issuance of the Commercial Cannabis Business Permit(s) is conditioned upon the prevailing candidate(s) obtaining all required land use approvals. Following the city manager’s selection of the Person who shall be issued a Commercial Cannabis Business Permit, the prevailing candidate(s) shall apply to the city’s Community Development Department to obtain required land use approvals or entitlements for the permittee’s location and use approvals shall include compliance with all applicable provisions of the California Environmental Quality Act. The community development director shall formally issue the Commercial Cannabis Business Permit(s) once the community development director or his or her designee(s) affirms that all of the required land use approvals have been obtained and all required conditions of approval have been complied with.

(E) Issuance of a Commercial Cannabis Business Permit does not create a land use entitlement. The Commercial Cannabis Business Permit shall only be for a term of 12 months and shall expire at the end of the 12-month period unless it is renewed as provided herein. Furthermore, no permittee may begin operations, notwithstanding the issuance of a Commercial Cannabis Business Permit, unless all of the state and local laws and regulations, including but not limited to the requirements of this article and of the permit, have been complied with.

(F) Notwithstanding anything in this article to the contrary, the city manager reserves the right to reject any or all applications if the city manager determines it would be in the best interest of the city, taking into account any health, safety and welfare impacts on the community. Applicants shall have no right to a Commercial Cannabis Business Permit until a permit is actually issued, and then only for the duration of the permit’s term. Each applicant assumes the risk that, at any time prior to the issuance of a permit, the city council may terminate or delay the program created under this article.

(G) If an application is denied, a new application may not be filed for one year from the date of the denial.

(H) Each person granted a Commercial Cannabis Business Permit shall be required to pay the permit fee established by resolution of the city council, to cover the costs of administering the Commercial Cannabis Business Permit program created in this article.

(I) *Preservation of rights.* The city reserves the right to reject any or all applications. Prior to permit issuance by the City Council, the city may also modify, postpone, or cancel any request

for applications, or the entire program under this article, at any time without liability, obligation, or commitment to any party, firm, or organization, to the extent permitted under state law. Persons submitting applications assume the risk that all or any part of the program, or any particular category of permit potentially authorized under this article, may be cancelled at any time prior to permit issuance. The city further reserves the right to request and obtain additional information from any candidate submitting an application. In addition to possible reject for failure to comply with other requirements in this article, an applicant also risks being rejected for any of the following reasons:

- (1) Proposal received after designated time and date.
- (2) Proposal not containing the required elements, exhibits, nor organized in the required format.
- (3) Proposal considered not fully responsive to the request for permit application.

SEC. 11-458. PERSONS PROHIBITED FROM HOLDING A LICENSE OR EMPLOYEE WORK PERMIT.

Any Person who has been issued any of the following actions or notices for non-compliance, shall be prohibited from holding a Commercial Cannabis Business Permit in the city, with such actions or notices also grounds for denial of a Commercial Cannabis Business Permit:

- (A) The applicant has been denied a license or has had a license suspended or revoked by any city, county, city and county or any other state cannabis licensing authority;
- (B) The applicant was notified that they were conducting Commercial Cannabis Activity in non-compliance with this chapter 11 or other city ordinances, codes or requirements in which they failed to discontinued operating in a timely manner;
- (C) Evidence that the applicant was in non-compliance of properly paying federal, state or local taxes and/or fees when notified by the appropriate agencies;
- (D) The applicant was conducting Commercial Cannabis Activity in the city in violation of local and state law;

SEC. 11-459. EXPIRATION OF COMMERCIAL CANNABIS BUSINESS PERMITS.

Each Commercial Cannabis Business Permit issued pursuant to this article shall expire 12 months after the date of its issuance. Commercial Cannabis Business Permits may be renewed as provided in section 11-461.

SEC. 11-460. REVOCATION OF PERMITS.

Commercial Cannabis Business Permits may be revoked for any violation of any law and/or any rule, regulation and/or standard adopted pursuant to any policy, procedure or regulation in this article.

SEC. 11-461. RENEWAL APPLICATIONS.

- (A) An application for renewal of a Commercial Cannabis Business Permit shall be filed at least 60 calendar days prior to the expiration date of the current permit.
- (B) The renewal application shall contain all the information required for new applications.

(C) The applicant shall pay a fee in an amount to be set by the city council to cover the costs of processing the renewal permit application, together with any costs incurred by the city to administer the program created under this article.

(D) An application for renewal of a Commercial Cannabis Business Permit may be rejected if any of the following exists:

(1) The application is filed less than 60 days before its expiration.

(2) The Commercial Cannabis Business permit is suspended or revoked at the time of the application.

(3) The Commercial Cannabis Business has not been in regular and continuous operation in the four months prior to the renewal application.

(4) The Commercial Cannabis Business has failed to conform to the requirements of this article, or of any regulations adopted pursuant to this article.

(5) The permittee fails or is unable to renew its State of California license.

(6) If the city or state has determined, based on substantial evidence, that the permittee or applicant is in violation of the requirements of this article, of the city ordinance, or of the state rules and regulations, and the city or state has determined that the violation is grounds for termination or revocation of the Commercial Cannabis Business Permit.

(E) The city manager or his/her designee(s) is authorized to make all decisions concerning the issuance of a renewal permit. In making the decision, the city manager or his or her designee(s) is authorized to impose additional conditions to a renewal permit if it is determined to be necessary to ensure compliance with state or local laws and regulations or to preserve the public health, safety or welfare. Appeals from the decision of the city manager or his or her designee(s) shall be handled pursuant to Sections 11-464 to 11-465.

(F) If a renewal application is rejected, a person may file a new application pursuant to this article no sooner than one year from the date of the rejection.

SEC. 11-462. EFFECT OF STATE LICENSE SUSPENSION, REVOCATION, OR TERMINATION.

Suspension of a license issued by the state, or by any of its departments or divisions, shall immediately suspend the ability of a Commercial Cannabis Business to operate within the city, until the state, or its respective department or division, reinstates or reissues the state license. Should the state, or any of its departments or divisions, revoke or terminate the license of a Commercial Cannabis Business, such revocation or termination shall also revoke or terminate the ability of a Commercial Cannabis Business to operate within the city.

SEC. 11-463. APPEALS.

Unless specifically provided elsewhere to the contrary, whenever an appeal is specifically provided for in this article, the appeal shall be conducted as prescribed in this article.

SEC. 11-464. WRITTEN REQUEST FOR APPEAL.

(A) Within ten calendar days after the date of a decision of the city manager or his or her designee(s) to revoke, or suspend, or to add conditions to a permit, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the

decision was not proper.

(B) Within ten calendar days after the date of a decision of the Planning Commission pursuant to this article, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the decision was not proper.

(C) At the time of filing, the appellant shall pay the designated appeal fee in an amount, established by resolution of the city council.

SEC. 11-465. APPEAL HEARING.

(A) Upon receipt of the written appeal pursuant to Section 11-464, the city clerk shall set the matter for a hearing before the city council. The city council shall hear the matter de novo and shall conduct the hearing pursuant to the procedures set forth by the city.

(B) The appeal shall be held within a reasonable time after the filing the appeal, but in no event later than 90 days from the date of such filing. The city shall notify the appellant of the time and location at least ten days prior to the date of the hearing.

(C) At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing. The decision of the city council shall be final.

SEC. 11-466. APPEAL FROM DECISION OF COMMUNITY DEVELOPMENT DIRECTOR

(A) Within ten calendar days after the date of a decision of the community developer director pursuant to this article, an aggrieved party may appeal such action by filing a written appeal with the city clerk setting forth the reasons why the decision was not proper. At the time of filing, the appellant shall pay the designated appeal fee, established by resolution of the city council.

(B) Upon receipt of the written appeal pursuant to subsection (A), the city clerk shall set the matter for a hearing before the Planning Commission. The Planning Commission shall hear the matter de novo and shall conduct the hearing pursuant to the procedures set forth by the city. The appeal shall be held within a reasonable time after the filing the appeal, but in no event later than 90 days from the date of such filing. The city shall notify the appellant of the time and location at least ten days prior to the date of the hearing.

(C) At the hearing, the appellant may present any information they deem relevant to the decision appealed. The formal rules of evidence and procedure applicable in a court of law shall not apply to the hearing. The decision of the Planning Commission shall be final.

SEC. 11-467. CHANGE IN LOCATION; UPDATED REGISTRATION FORM.

Any time the location of the Commercial Cannabis Business or retailer specified in the regulatory permit is proposed to be changed, the applicant shall be required to first secure a new Commercial Cannabis Business Permit, and discretionary land use permit for the new location before moving to that location, with such approvals subject to terminating the Commercial Cannabis Business Permit at the existing location so there is no net increase in the number of Cannabis Business Permits issued within the City. The process and the fees shall be the same as for a new facility and in accordance with the regulations specified in this article. No proposed change in location shall be considered until such time as the original location has first been

opened for business for a minimum of one (1) year consistent with the requirement of the city's regulations.

SEC. 11-468. TRANSFER OF CANNABIS BUSINESS PERMIT.

(A) The holder of a Cannabis Business Permit shall not transfer ownership or control of the permit to another Person unless and until the transferee obtains an amendment to the permit from the city manager or his or her designee stating that the transferee is now the permittee. Such an amendment may be obtained only if the transferee files an application with the city manager or his or her designee in accordance with all provisions of this article (as though the transferee were applying for an original Cannabis Business Permit) accompanied by a transfer fee in an amount set by resolution of the city council (or if not set, shall be the same amount as the application fee), and the city manager or his or her designee determines, after hearing, in accordance with this section that the transferee passed the background check required for permittees and meets all other requirements of this article. The decision of the city manager is final.

(B) Commercial Cannabis Business Permits issued through the grant of a transfer by the city manager or his or her designee shall be valid for a period of one year beginning on the day the city manager or his or her designee approves the transfer of the permit. Before the transferee's permit expires, the transferee shall apply for a renewal permit in the manner required by this article.

(C) Changes in ownership of a permittee business structure or a substantial change in the ownership of a permittee business entity (i.e., changes that result in a cumulative change of more than 51% of the original ownership) must be approved by the city manager or his or her designee through the transfer process contained in subsection (A). Failure to comply with this provision is grounds for permit revocation.

(D) (1) A permittee may change the form of business entity without applying to the city manager or his or her designee for a transfer of permit, provided that either:

(a) The membership of the new business entity is substantially similar to original permit holder business entity (at least 51% of the membership is identical), or

(b) If the original permittee is an unincorporated association, mutual or public benefit corporation, agricultural or consumer cooperative corporation and subsequently transitions to or forms a new business entity as allowed under the MAUCRSA provided that the Board of Directors (or in the case of an unincorporated association, the individual(s) listed on the City permit application) of the original permittee entity are the same as the new business entity.

(2) Although a transfer is not required in these two circumstances, the permit holder is required to notify the city manager in writing of the change within ten days of the change. Failure to comply with this provision is grounds for permit revocation.

(E) No Commercial Cannabis Business Permit may be transferred when the city manager or his or her designee has notified the permittee that the permit has been or may be suspended or revoked.

(F) Any attempt to transfer a Commercial Cannabis Business Permit either directly or indirectly in violation of this section is hereby declared void, and such a purported transfer shall be deemed a ground for revocation of the permit.

(G) Notwithstanding any language in this section to the contrary, no transfer of a local equity ownership interest in a business that obtained its Commercial Cannabis Business Permit as a Local Equity Applicant shall be allowed if such proposed transfer would reduce the local equity

interest in the Commercial Cannabis Business to a level below that required for a Local Equity Applicant.

SEC. 11-469. CITY BUSINESS TAX CERTIFICATE.

Prior to commencing operations, a Commercial Cannabis Business shall obtain a City of Oxnard business tax certificate, pursuant to Article I.

SEC. 11-470. BUILDING PERMITS AND INSPECTION.

Prior to commencing operations, a Commercial Cannabis Business shall be subject to a mandatory building inspection and must obtain all required permits and approvals which would otherwise be required for any business of the same size and intensity operating in that zone. This includes but is not limited to obtaining any required building permit(s), the fire department approvals, health department approvals and other zoning and discretionary land use permit(s) and approvals.

SEC. 11-471. CERTIFICATION FROM THE COMMUNITY DEVELOPMENT DIRECTOR.

Prior to submittal of a Commercial Cannabis Business Permit application, a certification from the community development director or his or her designee(s) certifying that the business is located on a site that meets all of the requirements of chapter 16 and this article shall be obtained. A fee shall be established by city council resolution for submittal and processing of this certification.

SEC. 11-472. RIGHT TO OCCUPY AND TO USE PROPERTY.

(A) As a condition precedent to the city's issuance of a Commercial Cannabis Business Permit pursuant to this article, any person intending to open and to operate a Commercial Cannabis Business shall provide sufficient evidence of the legal right to occupy and to use the proposed location. In the event the proposed location will be leased from the property owner, the applicant shall be required to provide a signed and notarized statement from the owner of the property acknowledging that the property owner has read this article and consents to the operation of the Commercial Cannabis Business on the owner's property.

(B) The lease, sublease or other agreement to occupy the property must be at fair market value and not have any terms or conditions for the permittee to pay the property owner, commercial broker, or any third party a percentage of gross receipts, royalties, equity, or other unreasonable compensation as determined by the city. In addition, all leases, subleases, or other agreements must be based on a monthly rate.

SEC. 11-473. LOCATION AND DESIGN OF CANNABIS BUSINESSES.

Specific types of Commercial Cannabis Businesses are subject to the following zoning and locational requirements:

(A) All Cannabis manufacturing, testing, and distribution businesses have been conceptually identified on land use maps, with actual siting subject to land use siting criteria and buffer requirements stipulated in this article. Manufacturing, testing, and distribution facilities are conceptually permitted on property zoned limited manufacturing (ML), light manufacturing (M1), heavy industrial (M2), and business and research park (BRP), as well as auto sales and service, business park, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Manufacturing, testing, and/or distribution facilities may also be located in the following specific plan areas subject to relevant specific plan requirements: Northeast Community Specific Plan, Sakioka Farms, Camino Real Business Park, McInnes Ranch Business Park Specific Plan, and Northfield Seagate Business Park Specific Plan.

(B) All Cannabis retail dispensary businesses have been conceptually identified on land use maps, with actual siting subject to land use siting criteria and buffer requirements as stipulated in this subsection (B). Retailers are conceptually permitted in property zoned neighborhood shopping center (C-1), neighborhood shopping center planned development (C-1-PD), general commercial (C-2), general commercial planned development (C-2-PD), Coastal Neighborhood Commercial (CNC), and commercial planned development (CPD), business park, retail commercial, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Retail dispensaries may also be located in the following specific plan areas subject to relevant specific plan requirements: RiverPark - commercial office, commercial convention, and commercial regional; Sakioka Farms; and Camino Real Business Park.

(C) Compliance with any specific plan requirements.

(D) The property on which any Commercial Cannabis Business is located must also meet all of the following distance requirements:

(1) It shall be no closer than 600 feet of any of the following:

(a) Any school providing instruction in kindergarten or any grades 1 through 12, whether public, private, or charter, including pre-school, transitional kindergarten, and K-12.

(b) A commercial daycare center licensed by the city or county that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius.

(c) A youth center that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius.

(2) The distance specified in this subsection shall be the horizontal distance measured in a straight line from the property line of the identified use to the closest property line of the lot on which the cannabis use is located without regard to intervening structures.

(E) Each proposed Commercial Cannabis Business use shall:

(1) Conform with the city's general plan, any applicable specific plans, master plans, and design requirements.

(2) Comply with all applicable zoning, and specific plan requirements, and related development standards.

(3) Be constructed in a manner that minimizes odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties.

(4) Be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required for the development.

(5) Be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.

(6) Be provided with adequate electricity, sewerage, disposal, water, fire protection

(sprinkler and alarm; retrofit when determined necessary by the fire marshal) and storm drainage facilities for the intended purpose.

SEC. 11-474. LIMITATIONS ON CITY'S LIABILITY.

To the fullest extent permitted by law, the city shall not assume any liability whatsoever with respect to having issued a Commercial Cannabis Business Permit pursuant to this article or otherwise approving the operation of any Commercial Cannabis Business. As a condition to the approval of any Commercial Cannabis Business Permit, the applicant shall be required to meet all of the following conditions before they can receive the Commercial Cannabis Business Permit:

(A) They must execute an agreement, in a form approved by the city attorney, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the city and its officers, officials, employees, representatives, and agents harmless, from any and all claims, losses, damages, injuries, liabilities or losses which arise out of, or which are in any way related to the city's issuance of the Commercial Cannabis Business Permit, the city's decision to approve the operation of the Commercial Cannabis Business or activity, the process used by the city in making its decision, or the alleged violation of any federal, state or local laws by the Commercial Cannabis Business or any of its officers, employees or agents.

(B) Maintain insurance at coverage limits, and with conditions thereon determined necessary and appropriate from time to time by the city manager.

(C) Reimburse the city for all costs and expenses, including but not limited to legal fees and costs and court costs, which the city may be required to pay as a result of any legal challenge related to the city's approval of the applicant's Commercial Cannabis Business Permit, or related to the city's approval of a Commercial Cannabis Activity. The city may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve any of the obligations imposed hereunder.

SEC. 11-475. [RESERVED]

SEC. 11-476. RECORDS AND RECORDKEEPING.

(A) Each owner and operator of a Commercial Cannabis Business shall maintain accurate books and records in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis (at or before the time of the renewal of a Commercial Cannabis Business Permit issued pursuant to this article), or at any time upon reasonable request of the city, each Commercial Cannabis Business shall file a sworn statement detailing the number of sales by the Commercial Cannabis Business during the previous 12-month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid. On an annual basis, each owner and operator shall submit to the city a financial audit of the business's operations conducted by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the city manager or his or her designee(s).

(B) Each owner and operator of a Commercial Cannabis Business shall maintain a current register of the names and the contact information (including the name, address, and telephone

number) of anyone owning or holding an interest in the Commercial Cannabis Business, and separately of all the officers, managers, employees, agents and volunteers currently employed or otherwise engaged by the Commercial Cannabis Business. The register required by this paragraph shall be provided to the city manager or his or her designee(s) upon a reasonable request.

(C) All Commercial Cannabis Businesses shall maintain an inventory control and reporting system that accurately documents the present location, amounts, and descriptions of all cannabis and cannabis products for all stages of the growing and production or manufacturing, laboratory testing and distribution processes until purchase as set forth MAUCRSA.

(D) Each Commercial Cannabis Business shall allow the city to have access to the businesses books, records, accounts, together with any other data or documents relevant to its permitted commercial cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than 24 hours after receipt of the city's request, unless otherwise stipulated by the city. The city may require the materials to be submitted in an electronic format that is compatible with the city's software and hardware.

SEC. 11-477. OPERATIONAL STANDARDS.

(A) A permitted Commercial Cannabis Business shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the Commercial Cannabis Business Except as may otherwise be determined by the city manager or his or her designee(s), these security measures shall include, but shall not be limited to, all of the following and are considered in addition to the best practices identified in the guidelines for issuance of a Cannabis Business Permit and/or conditions imposed as part of the discretionary land use permit approval:

- (1) Alarm system (perimeter, fire, and panic buttons).
- (2) Remote monitoring of alarm systems by licensed security professionals and first responders (Knox box, etc.).
- (3) Perimeter lighting systems (including motion sensors) for after-hours security.
- (4) Perimeter security and lighting as approved by the police chief, community development department or his or her designee.
- (5) Preventing individuals from remaining on the premises of the Commercial Cannabis Business if they are not engaging in an activity directly related to the permitted operations of the Commercial Cannabis Business.
- (6) Establishing limited access areas accessible only to authorized Commercial Cannabis Business personnel.
- (7) Plan for cash handling as relevant to manufacturing, testing, and distribution operations.
- (8) Except for live growing plants which are being cultivated at a cultivation facility, all Cannabis and Cannabis Products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.
- (9) Installing 24-hour security surveillance cameras of at least HD-quality to monitor all entrances and exits to and from the premises, all interior spaces within the Commercial Cannabis

Business which are open and accessible to the public, all interior spaces where cannabis, cash or currency, is being stored for any period of time on a regular basis and all interior spaces where diversion of cannabis could reasonably occur. All cameras shall record in color. All exterior cameras shall be in weatherproof enclosures, shall be located so as to minimize the possibility of vandalism, and shall have the capability to automatically switch to black and white in low light conditions. The Commercial Cannabis Business shall be responsible for ensuring that the security surveillance camera's footage is remotely accessible by the city manager or his or her designee(s), and that it is compatible with the city's software and hardware. In addition, remote and real-time, live access to the video footage from the cameras shall be provided to the city manager or his or her designee(s). Video recordings shall be maintained for a minimum of 90 days and shall be made available to the city manager or his or her designee(s) upon request. Video shall be of sufficient quality for effective prosecution of any crime found to have occurred on the site of the Commercial Cannabis Business, and shall be capable of enlargement via projection or other means. Internet protocol address information shall be provided to the Oxnard police department by the Commercial Cannabis Business, to facilitate remote monitoring of security cameras by the department or its designee.

(10) Sensors shall be installed to detect entry and exit from all secure areas, and shall be monitored in real time by a security company licensed by the State of California Bureau of Security and Investigative Services.

(11) Panic buttons shall be installed in all Commercial Cannabis Businesses with direct notification to Oxnard police department dispatch, and shall be configured to immediately alert dispatch for the Oxnard police department.

(12) Having a professionally installed, maintained, and monitored real-time alarm system by a security company licensed by the State of California Bureau of Security and Investigative Services.

(13) Any bars installed on the windows or the doors of the Commercial Cannabis Business shall be installed only on the interior of the building.

(14) Security personnel shall monitor premises in accordance with a security plan as authorized by the city manager or his or her designee(s), and must have a verified response security patrol when closed. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the city manager or his or her designee(s), with such approval not to be unreasonably withheld. Firearms may be carried by security personnel while they are on duty if authorized by the police chief.

(15) Each Commercial Cannabis Business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.

(16) Entrance areas are to be locked at all times and under the control of a designated responsible party that is either: (a) an employee of the Commercial Cannabis Business; or (b) a licensed security professional.

(17) Each Commercial Cannabis Business shall have an accounting software system in place to provide point of sale data as well as audit trails or both product and cash, where applicable.

(18) Each Commercial Cannabis Business shall demonstrate to the police chief, city manager or their designees compliance with the state's track and trace system for Cannabis and Cannabis Products, as soon as it is operational.

(19) Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.

(20) Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.

(B) Each Commercial Cannabis Business shall identify a designated security representative/liaison to the city, who shall be reasonably available to meet with the city manager or his or her designee(s) regarding any security related measures or and operational issues. The designated security representative/liaison shall, on behalf of the Commercial Cannabis Business, annually maintain a copy of the current security plan on the premises of the business, to present to the city manager or his or her designee upon request that meets the following requirements:

(1) Confirms that a designated manager will be on duty during business hours and will be responsible for monitoring the behavior of employees.

(2) Identifies all managers of the Commercial Cannabis Business and their contact phone numbers.

(3) Confirms that first aid supplies and operational fire extinguishers are located in the service areas and the manager's office.

(4) Confirms that burglar, fire, and panic alarms are operational and monitored by a licensed security company 24 hours a day, seven days a week, and provides contact information for each licensed security company.

(5) Identify a sufficient number of licensed, interior and exterior security personnel who will monitor individuals inside and outside the Commercial Cannabis Business, the parking lot, and any adjacent property under the business's control.

(6) Confirm that the licensed security personnel shall regularly monitor the parking lot and any adjacent property to ensure that these area are: (a) free of individuals loitering or causing a disturbance; (b) are cleared of employees and their vehicles one-half hour after closing.

(C) As part of the application and permitting process, each Commercial Cannabis Business shall have a storage and transportation plan, which describes in detail the procedures for safely and securely storing and transporting all cannabis, cannabis products, and any currency.

(D) The Commercial Cannabis Business shall cooperate with the city whenever the city manager or his or her designee(s) makes a request, without prior notice, to inspect or audit the effectiveness of any security plan or of any other requirement of this article. Prevention fire inspectors shall be allowed access to audit buildings for fire life safety concerns on a yearly basis or as determined necessary per the fire marshal.

(E) A Commercial Cannabis Business shall notify the city manager or his or her designee(s) within 24 hours after discovering any of the following:

(1) Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the city manager or his or her designee(s).

(2) Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Business or any agent or employee of the Commercial Cannabis Business.

(3) The loss or unauthorized alteration of records related to Cannabis, customers or employees or agents of the Commercial Cannabis Business.

(4) Any other breach of security.

(F) Compliance with the foregoing requirements shall be verified by the city manager or his or her designee prior to commencing business operations. The city manager or his or her designee may supplement these security requirements once operations begin, subject to review by the city manager if requested by the business owner.

SEC. 11-478. RESTRICTION ON ALCOHOL AND TOBACCO SALES.

(A) No person shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on or about the premises of the Commercial Cannabis Business.

(B) No person shall cause or permit the sale of tobacco products on or about the premises of the Commercial Cannabis Business.

SEC. 11-479. FEES AND CHARGES.

(A) No person may commence or continue any Commercial Cannabis Activity in the city without timely paying in full all fees and charges required for the operation of a Commercial Cannabis Activity. Fees and charges associated with the operation of a Commercial Cannabis Activity shall be established by resolution of the city council which may be amended from time to time.

(B) All Commercial Cannabis Businesses authorized to operate under this article shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, state and local law. Each Commercial Cannabis Business shall cooperate with the city with respect to any reasonable request to audit the Commercial Cannabis Business's books and records for the purpose of verifying compliance with this section, including but not limited to a verification of the amount of taxes required to be paid during any period.

(C) Prior to operating in the city and as a condition of issuance of a regulatory permit, the operator of each cannabis facility shall enter into an operational agreement with the city setting forth the terms and conditions under which the cannabis facility will operate that are in addition to the requirements of this article, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare.

SEC. 11-480. MISCELLANEOUS OPERATING REQUIREMENTS.

(A) Commercial Cannabis Businesses may operate only during the hours specified in the Commercial Cannabis Business Permit issued by the city and/or as determined within the discretionary land use permit.

(B) Restriction on consumption - Cannabis shall not be consumed by any employee on the premises of any Commercial Cannabis Business.

(C) No Cannabis or Cannabis Products or graphics depicting Cannabis or Cannabis Products shall be visible from the exterior of any property issued a Commercial Cannabis Business Permit, or on any of the vehicles owned or used as part of the Commercial Cannabis Business. No outdoor storage of Cannabis or Cannabis Products is permitted at any time.

(D) Reporting and tracking of product and of gross sales - Each Commercial Cannabis Business shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the Commercial Cannabis Business including, but not limited to, such matters as Cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the city. The Commercial Cannabis Business shall ensure that such information is compatible with the city's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review.

Furthermore, any system selected must be approved and authorized by the city manager or his or her designee(s) prior to being used by the permittee.

(E) All Cannabis and Cannabis Products sold, distributed or manufactured shall be cultivated, manufactured, and transported by licensed facilities that maintain operations in full conformance with the state and local regulations.

(F) Emergency contact and emergency response plan - Each Commercial Cannabis Business shall provide the city manager or his or her designee(s) with the name, telephone number (both landline and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day. Each Commercial Cannabis Business must have a fire evacuation plans, and plan to address robberies and other emergencies. Said plan shall be reviewed and approved by the fire and police chiefs or designee.

(G) Signage and notices -

(1) In addition to the requirements otherwise set forth in this section, business identification signage for a Commercial Cannabis Business shall conform to the requirements of the city regulations, including, but not limited to, seeking the issuance of a city sign permit.

(2) No signs placed on the premises of a Commercial Cannabis Business shall obstruct any entrance or exit to the building or any window.

(3) Each entrance to a Commercial Cannabis Business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the Commercial Cannabis Business is prohibited.

(4) Business identification signage shall be limited to that needed for identification only and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No Commercial Cannabis Business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the Commercial Cannabis Business or elsewhere including, but not limited to, the public right-of-way.

(5) Signage shall not be directly illuminated, internally or externally. No banners, flags, billboards or other prohibited signs may be used at any time.

(H) Minors -

(1) Persons under the age of 21 years shall not be allowed on the premises of a Commercial Cannabis Business and shall not be allowed to serve as a driver for a mobile delivery service. It shall be unlawful and a violation of this article for any person to employ any person at a Commercial Cannabis Business who is not at least 21 years of age.

(2) The entrance to the Commercial Cannabis Business shall be clearly and legibly posted with a notice that no person under the age of 21 years of age is permitted to enter upon the premises of the Commercial Cannabis Business.

(I) Odor control - Odor control devices and techniques shall be incorporated in all Commercial Cannabis Businesses to ensure that odors from Cannabis are not detectable off-site. Commercial Cannabis Businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the Commercial Cannabis Business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the Commercial Cannabis Business. As such, Commercial Cannabis Businesses must install and maintain the following equipment, or any other equipment which the community development director or his

or her designee(s) determine is a more effective method or technology:

(1) An exhaust air filtration system with odor control that prevents internal odors from being emitted externally;

(2) An air system that creates negative air pressure between the Commercial Cannabis Businesses interior and exterior, so that the odors generated inside the Commercial Cannabis Business are not detectable on the outside of the Commercial Cannabis Business.

(J) Display of permit and city business tax certificate - The original copy of the Commercial Cannabis Business Permit issued by the city pursuant to this article and the city issued business license shall be posted inside the Commercial Cannabis Business in a location readily-visible to the public.

(K) Background check - Pursuant to Cal. Penal Code Sections 11105(b)(11) and 13300(b)(11), which authorizes city authorities to access state and local summary criminal history information for employment, licensing, or certification purposes; and authorizes access to federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation, every person listed as an owner, manager, supervisor, employee, contract employee or who otherwise works in a Commercial Cannabis Business must submit fingerprints and other information deemed necessary by the police chief or his or her designee(s) for a background check by the City of Oxnard police department. Pursuant to Cal. Penal Code Sections 11105(b)(11) and 13300(b)(11), which requires that there be a requirement or exclusion from employment, licensing or certification based on specific criminal conduct on the part of the subject of the record, no person shall be issued a permit to operate a Commercial Cannabis Business or a related work permit unless they have first cleared the background check, as determined by the police chief or his or her designee(s), as required by this section. A fee for the cost of the background investigation, which shall be the actual cost to the city to conduct the background investigation as it deems necessary and appropriate, shall be paid at the time the application for a Commercial Cannabis Business Permit is submitted.

(L) Loitering - The Owner and/or operator of a Commercial Cannabis Business shall prohibit loitering by persons outside the facility both on the premises and within 50 feet of the premises.

SEC. 11-481. OTHER OPERATIONAL REQUIREMENTS.

The city manager or his or her designee may develop other Commercial Cannabis Business operational requirements or regulations as are determined to be necessary to protect the public health, safety and welfare.

SEC. 11-482. OPERATING REQUIREMENTS FOR TESTING LABS.

(A) Testing Laboratories shall be required to conduct all testing in a manner pursuant to Cal. Bus. and Prof. Code Section 26100 and shall be subject to state and local law. Each Testing Laboratory shall be subject to additional regulations as determined from time to time as more regulations are developed under this article and any subsequent state legislation regarding the same.

(B) Testing Laboratories shall conduct all testing in a manner consistent with general requirements for the competence of testing and calibrations activities, including sampling using

verified methods.

(C) All Cannabis Testing Laboratories performing testing shall obtain and maintain ISO/IEC 17025 accreditation as required by the Bureau of Cannabis Control.

(D) Testing Laboratories shall destroy any harvest batch whose testing sample indicates noncompliance with health and safety standards required by the Bureau of Cannabis Control unless remedial measures can bring the cannabis or cannabis products into compliance with quality standards as specified by law and implemented by the Bureau of Cannabis Control.

(E) Each operator shall ensure that a Testing Laboratory employee takes the sample of Cannabis or Cannabis Products from the distributor's premises for testing required by state law and that the Testing Laboratory employee transports the sample to the Testing Laboratory.

(F) Except as provided by state law, a Testing Laboratory shall not acquire or receive Cannabis or Cannabis Products except from a licensee in accordance with state law, and shall not distribute, sell, or dispense Cannabis, or Cannabis Products, from the licensed premises from which the Cannabis or Cannabis Products were acquired or received. All transfer or transportation shall be performed pursuant to a specified chain of custody protocol.

(G) A Testing Laboratory may receive and test samples of Cannabis or Cannabis Products from a qualified patient or primary caregiver only if the qualified patient or primary caregiver presents the qualified patient's valid physician's recommendation for Cannabis for medicinal purpose. A Testing Laboratory shall not certify samples from a qualified patient or primary caregiver for resale or transfer to another party or licensee. All tests performed by a testing laboratory for a qualified patient or primary caregiver shall be recorded with the name of the qualified patient or primary caregiver and the amount of the Cannabis or Cannabis Products received.

(H) Approval of Testing Laboratories shall be through approval of a development design review (DDR) permit to be issued by the community development director of the city. The appeal of the approval or denial of such permit shall be to the Planning Commission pursuant to Section 11-466.

SEC. 11-483. OPERATING REQUIREMENTS FOR DISTRIBUTORS.

(A) A Distributor shall not store non-cannabis goods or non-cannabis accessories that are to be sold to another party on any licensed premises. Additionally, a Distributor shall not distribute non-cannabis goods or non-cannabis accessories at a licensed premises. For the purposes of this section, non-cannabis goods are any goods that do not meet the definition of cannabis goods as defined in Title 16, Cal. Code of Regulations, Section 5000.

(B) After taking physical possession of a Cannabis goods batch, the Distributor shall contact a Testing Laboratory and arrange for a laboratory employee to come to the Distributor's licensed premises to select a representative sample for laboratory testing.

(C) A Distributor shall ensure that all Cannabis goods batches are stored separately and distinctly from other Cannabis goods batches on the Distributor's premises.

(D) The Distributor shall ensure that the batch size from which the sample is taken meets the requirements of state law, specifically the testing provisions within the California Code of Regulations.

(E) A Distributor or an employee of the Distributor shall be physically present to observe the laboratory employee obtain the sample of Cannabis goods for testing and shall ensure that the increments are taken from throughout the batch. The sampling shall be video-recorded and the

recording kept available to state and local authorities for a minimum of 180 days, pursuant to Title 16, Cal. Code of Regulations, Section 5305.

(F) A Distributor shall not transport Cannabis or Cannabis Products to a licensed retail facility until and unless it has verified that the Cannabis or Cannabis Products have been tested and certified by a Testing Laboratory as being in compliance with state health and safety requirements pursuant to Title 16, Cal. Code of Regulations, Sections 5705, 5710 and 5714.

(G) Approving of Distributor shall be through the approval of a development design review (DDR) permit to be issued by the community development director of the City of Oxnard. The appeal of the approval or denial of such permit shall be to the Planning Commission pursuant to Section 11-466.

SEC. 11-484. OPERATING REQUIREMENTS FOR CANNABIS MANUFACTURING: EDIBLES AND OTHER CANNABIS PRODUCTS; SALE OR DISTRIBUTION OF EDIBLE AND OTHER CANNABIS PRODUCTS.

(A) Cannabis manufacturing facilities requiring a type-6, type-7, type S, or any subsequent created Manufacturing state license (using non-volatile and volatile solvents) as defined in MAUCRSA, may be permitted to operate within those zone districts as defined in the city code.

(B) Any compressed gases used in the manufacturing process shall not be stored on any property within the city in containers that exceeds the amount which is approved by the Oxnard fire department and authorized by the regulatory permit. Each site or parcel subject to a Commercial Cannabis Business Permit shall be limited to a total number of compressed gas tanks allowed on the property at any one time, as determined by the Oxnard fire department.

(C) Cannabis Manufacturing facilities may use the hydrocarbons N-butane, isobutane, ethanol, propane, or heptane or other solvents or gases exhibiting low to minimal potential human-related toxicity approved by the community development department. These solvents must be of at least 99% purity and any extraction process must use them in a professional grade closed loop extraction system designed to recover the solvents and work in an environment with proper ventilation, controlling all sources of ignition where a flammable atmosphere is or may be present.

(D) If an extraction process uses a professional grade closed loop CO₂ gas extraction system every vessel must be certified by the manufacturer for its safe use. The CO₂ must be of at least 99% purity.

(E) Closed loop systems for compressed gas extraction systems must be used and must be commercially manufactured and bear a permanently affixed and visible serial number.

(F) Certification from an engineer licensed by the state, or from a state certified professional engineer or state certified industrial hygienist from another state, must be provided to the community development department for a professional grade closed loop system used by any commercial cannabis manufacturing manufacturer to certify that the system was commercially manufactured, is safe for its intended use, and was built to codes of recognized and generally accepted good engineering practices, including but not limited to:

- (1) The American Society of Mechanical Engineers (ASME);
- (2) American National Standards Institute (ANSI);
- (3) Underwriters Laboratories (UL); or
- (4) The American Society for Testing and Materials (ASTM).

(G) The certification document must contain the signature and stamp of the professional

engineer and serial number of the extraction unit being certified.

(H) Professional closed loop systems, other equipment used, the extraction operation, and facilities must be approved for their use by the Oxnard fire department and meet any required fire, safety, and building code requirements specified in the California Building Reference Codes.

(I) Cannabis Manufacturing facilities may use heat, screens, presses, steam distillation, ice water, and other methods without employing solvents or gases to create keef, hashish, bubble hash, or infused dairy butter, or oils or fats derived from natural sources, and other extracts.

(J) Cannabis Manufacturing facilities may use food grade glycerin, ethanol, and propylene glycol solvents to create or refine extracts. Ethanol should be removed from the extract in a manner to recapture the solvent and ensure that it is not vented into the atmosphere.

(K) Cannabis Manufacturing facilities creating Cannabis extracts must develop standard operating procedures, good manufacturing practices, and a training plan prior to producing extracts for the marketplace.

(L) Any person using solvents or gases in a closed looped system to create cannabis extracts must be fully trained on how to use the system, have direct access to applicable material safety data sheets and handle and store the solvents and gases safely.

(M) Parts per million for one gram of finished extract cannot exceed state standards for any residual solvent or gas when quality assurance tested.

(N) Approval of manufacturing facilities shall be through approval of a development design review (DDR) permit to be issued by the community development director of the city. The appeal of the approval or denial of such permit shall be to the Planning Commission pursuant to Section 11-466.

SEC. 11-485. OPERATING REQUIREMENTS FOR STORE FRONT/RETAIL FACILITIES.

(A) No more than the number of cannabis retailers authorized by section 11-456 shall operate within the city at any one time.

(B) Approval of retail dispensaries shall be through approval of a special use permit to be issued by the Planning Commission. The appeal of the approval or denial of such special use permit shall be to the City Council pursuant to Sections 14-464 and 11-465.

(C) Retailers shall verify the age and all necessary documentation of each individual to ensure the customer is not under the age of 18 years. If the potential customer is 18 to 20 years old, retailer shall confirm the customer's possession of a valid doctor's recommendation and state-issued medical marijuana card. Persons 18 to 20 years old who are unable to produce either form of medical documentation cannot purchase cannabis legally and are to be denied admittance to the retail facility. For adult-use purchases, retailers shall verify that all customers are 21 years of age or older for the purchase of Cannabis or Cannabis Products.

(D) Entrances into the retailer shall be locked at all times with entry strictly controlled. A "buzz-in" electronic/mechanical entry system shall be utilized to limit access to and entry to the retail area to separate it from the reception/lobby area. Individuals must show their government-issued identification, and, in the case of medical cannabis facilities, their physician's recommendation, or a cannabis card issued pursuant to Cal. Health and Safety Code Section 11362.71 in order to gain access into the retailer. The government-issued identification and, if applicable, doctor's recommendation or cannabis card must also be shown at the point of sale

station at the time of purchase. Doctor recommendations are not to be obtained or provided at the retail location.

(E) Uniformed licensed security personnel shall be employed to monitor site activity, control loitering and site access, and to serve as a visual deterrent to unlawful activities. Security personnel may be allowed to carry firearms if authorized by the police chief.

(F) Retailers may have only that quantity of Cannabis and Cannabis Products to meet the daily demand readily available for sale on-site in the retail sales area of the retailer. Additional product may be stored in a secured, locked area to which customers, vendors, and visitors shall not have access.

(G) All restroom facilities shall remain locked and under the control of management.

(H) Retailers authorized to conduct retail activities shall only serve customers who are within the licensed premises, or at a delivery address that meets the requirements of this subsection.

(1) The sale and delivery of Cannabis goods shall not occur through a pass-through window or a slide-out tray to the exterior of the premises.

(2) Retailers shall not operate as or with a drive-in or drive-through at which Cannabis goods are sold to persons within or about a motor vehicle.

(3) No Cannabis shall be sold and/or delivered by any means or method to any person within a motor vehicle.

(4) All Cannabis goods sold by a Retailer shall be contained in child-resistant packaging.

(5) Retailers shall record point-of-sale areas and areas where Cannabis goods are displayed for sale on the video surveillance system. At each point-of-sale location, camera placement must allow for the recording of the facial features of any person purchasing or selling Cannabis goods, or any person in the retail area, with sufficient clarity to determine identity.

(6) A retail licensee who is engaged in retail sale shall hire or contract for security personnel who are at least 21 years of age to provide security services for the licensed retail premises. All security personnel hired or contracted for by the licensee shall be licensed by the Bureau of Security and Investigative Services and shall comply with Cal. Bus. and Prof. Code Chapters 11.4 and 11.5 of Division 3.

(I) Access to retailer premises -

(1) Access to the premises of a retail licensee/permittee shall be limited to individuals who are at least 21 years of age.

(2) Notwithstanding subsection (I)(1) above, individuals who are at least 18 years of age and in possession of a valid physician's recommendation or state-issued medical marijuana card shall be granted access to the premises of a retail licensee/permittee for the sole purpose of purchasing medicinal cannabis consistent with the physician's recommendation.

(J) Authorized sales - A retailer shall only sell adult-use Cannabis and adult-use Cannabis Products to individuals who are at least 21 years of age. A retailer shall only sell medicinal Cannabis or medicinal Cannabis Products to individuals who are at least 18 years of age, but not yet 21, if those individuals are in possession of a valid physician's recommendation. Medicinal cannabis sales to individuals 21 years of age and older are unrestricted.

(K) Limited access areas - A retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas. Authorized individuals include individuals employed by the retailer as well as any outside vendors, contractors, or other individuals conducting business that requires access to the limited access area. All individuals granted access to the limited access area shall be at least 21 years of age, and if not employed by the retailer, shall be escorted at all times by an employee of the licensee/permittee. A retailer

shall maintain a log of all individuals who are not employees who are granted access to the limited access area. These logs shall be made available to the police chief or the development services director upon request.

(L) Operating hours of the store front retailer license shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week or a reduced duration as stipulated through the discretionary land use permit.

(M) Parking requirements shall be in accordance with the Oxnard City Code - 1 parking space per 250 square feet or as stipulated in a city traffic engineer approved parking study.

(N) *Store front/retail security requirements.* All security measures required by section 11-477 (operational standards) are directly applicable to and binding on all Commercial Cannabis Businesses, including all Retailers.

SEC. 11-486. OPERATING REQUIREMENTS FOR RETAILERS (A) Retailers that provide delivery are required to verify the age and the necessary documentation of each medical customer to ensure the customer is not under the age of 18 years, and to verify that the potential customer has a valid doctor's recommendation. Doctor recommendations are not to be obtained or provided at the retail location. The age verification requirement applies to both the customer and any person accepting delivery on behalf of the customer. If the latter, the individual must be at least 21 years of age.

(B) Operating hours of the non-store front Retailer shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week or a reduced duration as stipulated through the discretionary land use permit.

(C) The non-store front Retailer shall only sell cannabis or cannabis products to a natural person 21 years of age or older, or a natural person 18 years of age or older who possesses a physician's recommendation for cannabis medical use only, or a cannabis card issued pursuant to Cal. Health and Safety Code Section 11362.71.

(D) The non-store front Retailer may only have on-site that quantity of Cannabis and Cannabis Products reasonably anticipated to meet the weekly demand for which they may need to be readily available for sale.

SEC. 11-487. NON-STORE FRONT RETAILER VEHICLE REQUIREMENTS.

Prior to commencing operations, a non-store front Retailer shall provide the following information to the city.

(A) Proof of ownership of the vehicle or a valid lease for any and all vehicles that will be used to deliver Cannabis or Cannabis Products.

(B) The year, make, model, color, license plate number, and vehicle identification number (VIN) for any and all vehicles that will be used to deliver Cannabis or Cannabis Products.

(C) Proof of insurance as required in section 11-474(B) for any and all vehicles being used to deliver Cannabis or Cannabis Products.

(D) The licensee shall provide the city with the information required by this section in writing for any new vehicle that will be used to deliver Cannabis and/or Cannabis Products prior to using the vehicle to deliver Cannabis and/or Cannabis Products.

(E) The Commercial Cannabis Business shall provide the city with any changes to the information required by this section in writing within 30 calendar days.

SEC. 11-488. PROMULGATION OF REGULATIONS, STANDARDS AND OTHER LEGAL DUTIES.

(A) In addition to any regulations adopted by the city council, the city manager or his or her designee is authorized to establish any additional rules, regulations and standards governing the issuance, denial or renewal of Commercial Cannabis Business Permits, the ongoing operation of Commercial Cannabis Businesses and the city's oversight, or concerning any other subject determined to be necessary to carry out the purposes of this article.

(B) Regulations shall be published on the city's website.

(C) Regulations promulgated by the city manager shall become effective upon date of publication. Commercial Cannabis Businesses shall be required to comply with all state and local laws and regulations, including but not limited to any rules, regulations or standards adopted by the city manager or his or her designee.

(D) Testing Laboratories, distribution facilities and special events shall be subject to state law and shall be subject to additional regulations as determined from time to time as more regulations are developed pursuant to this section and any subsequent state legislation regarding the same.

SEC. 11-489. COMMUNITY RELATIONS.

(A) Each Commercial Cannabis Business shall provide the name, telephone number, and email address of a community relations contact to whom notice of problems associated with the Commercial Cannabis Business can be provided. Each Commercial Cannabis Business shall also provide the above information to all businesses and residences located within 600 feet of the Commercial Cannabis Business.

(B) During the first year of operation pursuant to this article, the Owner, manager, and community relations representative from each Commercial Cannabis Business holding a permit issued pursuant to this article shall attend quarterly meetings with the city manager or his or her designee(s), and other interested parties as deemed appropriate by the city manager or his or her designee(s), to discuss costs, benefits, and other community issues arising as a result of implementation of this article. After the first year of operation, the Owner, manager, and community relations representative from each such Commercial Cannabis Business shall meet with the city manager or his or her designee(s) when and as requested by the city manager or his or her designee(s).

(C) Commercial Cannabis Businesses to which a permit is issued pursuant to this article shall describe benefits that the cannabis business would provide to the local community, such as community contributions, volunteer services and/or economic incentives.

SEC. 11-490. PERMIT HOLDER RESPONSIBLE FOR VIOLATIONS.

The person to whom a Commercial Cannabis Business Permit is issued pursuant to this article shall be responsible for all violations of the laws of the state or of the regulations and/or the ordinances of the city whether committed by the permittee or any employee or agent of the permittee, which violations occur in or about the premises of the Commercial Cannabis Business whether or not said violations occur within the permit holder's presence.

SEC. 11-491. INSPECTION AND ENFORCEMENT.

(A) The city manager, or his or her designee(s) charged with enforcing the provisions of the city code, or any provision thereof, may enter the location of a Commercial Cannabis Business at any time, without notice, and inspect the location of any Commercial Cannabis Business as well as any recordings and records required to be maintained pursuant to this article or under applicable provisions of state law.

(B) It is unlawful for any person having responsibility over the operation of a Commercial Cannabis Business, to impede, obstruct, interfere with, or otherwise not to allow, the city to conduct an inspection, review or copy records, recordings or other documents required to be maintained by a Commercial Cannabis Business under this article or under state or local law. It is also unlawful for a person to conceal, destroy, deface, damage, or falsify any records, recordings or other documents required to be maintained by a Commercial Cannabis Business under this article or under state or local law.

(C) The city manager, or his or her designee(s) charged with enforcing the provisions of this article may enter the location of a Commercial Cannabis Business at any time during the hours of operation and without notice to obtain samples of the cannabis to test for public safety purposes. Any samples obtained by the City of Oxnard shall be logged, recorded, and maintained in accordance with established procedures by the City of Oxnard city manager or these regulations.

SEC. 11-492. COMPLIANCE WITH STATE REGULATIONS.

It is the stated intent of this article to regulate commercial cannabis activity in the city in compliance with all provisions MAUCRSA and any subsequent state legislation.

SEC. 11-493. VIOLATIONS DECLARED A PUBLIC NUISANCE.

Each and every violation of the provisions of this article is hereby deemed unlawful and a public nuisance.

SEC. 11-494. EACH VIOLATION A SEPARATE OFFENSE.

Each and every violation of this article shall constitute a separate violation and shall be subject to all remedies and enforcement measures authorized by the city. Additionally, as a nuisance per se, any violation of this article shall be subject to injunctive relief, any permit issued pursuant to this article being deemed null and void, disgorgement and payment to the city for any monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or in equity. The city may also pursue any and all remedies and actions available and applicable under State and local laws for any violations committed by the Commercial Cannabis Business or persons related to, or associated with, the Commercial Cannabis Activity. Additionally, when there is determined to be an imminent threat to public health, safety or welfare, the city manager, or his or her designee(s), may take immediate action to temporarily suspend a Commercial Cannabis Business Permit issued by the city, pending a hearing before the city manager, or his or her designee(s).

SEC. 11-495. CRIMINAL PENALTIES.

Each and every violation of the provisions of this article may at the discretion of the district attorney or city attorney be prosecuted as an infraction or misdemeanor and upon conviction be subject to imprisonment in the county jail for a period of not more than six months, or both such fine and imprisonment. Each Commercial Cannabis Business may be cited for any violation of any law and/or any rule, regulation and/or standard adoption pursuant to this article. A fine not to exceed \$10,000 for the first violation, \$15,000 for the second violation and revocation of the permit for a period of two years after which time the business operator would have to reapply. The fine for operating an unlicensed and/or unpermitted Commercial Cannabis Business shall be \$30,000 per day and the issuance of a notice to appear in court. Each day a violation is committed or permitted to continue shall constitute a separate offense. At the discretion of the city manager or his or her designee, higher or lower fines or penalties may be recommended based on the facts of individual cases where generally supported by aggravating or mitigating circumstances. Aggravating factors may include, but are not limited to: prior disciplinary history, nature and severity of the act(s), violations, offenses, or crime(s) under consideration, actual or potential harm to the public, actual or potential harm to any consumer, prior warning letters, licensee involvement, premises in high crime area, lack of cooperation by licensee in investigation, appearance and actual age of minor, continuing course or pattern of conduct. Mitigating factors may include, but are not limited to: length of licensure at subject location without prior discipline problems, positive action by licensee to correct problem, documented training of licensee and employees and cooperation by licensee in investigation.

SEC. 11-496. REMEDIES CUMULATIVE AND NOT EXCLUSIVE.

The remedies provided herein are not to be construed as exclusive remedies. The city is authorized to pursue any proceedings or remedies provided by law.”

Section 2. Article XVI of Chapter 7 of the Oxnard City Code (Oxnard City Code Section 7-280 to 7-284) is hereby repealed.

Section 3. Article XV of Chapter 11 of the Oxnard City Code regarding Medical Cannabis Delivery (Oxnard City Code Section 11-390 to 11-403) is hereby repealed.

Section 4. If any section, subsection, phrase, or clause of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

Section 5. Within 15 days after passage, the City Clerk shall cause a summary of this ordinance to be published one time in a newspaper of general circulation published and circulated in the City. Ordinance No. 2994 was first read on December 1, 2020, and was adopted on 15 December, 2020, to become effective thirty (30) days thereafter.

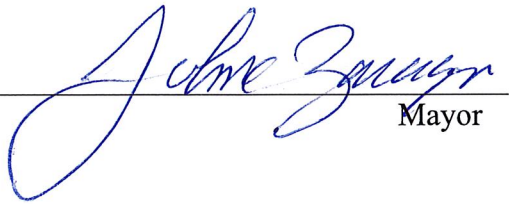
The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Oxnard, State of California, held on the 15th day of December, 2020, by the following vote:

AYES: Councilmembers Basua, Lopez, MacDonald, Madrigal, Perello, Ramirez, and Zaragoza.

NOES: None.

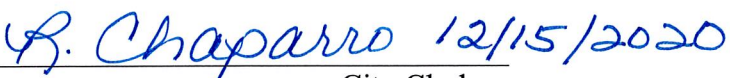
ABSTAIN: None.

ABSENT: None.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, City Attorney

**D. EEL - Oxnard, LLC. dba Catalyst - Oxnard
Conditional Commercial Cannabis Business Permit**

Kathleen Mallory
Planning and Sustainability Manager
Community Development Department
214 South C Street
Oxnard, CA 93030
(805) 385-8370
kathleen.mallory@oxnard.org



EEL Oxnard, LLC dba Catalyst - Oxnard
Damian Martin
6700 Pacific Coast Hwy, Suite 220
Long Beach, CA 90803
(Via Email and First Class Mail)

March 1, 2021

Subject: City of Oxnard - Selection of Top Thirteen (13) Retail Cannabis Applicants

Dear Selected Retail Cannabis Applicant:

Congratulations! The City has concluded Phases 2 and 3 of the retail cannabis application review process and you have been selected as one of the thirteen (13) retail applicants to apply for a Special Use Permit. The final rankings are attached.

In accordance with the Retail Cannabis Application Procedures Guideline and Oxnard City Code Section 11-457, the City Manager has reviewed the City Selection Committee's evaluation and accepted the final determination.

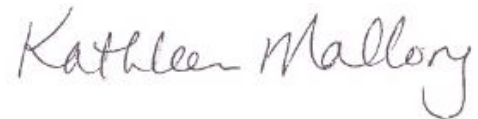
The City will be issuing thirteen (13) retail cannabis permits once the process outlined below is completed. Based upon the approved rankings, the top retail applicants are:

1. SGI Oxnard, LLC - 2343 North Oxnard Boulevard
2. TAT OXN LLC dba The Artist Tree - 600 North A Street
3. Haven #8, LLC dba Haven - 220 South A Street
4. TD Enterprises LLC dba Oxnard Holistics - 1013-1015 Harbor Boulevard
5. Blue Enterprises Oxnard LLC dba Cookies Oxnard - 2655 North Vineyard Avenue
6. EEL Oxnard LLC dba Catalyst-Oxnard - 4749 South Rose Avenue
7. Harbor Management Group LLC dba Safeport - 2150 Trabajo Drive
8. Blooming Organics LLC dba Elevate Oxnard - 2731 East Vineyard Avenue
9. Boxnard, LLC - 1970 North Ventura Road
10. Blooming Organics dba Elevate Downtown Oxnard - 156 South A Street
11. Kind Lifestyle Market LLC - dba Kind Lifestyle Market - 911 South Oxnard Boulevard
12. Yuma Way CA, LLC dba Releaf On Vine - 2544 East Vineyard Avenue
13. HPC of Oxnard LLC - 360 West Esplanade Drive

The next step in the retail cannabis application process is for the selected applicants to submit an application for a Special Use Permit (SUP). Retail cannabis applicants will be required to secure approval of an SUP within 12 months of receiving notification that they have been selected to apply for an SUP. Please note that the Commercial Cannabis Business Permit (retail) will not be issued until you obtain an SUP.

To obtain information on how to apply for the SUP and the process to advance your retail permit, please contact Jose Coyotl (805) 385-7863 or Jose.Coyotl@oxnard.org who will instruct you through the next steps in the permitting process.

Congratulations on your successful advancement.

A handwritten signature in dark ink that reads "Kathleen Mallory". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Kathleen M. Mallory
Planning & Sustainability Manager

c: Alexander Nguyen, City Manager
Ashley Golden, Assistant City Manager
Kenneth Rozell, Chief Assistant City Attorney
Matt Eaton, HdL
Vyto Adomaitis, Director, Community Development
Jose Coyotl, Associate Planner
Project file

Attachment: Final Retail Cannabis Ranking - February 26, 2021

		Final Retail Cannabis Applicants - February 26, 2021								
		13 Selected Retail Cannabis Applicants								
		3 Selected Local Equity Applicants								
	Tracking #	Applicant Name	Address	Local Equity	Phase 2 Score (out of 1,200)	Phase 2 Percentage	Phase 3 Score (out of 1800)	Phase 3 percentage	Total Ranking Based upon Phase 2 and 3	
1	CCB 2021-03	SGI Oxnard LLC	2343 N. Oxnard Blvd. Oxnard CA	No	1,196	99.67%	1,800	100.00%	2,996	
2	CCB 2021-28	TAT OXN LLC dba The Artist Tree	600 N. A Street Oxnard CA	No	1,195	99.58%	1,798	99.89%	2,993	
3	CCB 2021-23	Haven #8 LLC dba Haven	220 S. A Street Oxnard CA	No	1,196	99.67%	1,792	99.56%	2,988	
4	CCB 2021-26	TD Enterprise LLC dba Oxnard Holistics	1013-1015 Harbor Blvd. Oxnard CA	No	1,179	98.25%	1,792	99.56%	2,971	
5	CCB 2021-27	Blue Enterprises Oxnard LLC dba Cookies Oxnard	2655 N. Vineyard Ave. Oxnard CA	No	1,187	98.92%	1,783	99.06%	2,970	
6	CCB 2021-32	EEL Oxnard LLC dba Catalyst-Oxnard	4749 S. Rose Ave Oxnard CA	No	1,173	97.75%	1,792	99.56%	2,965	
7	CCB 2021-24	Harbor Management Group LLC dba Safeport	2150 Trabajo Dr Oxnard CA	No	1,187	98.92%	1,775	98.61%	2,962	
8	CCB 2021-15	Blooming Organics LLC dba Elevate Oxnard	2731 E. Vineyard Ave. Oxnard CA	No	1,151	95.92%	1,763	97.94%	2,914	
9	CCB 2021-31	Boxnard LLC	1970 N. Ventura Road Oxnard CA	No	1,191	99.25%	1,722	95.67%	2,913	
10	CCB 2021-14	Blooming Organics LLC dba Elevate Downtown Oxnard	156 S. A Street Oxnard CA	No	1,148	95.67%	1,763	97.94%	2,911	
11	CCB 2021-13	Kind Lifestyle Market LLC dba Kind Lifestyle Market	911 S. Oxnard Blvd. Oxnard CA	No	1,187	98.92%	1,705	94.72%	2,892	
12	CCB 2021-10	Yuma Way CA LLC dba Releaf on Vine	2544 E. Vineyard Ave. Oxnard CA	No	1,191	99.25%	1,678	93.22%	2,869	
13	CCB 2021-43	HPC of Oxnard LLC	360 W. Esplanade Dr. Oxnard CA	No	1,156	96.33%	1,683	93.50%	2,839	
14	CCB 2021-19	Advocate Society LLC dba Advocate Society	2550 E. Vineyard Ave. Oxnard CA	YES	1,196	99.67%	1,642	91.22%	2,838	
15	CCB 2021-07	Vineyard Retail LLC dba Legendary Organics Oxnard	2561 N. Vineyard Ave. Oxnard CA	No	1,160	96.67%	1,668	92.67%	2,828	
16	CCB 2021-34	Canna Connect Corp dba Culture Cannabis Club	138 S. A Street Oxnard CA	No	1,175	97.92%	1,633	90.72%	2,808	
17	CCB 2021-44	South Oxnard Investment dba Traditional Oxnard	1804 Saviers Road Oxnard CA	No	1,178	98.17%	1,617	89.83%	2,795	
18	CCB 2021-38	FGH Retail Services LLC	2320 N. Rose Ave. Oxnard CA	YES	1,187	98.92%	1,567	87.06%	2,754	
19	CCB 2021-45	99 High Tide - La Sirena	138 S. A Street Oxnard CA	YES	1,176	98.00%	1,567	87.06%	2,743	
20	CCB 2021-37	The Set Oxnard LLC dba The Set	1744 Saviers Road Oxnard CA	No	1,177	98.08%	1,555	86.39%	2,732	
21	CCB 2021-36	Hempathy LLC dba Oxnard Healing Center	2981 Ventura Blvd. Oxnard CA	Yes	1,157	96.42%	1,567	87.06%	2,724	
22	CCB 2021-02	Pure CA LLC	156 S. A Street Oxnard CA	No	1,187	98.92%	1,533	85.17%	2,720	
23	CCB 2021-16	California Erudite Ventures dba HerbNJoy	211 E. Fifth Street Oxnard CA	No	1,185	98.75%	1,533	85.17%	2,718	
24	CCB 2021-25	JC Oxnard Ventures LLC dba Beyond Hello	600 S. Victoria Ave. Oxnard CA	No	1,143	95.25%	1,533	85.17%	2,676	
25	CCB 2021-47	Hijole Friole dba Wheelhouse/Station 320	320 S. Oxnard Blvd. Oxnard CA	Yes	1,120	93.33%	1,542	85.67%	2,662	
26	CCB 2021-20	Sweet Flower Oxnard LLC	2360 N. Oxnard Blvd. Oxnard CA	No	1,192	99.33%	1,458	81.00%	2,650	
27	CCB 2021-04	Authentic Oxnard LLC	1450 S. Oxnard Blvd. Oxnard CA	No	1,196	99.67%	1,450	80.56%	2,646	
28	CCB 2021-48	E7 Oxnard LLC	430 Meta Street Oxnard CA	No	1,187	98.92%	1,442	80.11%	2,629	
29	CCB 2021-12	High Farma Inc dba High Farma	136 W. First Street Oxnard CA	Yes	1,159	96.58%	1,450	80.56%	2,609	
30	CCB 2021-49	Sol Natural Inc dba Kindly	141 S. A Street, Suite 105 Oxnard CA	Yes	1,170	97.50%	1,433	79.61%	2,603	
31	CCB 2021-50	MED Enterprise Inc	2731 Vineyard Ave. Suite C Oxnard CA	Yes	1,174	97.83%	1,422	79.00%	2,596	
32	CCB 2021-29	JBIA Inc dba The High Class (THC)	2141 E. Channel Islands Blvd. Oxnard CA	Yes	1,143	95.25%	1,433	79.61%	2,576	
33	CCB 2021-51	TeraGreen LLC	2801 Paseo Mercado Oxnard CA	Yes	1,187	98.92%	1,388	77.11%	2,575	
34	CCB 2021-33	Coastal Retail Oxnard LLC dba Coastal	805 Ventura Blvd. Oxnard CA	No	1,187	98.92%	1,380	76.67%	2,567	
35	CCB 2021-11	Yuma Way CA LLC dba Releaf on Saviers	3454 Saviers Road Oxnard CA	No	1,186	98.83%	1,367	75.94%	2,553	
36	CCB 2021-01	Urban Leef LLC	905 S. A Street Oxnard CA	No	1,137	94.75%	1,400	77.78%	2,537	
37	CCB 2021-17	Adam Knopf dba Golden State Greens	3600 W. Fifth Street Oxnard CA	Yes	1,091	90.92%	1,425	79.17%	2,516	
38	CCB 2021-40	Blazzin Hydroponics Inc dba Oxnard Greens (156 S. A St)	156 S. A Street Oxnard CA	Yes	1,175	97.92%	1,317	73.17%	2,492	
39	CCB 2021-18	Ash's Third LLC dba UpNorth	3570-C Saviers Road Oxnard CA	No	1,187	98.92%	1,288	71.56%	2,475	
40	CCB 2021-46	99 HT/GSG LLC dba 99 High Tide	360 W. Esplanade Dr. Oxnard CA	Yes	1,092	91.00%	1,375	76.39%	2,467	
41	CCB 2021-35	DBO Investments OX LLC dba From the Earth	228 S. A Street Oxnard CA	No	1,159	96.58%	1,292	71.78%	2,451	
42	CCB 2021-30	Armory Oxnard LLC dba Armory Oxnard	923 E. Ventura Blvd. Oxnard CA	No	1,191	99.25%	1,202	66.78%	2,393	
43	CCB 2021-39	PCH Retail Partners VII LLC dba Emjay	211 E. Fifth Street Oxnard CA	No	1,078	89.83%	1,292	71.78%	2,370	
44	CCB 2021-41	Blazzin Hydroponics Inc dba Oxnard Greens (3700 W. Fifth)	3700 W. Fifth Street Oxnard CA	Yes	1,175	97.92%	1,167	64.83%	2,342	
45	CCB 2021-05	323 Cooper Road LLC dba Neighborgood	323 Cooper Road Oxnard CA	Yes	1,102	91.83%	1,192	66.22%	2,294	
46	CCB 2021-06	Inland Empire Consulting LLC dba Vibe By California - Oxnard	1037 & 1039 S. Ventura Rd. Oxnard CA	No	1,166	97.17%	1,075	59.72%	2,241	
47	CCB 2021-09	S&S Financial Group Inc	138 S. A Street Oxnard CA	No	1,018	84.83%	1,105	61.39%	2,123	
48	CCB 2021-21	C.I.D. Pacific LLC dba Channel Islands Dispensary	1031 S. Ventura Blvd. Oxnard CA	Yes	1,061	88.42%	1,025	56.94%	2,086	
49	CCB 2021-08	Green Dragon Collective	229 S. Oxnard Blvd. Oxnard CA	No	1,018	84.83%	917	50.94%	1,935	
50	CCB 2021-22	Progrow Group Inc dba RedHeye	1515 S. Oxnard Blvd. Oxnard CA	No	1,187	98.92%	683	37.94%	1,870	
51	CCB 2021-42	J&J Holdings Investments LLC dba First on A	216 W. First Street Oxnard CA	Yes	978	81.50%	600	33.33%	1,578	

E. Notice of Exemption

NOTICE OF EXEMPTION

EEL - Oxnard, LLC dba Catalyst - Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP); PLANNING AND ZONING PERMIT NO. 21-516-30 (Retail): A request to permit the operation of a commercial cannabis retail facility within an existing 1,465 square-foot commercial suite of a 53,990 square-foot multi-tenant commercial building on a 5.26-acre site located at 4749 South Rose Avenue (APN: 224-0-020-285) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, and installation of new secure doors/windows. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. Filed by Blake Hogen on behalf of EEL - Oxnard, LLC. dba Catalyst - Oxnard.

Finding:

The Planning Commission 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 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines, qualifies as a Class 1 Categorical Exemption. This section applies to projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.” The Project involves a request to retail cannabis products within an existing industrial building, the project request will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission 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, there is no requirement to prepare an environmental document, and the Planning Commission hereby authorizes and directs the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Scott Kolwitz
Planning and Environmental Services Manager

F. 2030 General Plan Consistency Chart

Attachment F

General Plan Consistency Chart

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).

2030 General Plan		Level I	Level II	Rationale
Policy CD-4.1	<i>Mitigate Land Use Conflicts</i> Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.	X		The Project proposes to locate within an established commercial shopping center which allows for retailing of cannabis products. The proposed site would operate with other businesses that engage in similar retail business practices therefore the Project would be compatible. Furthermore, the Project was reviewed for neighborhood compatibility, architectural design compatibility, security, and overall community benefits.
Policy CD-4.2	<i>Commercial Revitalization and Redevelopment</i> Encourage upgrading, beautification, and revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoining neighborhoods and increase overall jobs, sales and property valuation.	X		
Policy CD-4.4	<i>Commercial Area Aesthetics</i> Require that older commercial development upgrade/improve landscaping and architecture, if warranted, during discretionary review opportunities.	X		
Policy CD-15.5	<i>Share of Regional Taxable Sales</i> Increase Oxnard's share of tax base and enhance the fiscal health of the City.	X		Cannabis business taxes will be required to be paid as a condition of approval further strengthening the fiscal health of the City.
Policy CD- 17.1	<i>Retain Local Talent</i> Provide opportunities for a variety of local jobs and actively support efforts to retain residents		X	The Project will provide an opportunity for new careers in cannabis retail.

	who have completed higher education.			
Policy CD-18.1	<i>Attract New Businesses</i> Identify and attract a range of commercial, retail and industrial businesses that are compatible with the community's business climate and not detrimental to the existing local economy and environment.		X	The Project will help attract further cannabis related industries which currently are new and have the possibility of improving other local businesses and improving the local economy.
Policy CD-16.5	<i>Industrial and Commercial Development Standards</i> Require high quality development standards that increase the efficient use of existing industrial and commercial development areas so as to preserve agricultural land and minimize adverse environmental impacts.	X		The Project is conditioned to be consistent with the requirements of the General Commercial Planned Development zone which includes architectural and landscape standards suitable for commercial development.
Policy ICS-19.2	<i>Police Review of Development Projects</i> Continue to require the Police Department to review proposed development project and provide recommendation that enhance public safety	X		The Project's security plan was reviewed and conditionally approved by the Oxnard Police Department to ensure crime prevention through preventive security measures and environmental design.
Policy ICS-19.4	<i>Crime Prevention Device Requirements</i> Require crime prevention devices (e.g. deadbolt locks, peepholes, etc.) in all new development.	X		
Policy ICS-19.5	<i>Incorporating Security Design Principles</i> Encourage crime prevention and defensible space through design principles such as those employed through the National Crime Prevention Through Environmental Design program, Neighborhood Watch Program, and/or other appropriate methods to enhance public safety.	X		
Policy SH-7.2	<i>Handling of Hazardous Materials</i> Require that hazardous materials are used, stored, transported and disposed of within the City in a safe manner and in compliance with local, state, and federal standards.	X		The Project has been reviewed and will be conditioned to maintain and store hazardous material in compliance to local, state and federal standards.

G. Zoning Consistency Chart

ATTACHMENT G
Zoning Consistency with
The General Commercial Planned Development

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Maximum Building Height OCC Sec. 16-137	35 feet	23.6 feet No Change	YES
Front Yard Setback OCC Sec. 16-139	30 feet on Vineyard Avenue Scenic Corridor	220.52feet No Change	YES
Side Yard Setback OCC 16-140	5 feet, 0 feet when a lot is zoned general commercial abuts another lot so zoned.	28.1 feet No Change	YES
Rear Yard Setback OCC Sec. 16-141	15 feet for buildings over 16 feet in height.	34.75 feet (legal non conforming) No Change	YES
Vehicle Parking Requirements for Commercial Uses OCC Sec. 16-622	<u>Shopping Center - Community</u> One space per 250 square feet of gross floor area. Total Required: 212 Parking Spaces <u>Cannabis Retail</u> One parking space per 250 square feet or as stipulated in a city traffic engineer approved parking study. Total Required: 6 Parking Space Total required parking for the entire center is 218 spaces.	262 Parking Spaces	YES
Bicycle Parking Requirements Commercial OCC Sec. 16-623	Bicycles: 1 space per 33 automobile parking spaces 8 bicycle spaces	8 spaces	YES
Motorcycle Parking Requirements Commercial OCC Sec. 16-624	Uses with more than 100 automobile parking spaces shall provide motorcycle parking areas at the rate of three motorcycle parking spaces for every 100 automobile parking spaces required.	6 spaces	YES, AS CONDITIONED

	Required Motorcycle Parking: 6		
Outdoor Loading and Storage Areas OCC Sec. 16-644	3 loading space per 40,000-90,000 square feet of commercial gross floor area Shall be placed in the side or rear yards only and shall be screened. A minimum 12-foot high wall shall be provided adjacent to unloading areas to provide for proper screening. Required Loading Spaces: 3	Legal non conforming loading areas will be utilized along the west side of the building. The loading zone is accessible through a service door from the tenant space rear floor area.	YES, AS CONDITIONED

H. Location and Design of Cannabis Business Consistency Chart

Attachment H

Location and Design of Cannabis Business Requirements Consistency Chart

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Cannabis Manufacturing, Testing and Distribution Businesses Siting Criteria and Buffer Requirements Sec. 11-473(A)	Manufacturing, testing, and distribution facilities are conceptually permitted on property that must be located on property zoned M-L, M-1, M-2, and BRP, as well as auto sales and service, business park, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Manufacturing, testing, and/or distribution facilities may also be located in the following specific plan areas subject to relevant specific plan requirements, and input from the business park association (if operational): Northeast Community Specific Plan, Sakioka Farms, Camino Real Business Park, McInnes Ranch Business Park Specific Plan, and Northfield Seagate Business Park Specific Plan.	N/A	N/A
Cannabis Retail Dispensary Businesses Siting Criteria and Buffer Requirements Sec. 11-473(B)	Retail dispensaries are conceptually permitted in property zoned DT-C, DT-G, C-1, C-1-PD, C-2, C-2-PD, CPD, and business park, retail commercial, and commercial manufacturing zones within the Rose Santa Clara Corridor Specific Plan. Retail dispensaries may also be located in the following specific plan areas subject to relevant specific plan requirements, and input from the business park association (if operational): RiverPark - commercial office, commercial convention, and commercial regional, Sakioka Farms, and Camino Real Business Park.	The location is within General Commercial Planned Development (C-2-PD).	YES
Letter of Support from the Specific Plan Management Company or Association	Compliance with any specific plan requirements, including a letter of support from the specific plan management	The project is in compliance with the C-2-PD zone (see Attachment G). The	YES

Sec. 11-473(C)	company or association	property is not located within a specific plan management company or association area.	
Distance Requirements Sec. 11-473(D)	(1) It shall be no closer than 600 feet of any of the following: (a) Any school providing instruction in kindergarten or any grades 1 through 12, whether public, private, or charter, including pre-school, transitional kindergarten, and K-12. (b) A commercial daycare center licensed by the city or county that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius. (c) A youth center that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius. (2) The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the identified use to the closest property line of the lot on which the cannabis use is located without regard to intervening structures.	The nearest public elementary school (Williams Elementary School) is approximately 1,166 feet away from the project site.	YES
Findings Sec. 11-473(E)(1)	Conform with the city's General Plan, any applicable specific plans, master plans, and design requirements.	The project is in compliance with the General Plan and C-2-PD zone (see Attachment F and G).	YES
Findings Sec. 11-473(E)(2)	Comply with all applicable zoning, and specific plan requirements, and related development standards.	The project is in compliance with the C-2-PD zone district and other pertinent sections of the OCC (see Attachment F and G).	YES
Findings Sec. 11-473(E)(3)	Be constructed in a manner that minimizes odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties.	The project includes Odor Control devices	YES, AS CONDITIONED

Findings Sec. 11-473(E)(4)	Be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and all items required for the development.	The project is in compliance with the requirements for development (see Attachment G).	YES
Findings Sec. 11-473(E)(5)	Be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.	The project is indirectly served by and connected to Highway 101. The proposed use is anticipated to generate traffic in quantities that are consistent with the original commercial uses which were intended to occupy the building.	YES
Findings Sec. 11-473(E)(6)	Be provided with adequate electricity, sewerage, disposal, water, fire protection (sprinkler and alarm; retrofit when determined necessary by the fire marshal) and storm drainage facilities for the intended purpose.	The project is currently served by adequate electricity, sewerage, disposal, and water. The proposed use is anticipated to generate traffic in quantities that are consistent with the original commercial uses which were intended to occupy the building. The project has been conditioned to comply with Fire Marshal requirements.	YES, AS CONDITIONED
Cannabis Retail Operating Requirement - Limited Access Areas Sec. 11-485(K)	A retailer shall establish limited-access areas and permit only authorized individuals to enter the limited-access areas.	The project is designed with a check in lobby area and a staff click to enter feature to enter the cannabis retail sale floor area. The project has been conditioned to comply with limited access area requirements.	YES, AS CONDITIONED
Cannabis Retail Operating Hour Requirements Sec. 11-485(L)	Operating hours of the storefront retailer license shall be limited to the hours of 9:00 a.m. through 9:00 p.m., seven days a week or reduced as stipulated through the discretionary land use permit.	The project will operate within the hours of 9:00 a.m. and 9:00 p.m. The project has been conditioned to restrict store retail hours based on the operating hour requirements.	YES, AS CONDITIONED
Cannabis Retail Parking Requirements Sec. 11-485(M)	Parking requirements shall be in accordance with chapter 16, article X of the Oxnard City Code - 1 parking space per 250	The project meets the parking requirements.	YES, AS CONDITIONED

	square feet or as stipulated in a city traffic engineer approved sparking study.		
Cannabis Retail Storefront/ Retail Security Requirements Sec. 11-485(N)	All security measures required by section 11-477 (operating standards) are directly applicable to and binding on all commercial cannabis businesses, including all retailers.	The project is conditioned to provide security as specified by the Security Plan approved by the Chief of Police.	YES, AS CONDITIONED

I. Draft Resolution of Approval for Commercial Cannabis Retail

RESOLUTION NO. XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-516-30 (COMMERCIAL CANNABIS RETAIL) TO ALLOW A COMMERCIAL CANNABIS RETAIL FACILITY WITHIN AN EXISTING 1,465 SQUARE-FOOT COMMERCIAL SUITE OF A 53,990 SQUARE-FOOT MULTI-TENANT COMMERCIAL BUILDING ON A 5.26-ACRE SITE LOCATED AT 4749 SOUTH ROSE AVENUE (APN: 224-0-020-285), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS.

WHEREAS, on October 21, 2021, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has conducted a duly noticed public hearing and considered an application for Planning and Zoning Permit No. 21-516-30 filed by Blake Hogen on behalf of EEL - Oxnard, LLC. in accordance with Section 16-530 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 Section 15301 (Existing Facilities) Categorical Exemption. Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

The project site is located within the 2030 General Plan land use designation of Commercial General and the zoning is General Commercial Planned Development (C-2-PD). The Project is surrounded by commercial buildings. 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 cannabis retail facility is consistent with the 2030 General Plan, and the Oxnard City Code and is compatible with the 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 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 cannabis retail facility 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 uses of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by an established 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 October 8, 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 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, the proposed project is consistent with the following:

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

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

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

As described in the Staff Report, the proposed cannabis retail facility is an allowable use within the General Commercial Planned Development (C-2-PD) zone, subject to approval of a Special Use Permit. Therefore, the proposed cannabis retail use is in conformance with the 2030 General Plan, Oxnard City Code, and the elements thereof and other adopted standards. Therefore, this Project meets this finding.

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

As described in the Staff Report, the Project will allow cannabis retail within an existing commercial multi-tenant building. As the Project will be located more than 600 feet from established commercial cannabis sensitive uses, the Project is consistent with public health, safety and general welfare by City standards. As conditioned, the Project will not aggravate policing issues when properly regulated through the imposition of and compliance with the conditions of approval. Based on these factors, this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. As such, this Project meets this finding.

3. The 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 described in the Staff Report, the Project will be located within an existing development within the General Commercial Planned Development (C-2-PD) zone which has previously been reviewed and approved to ensure the development is adequately proportional to the size of the property and served by public infrastructure. The existing project site is a developed 5.26-acre lot. Pursuant to the C-2-PD zone, the Project will be located within an existing building designed to be consistent with the development and design standards included within the C-2-PD zone, including, but not limited to, maximum building height, front, side and rear setbacks, lot coverage, landscaping, and equipment screening standards. The existing development is not consistent with the City's parking standards for bicycle parking (8 required) and motorcycle parking (6 required). The parking lot will provide parking for a minimum of 262 vehicles, including 9 accessible parking spaces, 2 motorcycle spaces, 251 standard parking spaces, and the project has been conditioned to provide a total of 8 bicycle spaces and 6 motorcycle spaces within the whole of the shopping center's shared parking lot. The project site has a frontage and

vehicular access on Pleasant Valley Road and Rose Avenue. Proposed interior tenant improvements to the site will be reviewed for compliance with C-2-PD zoning requirements. 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. Therefore, this Project meets this finding.

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

As described in the Staff Report, the project is currently served by existing infrastructure and will continue to be accessed directly from Pleasant Valley Road and Rose Avenue, which indirectly connects to Highway 101. The proposed cannabis retailer is not anticipated to generate significant traffic that would require improvements to infrastructure. Therefore, the site for the proposed retail of cannabis products will be served by highways adequate in width and improved as necessary to carry project-generated traffic.

The existing development is not consistent with the City's parking standards for bicycle parking (8 required) and motorcycle parking (6 required). The parking lot as designed will provide parking for a minimum of 262 vehicles, including 9 accessible parking space, 2 motorcycle spaces, and 251 standard parking spaces. Based on the configuration of the proposed cannabis retail facility the entire project site requires 1 loading space. The project will utilize an existing legal nonconforming loading zone at the southeast side of the building accessed by a service door entrance to the tenant space. The project is consistent with City parking requirements. The project has been conditioned to include a total of 8 bicycle parking spaces and 6 motorcycle parking spaces within the whole of the shopping center's shared parking lot, to design bicycle space during the building permit process, and provide these spaces prior to a Certificate of Occupancy being issued. The project also includes short and long term parking to support bicycle use. Therefore, the site will be served by streets, highways, transit and bike facilities adequate to provide access to the proposed building and its anticipated uses. As such, this Project meets this finding.

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

As described in the Staff Report, the proposed Project will operate within an existing development with minor tenant improvements proposed. The Project has been reviewed by City Departments and divisions who have determined that the project is currently served by adequate electricity, sewerage, disposal, and water. The proposed use is not anticipated to generate utility demands in quantities that are different from other commercial uses which have previously occupied the building. Therefore, the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities. As such, this Project meets this

finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determined that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15301 (Existing Facilities) of the State CEQA Guidelines pertaining to projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request to retail cannabis products within an existing commercial building, the project request will not increase the square footage of the existing building. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, the Planning Commission has determined that there is no substantial evidence that the Project will have a significant effect on the environment. The Planning and Environmental Services Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 21-516-30 (Commercial Cannabis Business Retail Special Use Permit), subject to the attached conditions of approval.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby approves Planning and Zoning Permit No. 21-516-30 (Commercial Cannabis Business Retail Special Use Permit), subject to the following conditions. The decision of the Planning Commission is final unless appealed in accordance with the provisions of §16-545 of the Oxnard City Code.

CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated October 21, 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”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Planning Manager allows the Applicant to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
4. By commencing any activity related to the project or using any structure authorized by this permit, the Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)
5. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict

between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)

6. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
7. Applicant shall provide off-street parking for the project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
8. Before placing or constructing any signs on the project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the project property. (PL/B, G-10)
9. Applicant shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
10. Applicant shall not permit any combustible refuse or other flammable materials to be burned on the project property, except as provided in a permit issued by the Fire Chief.
11. Applicant shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
12. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
13. Prior to issuance of building permits, Applicant 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).

State Law and Regulations Compliance

14. The permittee shall comply with all relevant law, ordinance, or regulation of the State of California, City of Oxnard, and any other governmental entity Laws and Regulations at all times during the life of the permit.
15. Wherever a condition requires that something be initially "built," "constructed," "equipped," "installed," "provided" or the like in a certain fashion or per certain

requirements or approvals, it also requires that the same shall at all times be “maintained” in accordance with the condition, requirement or approval.

PLANNING DIVISION STANDARD CONDITIONS

16. 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*)
17. Before the City issues building permits, the Applicant shall include a reproduction of all conditions of this permit as adopted by Resolution of the Community Development Director / Planning Commission in all sets of construction documents and specifications for the project. (PL, *PL-3*)
18. Before the City issues building permits, the Applicant 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 / Planning Commission. The Applicant may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)
19. The Applicant may not modify any use approved by this permit unless the Planning Manager determines that the Applicant has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
20. During the plan check review process, the Applicant shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
21. Prior to issuance of building permits, the Applicant shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. The Applicant shall submit a plan showing both the lighting and landscape on the same sheet.
22. 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. The Applicant shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. The applicant 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*)

23. 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*)
24. Applicant 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*)
25. 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*)
26. Prior to issuance of building permits, Applicant 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*).
27. Applicant 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*)

COMMERCIAL

28. Applicant 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. Applicant 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*)
29. Applicant 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*)
30. For any exterior utility meter panels, Applicant 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*)
31. Prior to issuance of a certificate of occupancy, Applicant shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

32. Applicant shall restripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, PL-49)

Special Conditions of Approval

33. Prior to occupancy, faded striping in parking areas directly in front of the building shall be repainted per City standards.
34. In accordance with Oxnard City Code Section 16-624, parking facilities for 6 motorcycles shall be provided in the shopping center's shared parking lot, the configuration and location of which shall be as reviewed and approved by the City Planning Division. Motorcycle parking area dimensions and location shall be a paved area at least 4'6" x 7' for each required parking space. Staff shall review all construction documents prior to building permit issuance to assure that the motorcycle spaces have been provided and are not in conflict with the applicable development standards for building in the General Commercial Planned Development (C-2-PD) zone district.
35. In accordance with Oxnard City Code Section 16-637, parking facilities for 8 bicycles shall be provided, the configuration and location of which shall be as reviewed and approved by the City Planning Division. The project plans shall be revised to identify bicycle racks, with a minimum of 8 bicycle spaces, to be provided on site near the front entrance of the building located at 4749 S. Rose Avenue and the remaining required spaces equally distributed in the shopping center near front entrances. Bicycle parking area dimensions and location shall be a paved area at least 6' x 1'6" for each required parking space. Staff shall review all construction documents prior to building permit issuance to assure that the bicycle rack has been provided and is not in conflict with the applicable development standards for building in the General Commercial Planned Development (C-2-PD) zone district.

The applicant shall submit a bicycle parking plan to be reviewed and approved by the Community Development Director or his/her designee(s). All bicycle parking shall comply with AASHTO, NACTO, or APBP standards, as permitted by the California Building Code. The bicycle parking shall be designed to provide two (2) points of contact on the bicycle, be supported upright, and cause no stress onto tires. All provided bicycle parking shall be able to accommodate a standard U-lock. Bicycle parking area dimensions and location shall be a paved area at least 6' x 1'6" for each required parking space and shall be located outside of pedestrian walkways, loading areas, landscape planters, etc. Where feasible, bicycle-parking areas should be covered.

36. No final inspection or occupancy permit shall be granted until all construction and landscaping is complete in accordance with the plans approved and the conditions required herein.

37. All landscape materials shall be as represented to or as specified by the Planning Commission, and any deviation will require the express approval of the Chief of Police. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans and in a manner acceptable to the Chief of Police. This includes landscape materials being maintained in a healthy and weed-free manner at all times.

PLANNING DIVISION CANNABIS CONDITIONS

Automatic Expiration

38. The Commercial Cannabis Business Permits shall expire, and be subject to the renewable process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the Special Use Permit (SUP) pursuant to the Oxnard City Code Section 11-459.

Renewal

39. All Commercial Cannabis Business Permits shall be renewed in accordance with Chapter 11, Article XVII of the Oxnard City Code.

Appeals

40. The permittee shall within ten (10) calendar days after the date of a decision of the City Manager or his/her designee(s) to revoke, suspend or deny a permit, or to add conditions to a permit, an aggravated party may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper. At the time of filing, the permittee shall pay the designated appeal fee, established by Resolution of the City Council from time to time.

Revocations of Commercial Cannabis Business Permits

41. Commercial Cannabis Business Permits may be revoked for any violation of any law and/or any rule, regulation and/or standard adopted pursuant to Sections 11-461, 11-462, 11-468, or 11-477 pursuant to any policy, procedure or regulation adopted by the City. The City Manager or his/her designee may immediately suspend operation of the uses approved by this permit pending a hearing on the revocation of this permit's conditions and/or a license issued by the State of California, or by any of its departments or divisions, or if there is a single serious violent crime or single significant incident to which multiple police units or multiple police jurisdictions respond associated with the operations of this use, which is detrimental to the public safety or health. The City Manager or his/her designee shall immediately inform the Community Development Director and Planning Manager of the suspension and the Planning Manager shall schedule a hearing on the revocation of the permit by the Community Development Director or other competent hearing officer to be held no more than 30-days after the beginning of the suspension. In the hearing, notice will

be provided establishing the causal factors that caused the suspension and determination shall be made with the below options:

- a. End the suspension of the permit;
- b. Continue the suspension of the permit pending other legal action;
- c. Amend the permit conditions;
- d. Direct the permittee to change operations or business practices that precipitated the suspension of the permit;
- e. Or, any combination of the above;
- f. And, provide benchmarks and timeline for corrective action to take place.

42. The Applicant agrees suspension of a license issued by the State of California, or by any of its departments or divisions, shall immediately suspend the ability of a commercial cannabis business to operate within the City, until the State of California, or its respective department or division, reinstates or reissues the State license. Should the State of California, or any of its departments or divisions, revoke or terminate the license of a commercial cannabis business, such revocation or termination shall also revoke or terminate the ability of a commercial cannabis business to operate within the City of Oxnard.

Enforcement and Compliance

43. For the life of the permit, the Applicant shall be responsible for all violations of the laws of the State of California or of the regulations and/or the ordinances of the City of Oxnard, whether committed by the Applicant or any employee or agent of the Applicant, which violations occur in or about the premises of the commercial cannabis business whether or not said violations occur within the permit holder's presence.
44. Applicant agrees to pay enforcement, compliance, and inspection fees set by the City's Fee Schedule. Applicant shall deposit the equivalent of 30 hours of the Planning Hourly Fee (currently \$134.27 per hour) during plan check review to cover staff time, billed at an hourly rate, for conditions compliance, required inspection, and reporting associated with commercial cannabis project, PZ 21-516-30. Additional funds will be required as deposits are depleted to less than the equivalent of 10 hours of the Planning Hourly Fee or as additional funds are needed as determined by the Community Development Director.
45. All operators are subject to all penalties as outlined in Oxnard City Code.

Property Owner Authorization

46. Prior to the issuance of a zone clearance or business license, whichever comes first, the Applicant shall be required to provide a signed and notarized statement from the owner of the property acknowledging that the property owner agrees to use of the property for a Commercial Cannabis Business Permits subject to Chapter 11, Article XVI, Section 11-475 of the Oxnard City Code.

Business Location Transfers

47. Commercial Cannabis Business Permits represent a land use entitlement and cannot be transferred from one location to another unless they comply with the transfer provisions outlined in Chapter 11, Article XVII of the Oxnard City Code.

Business Notification

48. The Applicant shall provide to the City, the name, telephone number, and email address of a community relations contact (community relations officer) designated by Applicant. The community relations contact shall be responsible for responding to complaints, should they arise between the hours of 10:00 p.m. and 7:01 a.m. Complaints shall be addressed within fifteen minutes of receiving the initial complaint
49. The Applicant shall provide the name/phone number/email address for the business community relations officer to all businesses and residences located within six hundred (600) feet of the commercial cannabis business before operation of the business. The contact name and number shall be prominently posted outside of the facility
50. During the first year of operation, the owner, manager, and community relations officer shall attend quarterly meetings with the City Manager or his/her designee(s), and other interested parties as deemed appropriate by the City Manager or his/her designee(s), to discuss conditions of approval, operations, and overall cannabis activities in the subject location.
51. After the first year of operation should no permit condition(s) violations be identified, the owner, manager, and community relations officer shall meet with the City Manager or his/her designee(s) when and as requested by the City Manager or his/her designee(s).

Inventory Tracking

52. Prior to issuance of a certificate of occupancy, the Applicant shall have in place a State of California approved point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the City. The commercial cannabis business shall ensure that such information is compatible with the City's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review at the request of the City. Furthermore, any system selected must be approved and authorized by the City Manager or his/her designee(s) prior to being used by the permittee.
53. All cannabis and cannabis products sold, distributed or manufactured shall be cultivated, manufactured, and transported by licensed facilities that maintain operations in full conformance with the State and local regulations.

Onsite Restrictions

54. Sales of cannabis may only occur between the hours of 9:00 A.M. and 9:00 P.M. daily.
55. The Applicant shall conform with the following requirements to prevent minors from having access to cannabis products:
 - a. Persons under the age of twenty-one (21) years, or eighteen (18) years with a medical marijuana card, shall not be allowed on the premises of a commercial cannabis business and shall not be allowed to serve as a driver for a mobile delivery service. It shall be unlawful and a violation of this Article for any person to employ any person at a commercial cannabis business who is not at least twenty-one (21) years of age.
 - b. The entrance to the commercial cannabis business shall be clearly and legibly posted with a notice that no person under the age of twenty-one (21) years of age is permitted to enter upon the premises of the commercial cannabis business.
56. Cannabis shall not be consumed by any employee or patron on the premises of any commercial cannabis business.
57. No outdoor storage of cannabis or cannabis products is permitted at any time.

Operational Requirements for Retailers

58. Sales and service of cannabis or cannabis products is limited to only the customer service area, which consists of approximately 1,465 square feet inside the building as identified on PZ No. 21-516-30 floor plans presented at the Planning Commission public hearing on October 21, 2021 and incorporated herein.
59. Access to the customer service area is to be controlled by an access door from a common lobby. A maximum of two (2) patrons may be served by one (1) budtender at any time. The budtenders and security personnel shall be readily identifiable personnel and are to monitor and control the behavior of customers in and around the premises.
60. There shall not be any amplified music or live bands unless the licensee has a valid Entertainment Permit issued by the City of Oxnard, pursuant to Oxnard City Code Section 11-187.

Odor Control

61. Odor control devices and techniques shall be incorporated in all commercial cannabis businesses to ensure that odors from cannabis are not detectable off-site. Commercial cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the commercial cannabis business that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways,

hallways, breezeways, foyers, lobby areas, or any other areas available for use by common tenants or the visiting public, or within any other unit located inside the same building as the commercial cannabis business. As such, commercial cannabis businesses must install and maintain the following equipment, or any other equipment which the Community Development Director or his/her designee(s) determine is a more effective method or technology:

- a. An exhaust air filtration system with odor control that prevents internal odors from being emitted externally; and
- b. An air system that creates negative air pressure between the commercial cannabis businesses interior and exterior, so that the odors generated inside the commercial cannabis business are not detectable on the outside of the commercial cannabis business.

Signage and Notices

62. The permittee shall conform with the following Signage Specifications:
 - a. In addition to the requirements otherwise set forth in this section, business identification signage for a commercial cannabis business shall conform to the requirements of the City of Oxnard regulations, including, but not limited to, seeking the issuance of a City sign permit.
 - b. No signs placed on the premises of a commercial cannabis business shall obstruct any entrance or exit to the building or any window.
 - c. Each entrance to a commercial cannabis business shall be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the commercial cannabis business is prohibited.
 - d. Business identification signage shall be limited to that needed for identification only and shall not contain any logos or information that identifies, advertises, or lists the services or the products offered. No commercial cannabis business shall advertise by having a person holding a sign and advertising the business to passersby, whether such person is on the premises of the commercial cannabis business or elsewhere including, but not limited to, the public right-of-way.
 - e. Signage shall not be directly illuminated, internally or externally. No banners, flags, billboards or other prohibited signs may be used at any time.
 - f. No cannabis or cannabis products or graphics depicting cannabis or cannabis products shall be visible from the exterior of any property issued a commercial cannabis business permit, or on any of the vehicles owned or used as part of the commercial cannabis business.

Community Benefits Agreement

63. Prior to issuance of a certification of occupancy, Applicant shall enter into a signed and recorded Community Benefits Agreement with the City. Said agreement shall include the following:

64. Retail
- a. One time payment of \$250,000
 - b. Donation of 1% of gross revenues to the City of Oxnard required to be paid with the associated yearly business license fee. This amount is in addition to the license fee and the City cannabis taxes.
 - c. Requirement to hire 75% of the businesses employees from the City of Oxnard, as defined in Chapter 11 of the Oxnard City Code.

BILLING AND LICENSING CONDITIONS

Cannabis Business Tax Certificate

65. Prior to commencing operations, any business engaged in a Commercial Cannabis Business shall obtain a Commercial Cannabis Business tax certificate, pursuant to Article I. The Commercial Cannabis Business taxes imposed by Chapter 11, Article XVI of the Oxnard City Code shall be paid, in arrears, on a quarterly basis to the City Licensing Department.
66. The Applicant for a Commercial Cannabis Business shall secure from the Department of Billing and Licensing a commercial cannabis business tax certificate.
67. On applying for a Commercial Cannabis Business tax certificate, the applicant shall furnish to the tax administrator a sworn statement, on a form provided by the tax administrator setting forth the following:
- a. The exact nature of the Commercial Cannabis Business for which the Commercial Cannabis Business tax certificate is applied;
 - b. The street address where such business is to be conducted, the street addresses of the residences of the owners of the business or names and street addresses of the officers or partners if a corporation or partnership;
 - c. If the amount of the Commercial Cannabis business tax is measured by gross receipts, the applicant shall estimate the gross receipts for a period of one full calendar quarter. Such an estimate, if accepted by the tax administrator as reasonable, shall be used in determining the amount of the Commercial Cannabis Business tax. However, the amount is only provisional.
 - d. At the end of the tax period, the tax administrator may request the certificate to verify gross receipts. Within 30 days of the request, the certificate shall report to the tax administrator the gross receipts during the Commercial Cannabis Business tax period, and the Commercial Cannabis Business tax will be redetermined. If the certificant underpaid the redetermined Commercial Cannabis Business tax, the certificant shall immediately pay the amount due.

Reporting and remittance of quarterly tax payments

68. The Commercial Cannabis Business tax shall be paid in arrears on a quarterly basis.

69. Each person owing Commercial Cannabis Business tax for a calendar quarter shall, no later than the last day of the month following the close of the calendar quarter, file with the tax administrator a statement of the tax owed for that calendar quarter and the basis for calculating the tax.
70. For the purpose of ascertaining the amount of Commercial Cannabis Business tax owed or verify any representations made by any taxpayer to the city in support of his or her calculation, proof of gross revenues (including but not limited to bookkeeping records, State and Federal income tax returns, and other records relating to the gross receipts of the business) must be provided prior to obtaining or renewing a Commercial Cannabis Business tax certificate.
71. Quarterly after commencing operations, Applicant shall allow the City of Oxnard officials or their designees to have access to the business's books, records, accounts, together with any other data or documents relevant to its permitted commercial cannabis activities, for the purpose of conducting an audit or examination. Books, records, accounts, and any and all relevant data or documents will be produced no later than twenty-four (24) hours after receipt of the City's request, unless otherwise stipulated by the City. The City may require the materials to be submitted in an electronic format that is compatible with the City's software and hardware.
72. At all times during the life of the permit, Applicant shall pay all sales, use, business and other applicable taxes, and all license, registration, and other fees required under federal, state and local law. Each commercial cannabis business shall cooperate with the City with respect to any reasonable request to audit the Commercial Cannabis Business' books and records for the purpose of verifying compliance with this section, including but not limited to a verification of the amount of taxes required to be paid during any period.
73. The Applicant shall maintain accurate books and records in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities. On no less than an annual basis (at or before the time of the renewal of a Commercial Cannabis Business permit issued pursuant to Chapter 11, Article XVI, Section 11-476 of the Oxnard City Code), or at any time upon reasonable request of the City, each Commercial Cannabis Business shall file a sworn statement detailing the fiscal value of sales by the Commercial Cannabis Business during the previous twelve-month period (or shorter period based upon the timing of the request), provided on a per-month basis. The statement shall also include gross sales for each month, and all applicable taxes paid or due to be paid. On an annual basis, each owner and operator shall submit to the City a financial audit of the business's operations conducted by an independent certified public accountant. Each permittee shall be subject to a regulatory compliance review and financial audit as determined by the City Manager or his/her designee(s)

Employee Work Permit

74. Prior to issuance of a certificate of occupancy for the Commercial Cannabis Business, all employees are required to comply with Chapter 11, Article XVI, Section 11-455 of the Oxnard City Code which specifies the requirements for employees of cannabis operators; the Cannabis Employee Work Permit is required to be obtained from the City Licensing Department.
75. Cannabis Employee Permit Requirements shall comply with Chapter 11:
- a. Cannabis Employee Work Permit Application;
 - b. Cannabis Employee Work Permit Fee \$125.00, or as update by the City;
 - c. Age and verification of applicant, copy of government ID required (must be at least 21 years of age);
 - d. Investigation Questionnaire;
 - e. Live Scan (fingerprinting and a recent photograph of the applicant); and
 - f. A statement signed under penalty of perjury that the information is true and correct.
76. A Cannabis Employee Work Permit shall be valid for up to twelve (12) months from the date of certificate of occupancy and shall be renewed on an annual basis by the permittee/employer and all applicable employees. If a permit is issued for less than a 12-month basis, then the cost of such permit shall be adjusted on a pro-rata basis.
77. The Applicant and Commercial Cannabis Business employees will be issued a permit in the form of a personal identification card that shall be worn in a prominent and visible location. The identification card shall be maintained in good and readable condition at all times.

Employment Transfers

78. In the event a person changes employment from one Commercial Cannabis Business in the City to another, the work permit holder shall notify the applicable Department Head or his/her designee(s) in writing of the change within ten (10) days, or the work permit shall be suspended or revoked, and such person shall not be permitted to work at any Commercial Cannabis Business within the City.

Revocation of Employee Work Permit

79. The City may immediately revoke the commercial cannabis employee permit should the permit holder be convicted of a crime listed in Chapter 11, Article XVI, Section 11-455 of the Oxnard City Code or if facts become known to the City that the permit holder has engaged in activities showing that he or she has been convicted of a crime involving dishonesty.

Appeal of Employee Work Permit Revocation

80. The Applicant may appeal the denial or revocation of a commercial cannabis employee permit by filing a notice of appeal with the City Clerk within ten (10) days of the date the applicant received the notice of denial/ revocation. Revocation shall follow the provisions contained in Oxnard City Code Chapter 11.

POLICE CONDITIONS

Security Measures

81. The Applicant shall implement sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products, and to deter and prevent the theft of cannabis or cannabis products at the Commercial Cannabis Business. Except as may otherwise be determined by the City Manager or his/her designee(s), these security measures shall include, but shall not be limited to, all of the following and are considered in addition to the Best Practices identified in the guidelines for issuance of a Cannabis Business Permit and/or conditions imposed as part of the land use permit approval.
82. An alarm system shall include intrusion, fire, and panic button components. The system shall be remotely monitored by a licensed alarm service provider.
83. An access control system and security personnel shall restrict access to the site to persons engaged directly with the permitted operations of the Commercial Cannabis Business.
84. Security personnel shall remove any person on or about the Commercial Cannabis Business who is not engaged directly with the permitted operations of the business.
85. Except for live growing plants which are being cultivated at a cultivation facility, all cannabis and cannabis products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.
86. A security camera system shall monitor activity inside and around the Commercial Cannabis Business. The system shall provide secure real-time access to the City Manager or his/her designee(s) of any and all cameras at the site. The system shall meet or exceed current industry standards. The system shall be reevaluated every five years on the anniversary of the issuance of the permit to ensure the system, software and equipment meets current industry standards. The Commercial Cannabis Business shall upgrade equipment within six-months of the reevaluation when findings have identified needed improvements or upgrades.

87. A security plan shall be approved by the Police Chief or his/her designee(s). The security plan shall include all elements of the alarm system, security camera system, and access control system. The plan shall also include security policies, cash handling policies, security personnel post orders, and requirements for security patrols during hours the business is closed. The security plan is subject to review on the annual anniversary of the issuance of the permit. Should a deficiency in the plan be discovered through findings during an inspection, a theft event, an audit or other significant event where a flaw in the security plan failed to sufficiently capture or deter a theft, loss of product, or an injury the plan may be amended by the Police Chief or his/her designee(s).
88. Any bars installed on the windows or the doors of the Commercial Cannabis Business shall be installed only on the interior of the building.
89. Security personnel shall monitor premises in accordance with a security plan as authorized by the City Manager or his/her designee(s), and must have a verified response security patrol when closed. Security personnel must be licensed by the State of California Bureau of Security and Investigative Services personnel and shall be subject to the prior review and approval of the City Manager or his/her designee(s), with such approval not to be unreasonably withheld. Firearms may be carried by security personnel while they are on duty if authorized by the Police Chief.
90. Each Commercial Cannabis Business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.
91. Entrance areas are to be locked at all times and under the control of a designated responsible party that is either:
 - a. An employee of the Commercial Cannabis Business; or
 - b. A licensed security professional
92. Each Commercial Cannabis Business shall have an accounting software system in place to provide point of sale data as well as audit trails or both product and cash, where applicable.
93. Each Commercial Cannabis Business shall demonstrate to the Police Chief, City Manager or their designee(s) compliance with the state's track and trace system for cannabis and cannabis products, as soon as it is operational.
94. Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.
95. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.

96. The Applicant shall identify a designated security representative/liaison to the City of Oxnard, who shall be reasonably available to meet with the City Manager or his/her designee(s) regarding any security related measures or and operational issues. The designated security representative/liaison shall, on behalf of the Commercial Cannabis Business, annually maintain a copy of the current security plan on the premises of the business, to present to the City Manager or his/her designee(s) upon request that meets the following requirements:
- a. Confirms that a designated Manager will be on duty during business hours and will be responsible for monitoring the behavior of employees.
 - b. Identifies all Managers of the Commercial Cannabis Business and their contact phone numbers.
 - c. Confirms that first aid supplies and operational fire extinguishers are located in the service areas and the Manager's office.
 - d. Confirms that burglar, fire, and panic alarms are operational and monitored by a licensed security company 24 hours a day, seven days a week, and provides contact information for each licensed security company.
 - e. Identify a sufficient number of licensed, interior and exterior security personnel who will monitor individuals inside and outside the Commercial Cannabis Business, the parking lot, and any adjacent property under the business' control.
 - f. Confirm that the licensed security personnel shall regularly monitor the parking lot and any adjacent property to ensure that these areas are: (i) free of individuals loitering or causing a disturbance; (ii) are cleared of employees and their vehicles one-half hour after closing.
97. The Applicant shall have a storage and transportation plan, which describes in detail the procedures for safely and securely storing and transporting all cannabis, cannabis products, and any currency. The storage and transportation plan shall be a confidential document that is intended to be reviewed and approved by the City Manager and his/her designee(s) and not available for public consumption.
98. The Applicant shall cooperate with the City whenever the City Manager or his/her designee(s) makes a request, without prior notice, to inspect or audit the effectiveness of any security plan or of any other requirement of this Article. Prevention Fire Inspectors shall be allowed access to audit buildings for Fire Life Safety concerns on a yearly basis or as determined necessary per the Fire Marshal.
99. The Applicant shall notify the Police Chief within twenty-four (24) hours after discovering any of the following:(Section 11.437 (E))
- a. Significant discrepancies identified during inventory. The level of significance shall be determined by the regulations promulgated by the City Manager or his/her designee(s).
 - b. Diversion, theft, loss, or any criminal activity involving the Commercial Cannabis Business or any agent or employee of the Commercial Cannabis Business.

- c. The loss or unauthorized alteration of records related to cannabis, customers or employees or agents of the Commercial Cannabis Business.
- d. Any other breach of security.

- 100. The Applicant acknowledges compliance with the foregoing requirements shall be verified by the City Manager or his/her designee(s) prior to commencing business operations. The City Manager or his/her may supplement these security requirements once operations begin, subject to review by the City Manager if requested by the business owner.
- 101. The Applicant shall post in a location readily-visible to the public location the original copy of the Commercial Cannabis Business permit conditions of approval and the City issued business license.
- 102. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.
- 103. Security personnel shall remove any person on or about the Commercial Cannabis Business who is not engaged directly with the permitted operations of the business.
- 104. Prior to the establishment of any Commercial Cannabis Business or the operation of any such business, the employer intending to establish a Commercial Cannabis Business must first obtain all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such Commercial Cannabis Business intends to establish and to operate.
- 105. The Applicant acknowledges no person shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on or about the premises of the Commercial Cannabis Business.
- 106. The Applicant acknowledges no person shall cause or permit the sale or tobacco products on or about the premises of the Commercial Cannabis Business.
- 107. Prior to beginning employment all employees are required to secure and have issued a background check and passed a live scan through the Police Department as specified in Chapter 11, Article XVII of the Oxnard City Code. Results of the background check/live scan shall be provided to the employee and employer(s).
- 108. Inbound and outbound shipping of product and/or cash shall only occur during daylight hours. Deliveries and departure times of product and/or cash shall be irregular and maintained as a confidential matter known only to those persons who have a need to know.
- 109. No signage, graphic or symbol displayed visible outside the building shall show that the site is a cannabis business unless the specific sign, graphic or symbol is jointly approved by the Planning Manager and the Chief of Police or their designees.

Exterior Lighting

110. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline 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.
 - a. 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:
 - b. 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.
 - c. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - d. 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.
111. 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 schemes.
112. All exterior lighting shall operate from dusk to dawn.
113. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
114. 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.
115. 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.

116. Integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This plan shall include all outdoor areas as well as the parking facility. 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 any walking/driving surface. This plan shall be submitted to specialprojects@oxnardpd.org and approved prior to the issuance of building permits.
117. Safe Room construction shall consist of the below minimum features:
 - a. Concrete or CMU wall or walls and/or
 - b. Wood or steel stud constructed walls and ceiling wrapped with a metal mesh enveloped under drywall surfacing. Metal mesh shall have a minimum weight of .45 lbs. per sq. ft. and be opened spaced no more than 76%.
 - c. Other than doors, openings in the metal mesh walls shall not be larger than 12-inches square to provide HVAC ventilation and similar mechanical access.
 - d. Each door and window shall have callouts on plans identifying their size and design features.
 - e. Any service windows shall be constructed with a securable metal door or plate and have a vertical opening no taller than 12-inches.
118. Retail sites shall install security glass or interior mounted roll-up security screens for each window. Design, placement and exceptions shall be approved by Planning and Police prior to the issuance of Building Permits.

Operations and Inspections

119. The permittee is authorized to operate the commercial cannabis retail business license between the hours of 9:00 a.m. to 9:00 p.m, subject to lighting requirements of Conditions 20-23.
120. Cash handling procedures shall be approved by the police chief or his/her designee.
121. Except for live growing plants which are being cultivated at a cultivation facility, all cannabis and cannabis products shall be stored in a secured and locked vault or vault equivalent. All safes and vaults shall be compliant with Underwriter Laboratories burglary-resistant and fire-resistant standards. All cannabis and cannabis products, including live plants that are being cultivated, shall be kept in a manner as to prevent diversion, theft, and loss.

122. A security camera system shall monitor activity inside and around the Commercial Cannabis Business. The system shall provide secure real-time access to the City Manager or his/her designee(s) of any and all cameras at the site. The system shall meet or exceed current industry standards. The system shall be reevaluated every five years on the anniversary of the issuance of the permit to ensure the system, software and equipment meets current industry standards. The Commercial Cannabis Business shall upgrade equipment within six-months of the reevaluation when findings have identified needed improvements or upgrades.
123. The business shall have the capability to remain secure during a power outage and shall ensure that all access doors are not solely controlled by an electronic access panel to ensure that locks are not released during a power outage.
124. Each Commercial Cannabis Business shall have an accounting software system in place to provide point of sale data as well as audit trails or both product and cash, where applicable.
125. Each Commercial Cannabis Business shall demonstrate to the Police Chief, City Manager or their designee(s) compliance with the state's track and trace system for cannabis and cannabis products, as soon as it is operational.
126. Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.
127. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.
128. Scheduled and unscheduled inspections of the site may occur during the business' authorized hours of operation, or under the below listed circumstances:
 - a. At a time while the business is closed that is mutually agreed to by the business' management and the Police Department
 - b. During any criminal investigation at the business.
129. The Applicant acknowledges compliance with the foregoing requirements shall be verified by the City Manager or his/her designee(s) prior to commencing business operations. The City Manager or his/her may supplement these security requirements once operations begin, subject to review by the City Manager if requested by the business owner.
130. The Applicant shall post in a location readily-visible to the public location the original copy of the Commercial Cannabis Business permit conditions of approval and the City issued business license.
131. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.

132. Prior to the establishment of any Commercial Cannabis Business or the operation of any such business, the employer intending to establish a Commercial Cannabis Business must first obtain all applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such Commercial Cannabis Business intends to establish and to operate.
133. Prior to beginning employment all employees are required to secure and have issued a background check and passed a live scan through the Police Department as specified in Chapter 11, Article XVII of the Oxnard City Code. Results of the background check/live scan shall be provided to the employee and employer(s).

Retail Cannabis Conditions

134. Each customer entering the business shall present a valid form of government issued photo identification. A staff member or licensed security professional shall use an approved “identification card scanner” which verifies the age of the customer. The security officer will also visually confirm that the person presenting the identification card by matching the person with the card’s photo and confirming other data on the card.
135. The permittee shall acquire an “identification card scanner” for use by security officers to screen all customers as they enter the business. These scanners shall have these features:
 - a. Determine that the person is legal age to enter the premises.
 - b. Records the data from the presented identification including name, address, and date of birth and the time and date of the scan.

Security Camera System

136. A security camera system shall be installed and operated 24-hours a day to monitor the activity at the site. The system shall be designed to capture images of all persons and all vehicles that enter the site. Cameras shall also be distributed throughout the site to capture general activities. The camera system shall comply with 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 capability to facilitate the later identify persons involved in criminal or problem activities.
 - 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 a period of at least 30 days.
 - f. Recorded images shall bear a date and time stamp that cannot be altered.

- g. All entry doorways to the premises shall be monitored by a camera or cameras that are strategically mounted to capture quality images of the heads and shoulders of persons who enter. Such cameras shall be mounted no higher than 7-feet above the floor/ground.
- h. At least one camera shall be dedicated to the point of sale, or equivalent as determined by the Police Chief, to monitor the exchange of money and identification checks for age.
- i. A monitor shall be placed near the primary entrance to the business to show patrons their image has been captured.
- j. Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.
- k. Site management shall provide in a timely manner any digital records of security camera or access control systems requested pursuant to a police investigation or for the periodic inspection of equipment required under these conditions.
- l. The video system shall be made available to the Chief of Police or his/her designee at all times by means of a secure Internet connection.
- m. Height gauges are required on the interior frame of each exterior door.
- n. A high-definition cloud based-video security system shall be used with a required 90 day tamper proof hard drive or software system pursuant to BCC 5044. System will be remotely accessible by the Chief of Police or his designee at all times. Prior to 90 days, no video will be erased without prior approval from the Chief of Police. At no time shall the business be open if the security system is down regardless of the presence of armed security guards.
- o. Cameras shall be mounted outside the business to monitor pedestrian and vehicular traffic around the business. Where possible and practical, cameras will be positioned to capture the faces of persons approaching the business and the license plates of vehicles driving on parking area drive aisles.

Access Control Systems

137. The site shall be equipped with an access control system that shall restrict access throughout the site.
- a. The access control system shall have the capability to add, subtract or modify a cardholder's access.
 - b. Access to various areas or rooms within the site will be restricted based on the cardholder's need for access according to the business plan and the security plan.
 - c. The primary entry to the site shall be controlled by a card or similar instrument coupled with a keypad to provide entry. A keypad entry will be required for the first access of each business day. Each employee authorized for "opening" entry shall have their own access and their own emergency code.
 - d. Access to interior "safe rooms" where product and cash are stored shall require keypad and pass card to enter.
 - e. Those persons authorized to utilize keypad entry locations will have two passcodes unique for their use. One passcode for normal entry and one for "distress" entry. The "distress" entry shall be used if the cardholder is entering

under distress such as a robbery, kidnap or threat of harm. Permittee shall coordinate with the alarm service provider for this function.

- f. An access card providing universal access to the site shall be provided to the Oxnard Fire Department for placement in the site Knox Box.

Alarm Systems

138. Intrusion/burglar alarms shall be “dual” technology and have the capability to differentiate between human and non-human motion. The burglar alarm sensors shall be mounted throughout the premises and shall specifically include: Receiving Area, Safe Room, Security Room, Holding Area, All Areas Noted Corridors, Processing, Receiving, Retail Area “Safe Room”, Delivery, On-Line Storage “Safe Room”, Education Room, Waiting Room, Grand Lobby, Retail (non-cannabis) and the Roof.
139. Panic alarms shall be installed at various sites within the business to be used in the event of a robbery.

Security Site Plan

140. A Security Site Plan in a pdf format shall be submitted to the Chief of Police or his or her designee and approved prior to the issuance of building permits. The plan shall include:
 - a. The plan shall identify the location of each security camera, camera recording/support equipment, all elements of an access control system, and any safe or secure room or rooms designed to maintain valuable assets or records.
 - b. The plan shall include a chart shall identify each camera by an alpha-numeric, the scope of their capture area, placement of the camera above the floor/ground, make and model of the instrument, type of camera (dome, PTZ, etc.).
 - c. The plan shall identify any area which is served by an intrusion/burglary alarm system.
 - d. The plan shall identify the location of each panic alarm installation.
 - e. The Security Site Plan shall identify all the components of the access control system, their location and a chart that identifies each instrument with an alpha-numeric with the device name, make and model.
141. The Security Plan includes all matters relating to the security camera system, access control system, alarm system, security officer post orders, security site plan and other documents related to the safe and secure operation regulated under this permit. An updated Security Plan in a pdf format shall be submitted to the Police Department to specialprojects@oxnardpd.org under any of the below circumstances:
 - a. Any modification to the site that changes the location of walls, doors or windows.
 - b. Any system upgrades or significant changes to the security camera or access control systems.

- c. Or, when deemed appropriate by the Chief of Police or his or her designee based on security deficiencies discovered during any inspection of the site or any violation of the conditions of this permit.
- 142. Any component of the security system including all elements of the alarm, camera and access control systems are subject to replacement, upgrades, adjustments or additions should any of these circumstances occur:
 - a. Equipment is outdated and not up to current industry standards or formats.
 - b. Or, through the oversight process exercised by the City of Oxnard or the State of California, deficiencies are discovered in the security and monitoring equipment which can be addressed through the adjustment or addition of security equipment.
- 143. The permittee shall create and maintain Post Orders for security officers working at the site. Post Orders shall be a “living document” and shall be subject to change based on operational experiences, noted deficiencies, and recommendations by the Oxnard Police Department. These orders shall outline the following:
 - a. Specific duties and responsibilities for each security officer.
 - b. Procedures security officers shall follow during normal operations, emergency circumstances and when a crime is discovered.
 - c. Post orders shall delineate activities that security officers shall not perform as they distract or interfere from their security role.
 - d. Post Orders shall be identified by the last approved revision date and shall include the approval of the permittee and a designee from the Oxnard Police Department. Each updated revision shall be reviewed and acknowledged by each security officer working the site.
 - e. The Post Orders shall be reviewed and approved by the Oxnard Police Department prior to the issuance of the permit and shall be subject to revision as part of any inspection.
 - f. A copy of the current approved version of the Post Orders shall be available on-site for review by any security officer assigned at the site or any representative of the City of Oxnard visiting the site.

Notifications

- 144. The permittee shall establish and maintain the following to facilitate communication and notifications between the permittee and the Oxnard Police Department:
 - a. Identify two management level employees as points of contact 24-hours a day, 7-days a week available to respond to the site in the event of an emergency or unlawful entry at the site.
 - b. A designated email address for the Oxnard Police Department to use for notifications pertaining to the business.
 - c. The management “points of contact” and the email address for notifications shall be provided by an email to: specialprojects@oxnardpd.org and shall include the names of the point of contact managers, their positions within the business and their phone numbers.

- d. The Oxnard Police Department may establish additional staff members as points of contact for the permittee.
145. The Police Chief may temporarily suspend this permit pending a hearing as outlined in Article V of the Oxnard City Ordinance under any of the below circumstances:
- a. Discovery of any controlled substance or product classified in Schedules I, II, III and IV of the Uniform Controlled Substances Act of the Health and Safety Code and not identified as being permitted at the site within the scope of this permit or an authorizing permit issued by the State of California.
 - b. Failure to maintain security features at or above industry standards, failure to correct security deficiencies required in these conditions in a timely manner, and/or failure to accurately or timely report a loss or theft of product as required under this permit.
 - c. Any sales or transfer of cannabis products outside the restrictions, regulations and tracking mechanisms established through this permit or related cannabis permits issued by the State of California.
146. Bollards or similar barriers shall be placed in front of all windows that the bottom sill is lower than 30-inches above grade and the windows are in close proximity to a vehicle driving surface. Gaps between barriers or other structural features shall be no wider than 5-feet. These barriers shall be identified on the Security Site Plan.
147. All applications of window tinting shall be identified on submitted security site plans. “Black-out” tinting will not be allowed. Tinting that provides for clear outward viewing but blocks viewing from the outside is allowable.
148. Windows shall be protected by either of the following technologies:
- a. Interior mounted security screens that are 50% see through which allows the interior of the business to be seen during hours where the screen is secured.
 - b. A transparent material that can withstand the impact of a sledge hammer or similar impact tool without breaching the window sufficiently to create a puncture hole of any size.
149. All signage for the site shall require joint approval from authorized designees of the Planning Division and the Police Department.

Cannabis Deliveries

150. All deliveries of cannabis shall require the following:
- a. The persons making the delivery shall be a minimum of 21-years of age.
 - b. Cannabis products for delivery shall be locked in the truck of the vehicle or secured in a non-portable box or storage unit in the passenger compartment during transport.
 - c. Each driver making a cannabis delivery shall check the identification of the person depicted on the identification is of age and is the person receiving the delivery. The driver shall ensure the recipient of the cannabis product is 21-years of age, or 18 years of age and possess a cannabis medical card. The driver shall photograph or scan the

- identification using an identification scanner to record and verify the age of the person taking record of the delivery.
- d. The permittee shall provide information on any website menu that clearly states that all deliveries that include cannabis will require the recipient of the cannabis products to present their government photo identification as proof of age. Recommended language for on-line menus: “ The City of Oxnard required the delivery driver to photograph and scan a government issued photo identification of the recipient of all deliveries of cannabis products.
 - e. The permittee shall require that staff members taking phone orders for delivery of cannabis products shall advise customers of the requirements under subsection “(c)” of this condition.
 - f. On-line orders for delivery which include cannabis products shall have a check box where the customer acknowledges that the recipient of the order must show a government issued photo identification at the time of delivery.

Police Special Conditions

- 151. The unit’s address “4749” shall be painted on the exterior of the rear door in numerals that are 3-inches in height.
- 152. The unit’s address “4749” shall be painted on the roof of the building above the unit in numerals that are 3-feet in height.
- 153. Bollards and enhanced security features are required for the storefront windows pursuant to general Police Conditions.
- 154. The property shall have and maintain at each vehicle entrance signs posted pursuant to 22658(a) CVC to prohibit unauthorized parking on private property.

FIRE DEPARTMENT STANDARD CONDITIONS

- 155. Applicant shall construct all vehicle access driveways on the project property to be at least 26 feet wide. The Applicant shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. The Applicant shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
- 156. 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)
- 157. Before the City issues building permits, the Applicant 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)

158. At the Applicant's expense, Applicant 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. The Applicant shall obtain permits for the tests from the Engineering Division. Applicant shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)
159. 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)
160. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
161. At all times during construction, the Applicant 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)
162. The Applicant shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
163. The Applicant shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)
164. The applicant shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
165. 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)
166. The Applicant 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)
167. The Applicant 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)

168. The Applicant shall install in each structure in the project where automatic fire sprinklers are installed a system that automatically opens the skylights in areas affected by fire before the fire sprinklers are activated. (FD, F-14)
169. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)
170. The Applicant 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, Applicant shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)
171. 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.
172. Before the city issues a certificate of occupancy, the Applicant shall install a Knox key vault at a location to be determined by the Fire Department.
173. The Applicant shall allow installation of public safety radio equipment in the tower, steeple, roof or other elevated portion of the building. Such equipment shall not conflict with the architectural design of the building and shall comply with zoning and planning requirements and conditions.
174. The Applicant shall provide the City Manager or his/her designee(s) with the name, telephone number (both landline and mobile, if available) of an on-site employee or owner to whom emergency notice can be provided at any hour of the day. Each commercial cannabis business must have a fire evacuation plan, and plan to address robberies and other emergencies. Said plan shall be reviewed and approved annually by the Fire Department.

ENVIRONMENTAL RESOURCES DIVISION

175. Applicant shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Applicant shall arrange for self-hauling.
176. FOR COMMERCIAL/INDUSTRIAL PROJECTS: To be in compliance with state law, Applicant shall make provisions to divert a minimum of 50%, with an aim of diverting 75% to achieve the new state diversion goal, of the waste material generated during occupancy through source reduction, recycling, reuse, and organics collection programs.

Applicant shall submit an “ Environmental Resources Division Occupancy Plan” (“Occupancy Plan”) to the City’s Environmental Resources Division. The Occupancy Plan must clearly state how recyclable and organic material will be managed on site to be in compliance with applicable state law, including what service provider(s) will manage/transport materials to appropriate facilities. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

177. Applicant 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)
178. Applicant shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Applicant, within 24 hours of its appearance. If Applicant 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)
179. 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)
180. Applicant shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
181. Applicant shall be responsible for all project related actions of Applicant's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
182. Applicant shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
183. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
184. 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)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

185. Developer shall verify that the existing sanitary sewer and water services are adequately sized to serve the proposed improvements and provide the information on the improvement plans. (DS)
186. Existing water services and meters serving the project not meeting City standards shall be upgraded. (DS)

187. Show all applicable existing and proposed utilities (sewer, water, storm, gas, elect.) affected by the proposed improvement on the site engineering plan. (DS)
188. The project shall comply with the latest California Building Code disabled access requirements. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 21th day of October 2021.

Daniel Chavez, Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held this 21th day of October 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

J. Staff Presentation

PZ 21-516-30
EEL - Oxnard, LLC dba Catalyst - Oxnard
Commercial Cannabis Business Retail
Special Use Permit (SUP)
4749 South Rose Avenue
(APN: 224-0-020-285)

Planning Commission Hearing
By: Jose Coyotl, Associate Planner

October 21, 2021

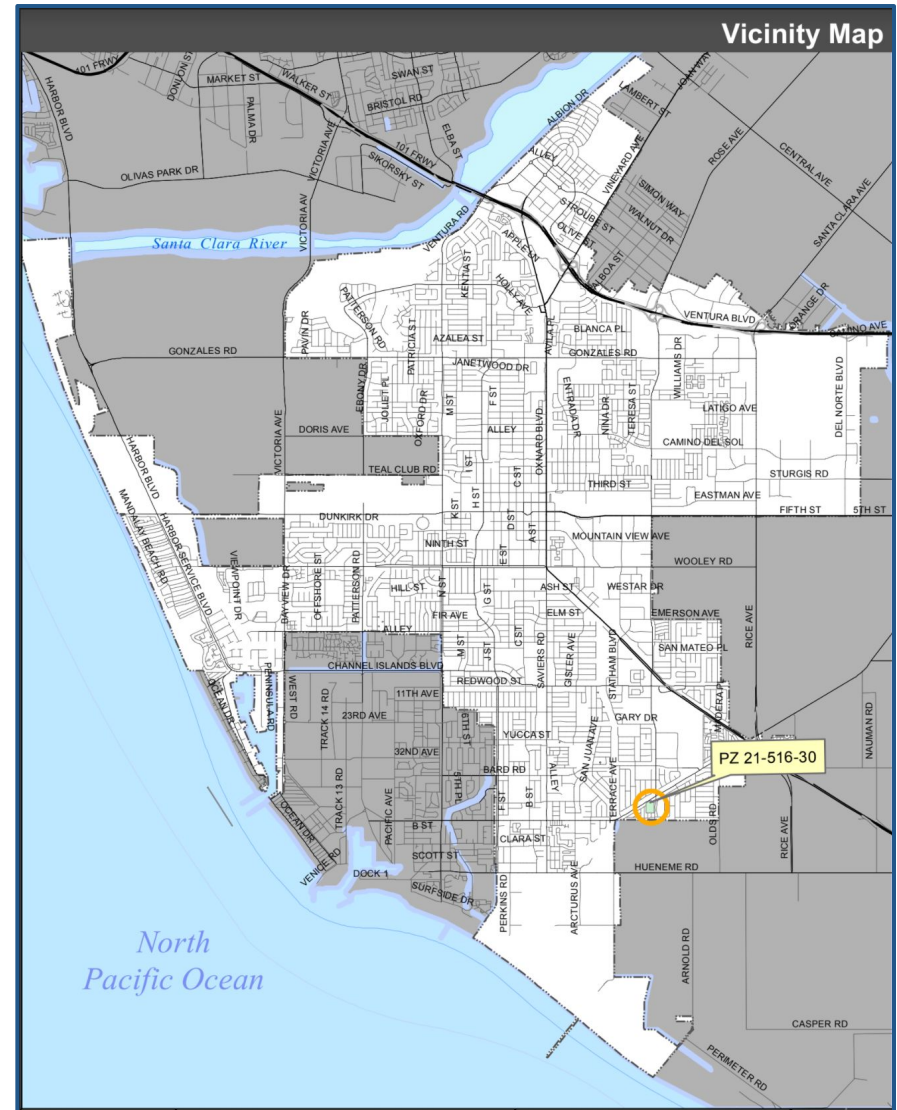


Project Description

- A request to permit the operation of a commercial cannabis retail facility within an existing 1,465 square-foot commercial suite of a 53,990 square-foot multi-tenant commercial building on a 5.26-acre site.
- As part of the project there will be a tenant improvement consisting of
 - the installation of new partition walls
 - security upgrades to the existing building
 - minor plumbing upgrades
 - upgrades to an existing fire alarm system
 - installation of secure doors/windows
- Cannabis retail operations will be conducted between 9:00 AM to 9:00 PM daily.
- Application filed by Blake Hogen.

Project Location

Subject Site: 4749 South Rose Avenue.



General Plan & Zoning Maps

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



General Commercial Planned Development
(C-2-PD)

Existing Site

Subject Site: 4749 South Rose Avenue.

Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Multi-tenant commercial shopping center.
North	Residential Low (RL) and Residential Medium (RM)	Single-Family (R-1) and Garden Apartment Planned Development (R-3-PD)	Single-family homes and multi-family apartments.
South	Mobile Home Park (MHP)	Mobile Home Park - Planned Development	Mobile home park.
East	RM	R-3-PD	Multi-family apartment.
West	Mobile Home Park (MHP)	Mobile Home Park - Planned Development (MH-PD)	Mobile home park.

Existing Conditions

Street view looking south.



Background: Development History

- On August 3, 1972, the Planning Commission approved Planned Development Permit No. 204 to allow the construction of a 56,000 square-foot multi-tenant commercial building.
- On February 26, 1976, the Planning Commission approved Amendment-1 to Planned Development No. 204 to allow a revised master sign program for additional signage to be attached to the existing free standing signs to be attached to the freestanding signs to include one double face 3-foot by 16-foot lighted sign attached to the Alpha Beta sign and six plaque type (reader board) signs attached to the Brand's store sign.
- On March 30, 1976, the City Council denied an appeal challenging the approval of Amendment-1 to Planning Development No. 204.

Background: Cannabis Regulations

- On April 2018, the City Council adopted a cannabis delivery ordinance including permit fees (Ord. No. 2937 - Chapter 11, Article XV).
- In January 2019, the State legalized cannabis delivery by state-licensed firms and eliminated the City's ability to regulate cannabis delivery.
- On June 18, 2019, City Council adopted Ord. No. 2960 establishing regulations pertaining to manufacturing, testing, and distribution of cannabis.
- On October, 1, 2019, City Council then adopted Ord. No. 2965, modifying the discretionary permitting process along with other non-substantive ordinance adjustments pertaining to manufacturing, testing, and distribution of cannabis.
- On September 15, 2020, City Council adopted Ord. No. 2985 to update the cannabis regulations in the City's newly adopted Industrial Code (Chapter 16 of the Oxnard City Code (OCC)).

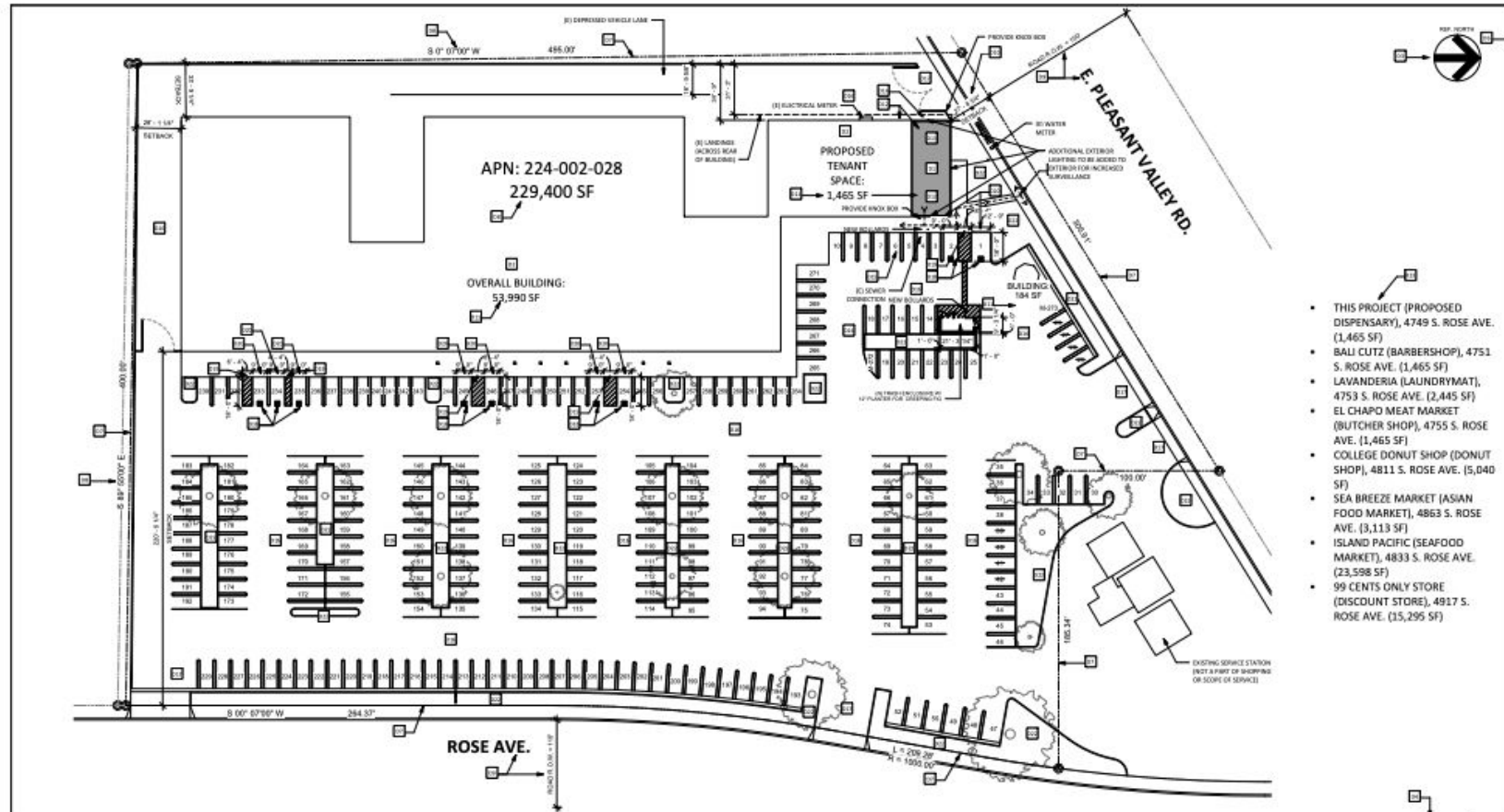
Background: Cannabis Regulations (cont.)

- On December 1, 2020, City Council adopted Ord. No. 2994 establishing regulations to repeal and readopt the former City's Commercial Cannabis Regulations pertaining to cannabis manufacturing, distribution, testing, and retail dispensaries contained in Chapter 11, Article XVII ("Code").

Commercial Cannabis License Selection

- On January 7, 2021, EEL - Oxnard, LLC dba Catalyst-Oxnard filed for a request to obtain a Commercial Cannabis Business Permit for a 1,465 square foot cannabis retail facility.
- On March 1, 2021, EEL - Oxnard, LLC dba Catalyst-Oxnard was awarded a conditional Commercial Cannabis Business Permit for cannabis retail. In order to successfully commence and inaugurate the cannabis use EEL - Oxnard, LLC dba Catalyst-Oxnard is required to receive approval of a SUP as specified within OCC Section 11-457.

Site Plan



- THIS PROJECT (PROPOSED DISPENSARY), 4749 S. ROSE AVE. (1,465 SF)
- BALI CUTZ (BARBERSHOP), 4751 S. ROSE AVE. (1,465 SF)
- LAVANDREA (LAUNDRYMATT), 4751 S. ROSE AVE. (2,445 SF)
- EL CHAPO MEAT MARKET (BUTCHER SHOP), 4755 S. ROSE AVE. (1,465 SF)
- COLLEGE DONUT SHOP (DONUT SHOP), 4811 S. ROSE AVE. (5,040 SF)
- SEA BREEZE MARKET (ASIAN FOOD MARKET), 4863 S. ROSE AVE. (3,113 SF)
- ISLAND PACIFIC (SEAFOOD MARKET), 4833 S. ROSE AVE. (23,598 SF)
- 99 CENTS ONLY STORE (DISCOUNT STORE), 4917 S. ROSE AVE. (15,295 SF)

PREMISES SITE DIAGRAM

SCALE 1" = 100'-0"	1
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SUMMARY TABLE

PROJECT ADDRESS:	4740 S. DODD AVE., OHMAHO, CA 95033
SET AREA:	230,000 SF
EXISTING AREA:	51,000 SF
PROJECT "NAME" AREA:	2,400 SF
OWNER:	CH2M
OCCUPANCY TYPE:	IND (INDUSTRIAL)
SCOPE OF WORK:	RENOVATING EXISTING COMMERCIAL "TENANT" SPACE FOR A NEW SHARLUM DISPENSARY. INCLUDES: DEMO WORK, ACCESSIBILITY UPGRADES, NEW WALLS, RETAIL AREA, PROCESSING SPACES, STORAGE AND RELATED DATA, SECURITY, MECHANICAL, ELECTRICAL, PLUMBING, WIRING & FIRMING IMPROVEMENTS, AND NEW TRUCK ENCLOSURE.
SCHEDULE DURATION:	30 WEEKS TO 200 PM 72 HOURS A WEEK

PREMISES SITE DIAGRAM KEYNOTES

C1	EXISTING LOCATION FOR THE PROJECT AT THE EXISTING BAYVIEW CENTER
C2	EXISTING BUILDING FOOTPRINT
C3	EXISTING DRIVEWAY
C4	EXISTING DRIVEWAY
C5	EXISTING DRIVEWAY
C6	EXISTING DRIVEWAY
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C97	EXISTING DRIVEWAY
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C100	EXISTING DRIVEWAY

PARKING ANALYSIS:

REQUIRED PARKING			
COMPONENT	LAND USE	SIZE	REQUIRED PARKING
SHOPPING CENTER (2071 INCLUDING DRIVEWAYS)	RETAIL COMMERCIAL	53,325 SF	1 SPACE PER 250 SF 211 STALLS
	RETAIL COMMERCIAL	1,400 SF	1 SPACE PER 250 SF 6 STALLS
DETACHED RESIDENT SPACE	RETAIL COMMERCIAL	180 SF	1 SPACE PER 250 SF 1 STALL
TOTAL REQUIRED PARKING:			218 STALLS
ACTUAL PARKING			
PARKING TYPE		PROVIDED STALLS	
COMPACT PARKING STALLS		8 STALLS	
ACCESSIBLE PARKING STALLS		8 STALLS	
MOTORCYCLE PARKING STALLS		2 STALLS	
STANDARD PARKING STALLS		200 STALLS	
STANDARD PARKING STALLS (2071 AVAILABLE FOR USE: 880 STOPS)		77 STALLS (UNAVAILABLE)	
TOTAL ACTUAL PARKING:		362 STALLS	
BICYCLE PARKING & STORAGE			
BICYCLE PARK STALLS		8 STALLS	8 BICYCLES
NOTE: THERE ARE 275 (INCLUDING 2 MOTORCYCLE) PARKING SPACES IN SHOPPING CENTER. (SEE PARKING SPACE AVAILABLE FOR		2 BICYCLE LOCKERS	6 BICYCLES

NOTE: THERE ARE 275 (INCLUDING 3 MOTORCYCLE) PARKING SPACES IN SHOPPING CENTER (340 PARKING SPACES AVAILABLE FOR

Elevations



Floor Plan / Security Plan

- The applicant provided a security plan with a detailed floor plan which was reviewed and conditionally approved by the Police Department.
- Security measures include:
 - Private Security is required at the property.
 - Security cameras will be installed.
 - Adequate lighting will be provided onsite.
 - Cannabis products will be monitored, tracked, and placed in secure storage.

Public Comments

- The project site is located within the Villa Capri.
- On August 16, 2021, the project was presented to the public during a Community Workshop meeting.
- On August 5, 2021, the site was posted with Project details and Community Workshop information and the Developer mailed out 642 meeting agenda notices to the residents of the Villa Capri and Tierra Vista Neighborhoods.
- The meeting was attended by approximately 18 members of the public and persons had an opportunity to ask questions.

Public Comments - Continued

- Staff received three comments summarized below:
 - Inquiry about the selection of cannabis locations and the need for the project to have better lighting within the shopping center
 - Objection of cannabis uses due to religious beliefs and crime/drug use in the immediate area.
 - Community benefits the Applicant would provide in the immediate City along with employment benefits offered.
- To date, staff has not received any public comments regarding this Project.

Key Conditions of Approval

- **Conditions # 14, 43, 44:** Abide by City of Oxnard and State of California rules and regulations related to this business.
- **Conditions # 38:** The commercial cannabis business permit shall expire, and be subject to the renewable process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the SUP pursuant to the Oxnard City Code Section 11-459.

Retail Operating Conditions

- **Conditions # 58-60,134-135:** Provide regulatory action of cannabis retail procedures to allow only eligible members of the community to purchase product and allow for a secure selling environment.

Police Conditions

- **Conditions # 81-154:** Security features will be implemented as required by adopted cannabis Ordinance.

Key Conditions of Approval (Cont.)

Fire Department Conditions

- **Conditions #155-174:** This broad range of numbers indicates that the system is to be designed to be a safe facility.

Community Benefits / Community Relations

- **Condition #48-51, 63-64:** The project is conditioned to be a good neighbor / member of the community.

Taxes and Inventory Tracking

- **Condition #52-53, 68-73:** These set of conditions help the operator be responsible corporate citizen.

Environmental Review

- In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The project includes:
 - A request for to operate a cannabis retail facility within an existing individual building.
 - The Project will not increase the square footage of the existing building
- No substantial evidence the project will have a significant effect on environment.
- A Notice of Exemption will be filed.

Staff Recommendation

That the Planning Commission

- a) Finds the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities), and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-516-30 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

End of Presentation

Planning Commission Hearing: October 21, 2021



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Joe Pearson II, Senior Planner

DATE: October 21, 2021

SUBJECT: **Project Name: Vineyard Starbucks Site Renovations;** Planning and Zoning Permit No. 21-550-01 (Major Modification to U-916 (Special Use Permit)); 2551 North Vineyard Avenue; APN: 132-0-043-215

- 1) Recommendation:** That the Planning Commission (“**Commission**”):
 - a)** Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
 - b)** Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-550-01 (Major Modification to U-916 (Special Use Permit)), subject to certain findings and conditions.
- 2) Project Description and Applicant:** The project includes modifications to an existing 2,450 square-foot drive through fast food restaurant building and to allow for a Starbucks coffee shop on a 0.66 acre site. The proposed improvements will consist of a series of site changes to convert the existing Wendy’s restaurant drive-through restaurant into a Starbucks drive-through coffee shop. The changes include a small 50 square-foot addition to allow for the relocation of the drive-through pick-up window. The resulting building will be 2,500 square feet. The exterior of the building will be renovated with new colors and materials which will consist of tan stucco and a bronze metal roof, with a weathered copper siding.

The site layout will be reconfigured to allow for a larger vehicle queue. The revised drive-through lane will increase the queuing capacity from 5 vehicles to 16 vehicles. The project includes a Transportation Demand Management Plan.

Other changes include revised signage, upgraded landscaping, and new parking lot striping.

A request for an administrative parking relief is also be requested to allow for two modifications: 1) Allow for a decrease in the number required parking spaces from 50 parking spaces to 35 parking spaces, including 15 spaces which are provided via the drive-through queue, and 2) allow for 11 of the required parking spaces to be compact parking spaces. The Project site is located at 2551 North Vineyard Avenue (APN:

132-0-043-215) within the General Commercial Planned Development (C-2-PD) zone district and within the Commercial General land use designation (Attachment A). For purposes of this staff report, the foregoing Project Description shall be referred to as the “**Project**”. Filed by Beverly Metz, of Starbucks, 555 Anton Boulevard, Costa Mesa, CA 92626 (the “**Applicant**”).

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

- 3) Existing & Surrounding Land Uses:** The Project site is currently developed with the existing Wendy’s drive-through restaurant and associated infrastructure improvements. The Project is located in the El Rio West neighborhood. The following table lists and identifies the General Plan Land Use Designations, Zoning Designations, and existing land uses of the Project site and properties immediately adjacent to the site, which are also illustrated in Attachment A:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General	General Commercial Planned Development (C-2-PD)	Fast Food Restaurant (Wendys)
North	Residential Low	Single-Family Planned Development (R-1-PD)	Single Family
South	Commercial General	C-2-PD	Shopping Center
East	Commercial General	C-2-PD	Shopping Center
West	Commercial Regional	Specific Plan (RiverPark)	Fast Food Restaurant (McDonalds)
* Zoning consistent with the 2030 General Plan.			

- 4) Background Information:** The existing drive through restaurant and signage were approved in 1980, through a Special Use Permit. Since that time the site has generally remained unchanged, with only minor facade and landscape changes taking place.
- 5) Environmental Determination:** In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request to convert an existing drive-through fast food restaurant to another drive-through coffee shop. The small addition will only increase the building size by 50 square feet or approximately 2 percent, and will be within the existing developed area. Onsite circulation will be improved through the realignment of the drive-through lane and a

Transportation Demand Management Plan will be implemented for the site to prevent vehicles from backing-up into adjacent roadways. As a result, this Project will not result in any significant effects relating to traffic, noise, or air quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the Project will have a significant effect on the environment and recommends that the Planning Commission direct the Planning & Environmental Services manager to file the Notice of Exemption (Attachment C) with the Ventura County Clerk pursuant to Section 15062 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of the project.

6) Project Analysis:

- a) **General Discussion:** As discussed below, the Project has been found to be consistent with both the 2030 General Plan and the Oxnard City Code (OCC).

The Planning Commission is the decision maker for Major Modifications pursuant to OCC §16-561(A). The modified Project is being processed with a Major Modification; therefore, the Planning Commission is the decision maker for the project.

- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Commercial General which allows restaurants (including drive-throughs), retail sales, and other similar uses. The existing drive-through restaurant and the proposed Project will allow for the continuation of these types of uses. As a result, the approval of this project 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 4.2 & CD 9.2	I	Commercial Revitalization and Redevelopment	The development will improve an older development near the 101-Freeway with a renovated commercial building with a drive-through and enhancements to the landscaped parking lot.
CD 9.4	I	View Corridor Preservation	North Vineyard Avenue at this location is a designated scenic corridor which requires a landscaped buffer of at least 30 feet. The existing parking lot is located within this 30-foot area and is considered to be a “legal nonconforming” existing condition. The drive-through queue will be located within this 30-foot paved area, but paved areas will be removed and additional landscaping is proposed to be installed in the 30-foot area bringing the project site more into compliance with this standard.
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 building is consistent with the allowable Commercial General land uses and will be compatible with adjacent uses as designed, and is not anticipated to generate nuisances.
CD-15.6	II	Share of regional taxable sales	The Project will allow for the renovation of an existing building to allow for a new business, 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 allow for the renovation of an existing building to allow for new businesses to open.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project.

- c) **Conformance with Zoning Development Standards:** The proposed Project is located in the General Commercial Planned Development (C-2 PD) zoning district. Note that the Project has two front yard setbacks because the parcel is a corner lot. The Project is found consistent with the applicable development standards with the approval of the Major Modification (MJMD), to allow for an administrative parking relief under OCC

16-651(B)(4), “Off-site parking” Decrease in required parking spaces and OCC
 16-651(B)(3), “Compact parking spaces”.

C-2-PD “GENERAL COMMERCIAL PLANNED DEVELOPMENT” ZONE			
DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height (16-137 & 16-303)	2 stories at 35 ft. Additional stories may be permitted as part of a SUP.	No Change, less than 35 feet	Yes
Front yard setback (16-139)	10 ft from ultimate property line	No Change, 15.16 ft	Yes
Side yard setback (16-140)	Zero when abuts another C-2 zoned lot.	No Change, 54.875 ft	Yes
Rear yard setback (16-141)	15 feet for buildings over 16 feet in height	No Change, 81.08 ft	Yes
Off-street parking: Required (16-622) Rounding (16-620) Motorcycle (16-624) Bicycle (16-623, 16-637) Loading (16-644) Parking Aisle (16-639, Figure 5) [ADA requirements per State Title 24 Accessibility Code] Administrative Relief From Parking Provisions (16-651)	Fast Food: 1 space per 50 gsf. 2,500 gsf = 50 <u>spaces</u> Special design requirements are required if a drive-through facility is proposed. Stacking credit in drive through lane may count toward the required parking at basis of one auto per each 23 lineal feet of striped stacking line. A maximum credit not to exceed 30 percent of total requirement or no more than 20 spaces may be applied for stacking credit, whichever is less.	9 standard spaces + 11 compact spaces + Stacking Credit of 15 Spaces = 35 Max of 15 spaces may be counted toward stacking credit.	Yes, subject to approval of administrative relief from parking.
	Bicycle (Five Spaces) = 5	6 spaces	Yes
	Loading space for Hotels, motels, and restaurants = 1 space, (12 ft x 40 ft). 16-644(B)(1), “Loading zone requirements may be modified by the planning commission... based on the nature of the use... design characteristics of the project.” Aisle Width for 90° parking = 25 ft	No Change. Parking space to be used for loading during off hours.	Yes, subject to Planning Commission approval

Parking space sizes & design: Standard (16-636 & 16-638) Motorcycle (16-638) Loading (16-644)	Full Size: 9 ft W x 19 ft L may overhang 2 ft over landscape if planter min. 5 [16-616(C)] Compact: 8 ft W x 16 ft L; Max 25% of spaces w/admin relief (50 (Required Spaces per OCC) x .25 = 12.5 (maximum number of compact spaces allowed)) Motorcycle: 4 ft W x 7 ft L Loading: 12 ft W x 40 ft L (unless alternative approval).	Standard Parking = 9 ft x 19 ft min 11 Compact Spaces 10 spaces 8.6 ft W x 19 ft L 1 space 9 ft W x 18 ft L Motorcycle = 4.5 ft x 7 ft Loading Area - Standard Parking Space (legal nonconforming)	Yes, subject to approval of administrative relief from parking to allow for compact parking.
Drive-Through Facilities (16-647(D))	Stacking for three cars between the order board and the pickup window and stacking for five cars behind the order board. (8 Spaces)	16 Spaces	Yes
Parking Landscaping (16-641): - Along streets/alleys - Along interior PLs (for lots with 20+ spaces) - Parking/vehicle area (16-641) - Landscape fingers (16-641) - Trees (for lots with 20+)	- Min. 10 ft wide landscape strip along city street - Min. 5 ft wide side yard - Landscape island/finger- every 10 spaces with 2 trees, 9 ft W x 20 ft L. - Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. - Min. 1 tree for each 40' property line. ft frontage	<u>Existing Development</u> 9' - 7.5" along the streets (legal nonconforming) Additional landscaping proposed along Vineyard Avenue. Yes. 22.8% of the lot. 12 trees provided.	Yes

- d. Site Design, Circulation, and Parking:** The Project parcel, is a corner lot, which is accessed from two existing driveways on RiverPark Boulevard. The proposed project will not alter the overall building location and site circulation. Circulation will still be provided in a "U" shape around the existing building. The driveway closest to the intersection of Vineyard Avenue and Riverpark Boulevard will be a "right turn in only"

entrance, with the second driveway being a “right turn out only” exit. To minimize onsite conflicts the trash enclosure access is being moved from the parking lot to the alley, to allow for pick-up without impeding onsite circulation. Also, a new site wall is proposed along the north property line consistent with Oxnard City Code requirements for a screening wall between commercial zones and the Single Family Residential Zone, where they abut each other.

Due to the operational characteristics of existing Starbucks drive-through coffee shops operating in the City of Oxnard and beyond, City staff was concerned about traffic circulation both onsite and in the public right-of-way given the potential increase in the drive-through demand associated with the proposed Starbucks restaurant and inadequate vehicular queueing based on the existing configuration, which could collectively potentially interfere or block the adjacent street system and the intersection of North Vineyard Avenue/Riverpark Boulevard. As a result, the drive-through lane has been redesigned to run along the perimeter of the site, to allow for a longer queue. The current OCC requires a capacity of 8 spaces, however the current proposal provides for 16 spaces in the drive-through. Through the Development Advisory Committee process, multiple design alternatives were explored in coordination with various City departments, including Planning, Building and Engineering, Traffic, Fire, and Police. The currently proposed design was determined to best balance the onsite needs, while minimizing the potential for off-site impacts. The proposed design allowed for an increase in queueing capacity from 5 spaces to 16 spaces, without impacting onsite circulation. This will allow for emergency responders access at all times, even when the site is at full operation. The longer queue will also minimize the potential for the drive-through demand exceeding its capacity, which would impact the adjacent streets. However, while the 16-vehicle queue is not anticipated to be exceeded, a Draft Traffic Demand Management Plan (Attachment D), has been developed by the applicant team, and reviewed and accepted by City staff, which identifies both existing and future programs that can be implemented to prevent vehicles in the queue from spilling offsite. In addition to the standard operation items, some of the key component include:

1. Visibility and Exterior Camaras to allow for staff to monitor the drive-through lane.
2. Prior to capacity being reached, a Starbucks staff member will be tasked with directing cars to bypass the drive-through lane and either park, or leave the site to return when the adequate capacity has been restored.
3. Clear directional signage.

The existing site has a total of 41 parking spaces with a stacking credit of 5 spaces, for a total of 46 parking spaces. As a result of the improvements to the drive through lane onsite parking has been reduced to 20 spaces with a stacking credit of 15 spaces, for a total of 35.

Table 2: Parking Compliance

DEVELOPMENT	PARKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-622(F)	STACKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-647(D)	PARKING + STACKING PROVIDED	TOTAL PROVIDED
Existing Wendy's	Fast Food: 1 space per 50 gsf. 2450 gsf=49 spaces	8 Spaces	41 parking spaces + 5 stacking spaces	46 spaces
Proposed Starbuck	Fast Food: 1 space per 50 gsf. 2500 gsf=50	8 Spaces	20 parking spaces + 16 stacking spaces	35 spaces (Maximum of 15 spaces can count toward parking requirement)

OCC Section 16-651(B)(4) allows the Planning Commission to grant administrative relief from the parking provisions of the OCC when a requirement is shown to be excessive. Pursuant to the OCC the applicant has provided a parking study prepared by a professional traffic engineer registered by the State, demonstrating that the required parking is excessive and showing the amount of parking that should be required for the proposed use (Attachment E). The study used parking counts from a Starbucks in Costa Mesa, which at the time was one of the company's highest grossing stores in Southern California, and thus represents the worst case scenario. Based on the assessment, *“parking demand is typically 20 vehicles or less throughout the day, which can be readily accommodated by the proposed parking supply at the Project. During unusual peak times when more than 20 vehicles may wish to park at the Project Site, it is expected that this additional demand will be absorbed by the substantial capacity provided by the proposed enhanced drive-through lane (i.e., incoming motorists will choose to utilize the drive-through instead of walk-in service).”*

Additionally, given the close proximity of two alternative Starbucks locations, both of which are located within approximately 0.5 miles of the proposed site, it is anticipated that demand will be distributed minimizing the peak demand at any individual location. A Transportation Demand Management Plan has been prepared and conditions of approval have also been incorporated to address parking issues, in the unlikely event that they may arise after the revised site configuration is constructed.

Lastly, the project is requesting to be allowed to provide 11 of the provided parking spaces as compact parking spaces. While standard size spaces are required to be 9 ft

(width) x19 ft (length), compact parking spaces are required to have minimum dimensions of 8 ft (width) x16 ft (length). Ten of the proposed spaces are compact due to the width of the space being 5-inches short of the standard requirement of 9 ft in width. The 11th compact space is compact due to the length of the spaces being approximately 1-foot short of the standard requirement of 19 ft long. Given that the spaces are only marginally short of the standard space requirements, they will still be able to safely accommodate most vehicles in the same manner as a standard space.

The City's Traffic Engineer finds that the proposed project, as conditioned, and in the context of the documentation provided and reviewed demonstrate that there is sufficient vehicle queue and parking capacity. Therefore administrative relief from this provision is included within the MJMD application.

- e) **Building Design:** The proposed changes include a small 50 square-foot addition to allow for the relocation of the drive-through pick-up window. The resulting building will be 2,500 square feet. The proposed restaurant building features a facade with contemporary stucco with new colors and materials which will consist of tan stucco and a bronze metal roof, with a weathered copper siding.
- f) **Landscaping:** The Project will result in an overall increase in onsite landscaping, with the landscaping increasing from 22.8 percent of the site to 26.4 percent. The majority of the new landscaping will be installed along North Vineyard Avenue, a designated scenic corridor which requires a landscaped buffer of at least 30 feet. The existing parking lot is located within this 30-foot area and is considered to be a "legal nonconforming" existing condition. The drive-through queue will be located within this 30-foot paved area, but paved areas will be removed and additional landscaping is proposed to be installed on both linear sides of the drive-through queue within the 30-foot area. This new landscaping will bring the project site more into compliance with the General Plan's 30-foot wide landscape buffer standard. The revised site landscaping 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, 8 trees will be added throughout the property, which will assist in meeting the requirement of 1 tree for every 40 feet of property line.
- g) **Signage:** As part of the original Special Use Permit (U-916) a sign program was approved to allow for the existing signage on site. The applicant is proposing to revise the onsite site signage. Per the OCC Section 16-608, the total aggregate sign area of advertising signs cannot exceed two square feet for each lineal foot of building on the principal street or one square foot of sign area for each lineal foot of lot frontage on the principal street, whichever is larger. Using North Vineyard Avenue, the maximum sign area for the site would be 175 square feet. The aggregate sign area includes all wall signs, both sides of the freestanding sign, and ground signs, which per the provided sign program total approximately 166 square feet, which is in compliance with the OCC

(Attachment F).

Drive-through signage is considered separate from the advertising signage, and are part of the overall project approval, subject to review by the Planning Commission. The proposed menu board signage is provided in Attachment F. Given the potential increase in drive-through usage and the relocation of the menu board, a noise level analysis was provided for the proposed menu board equipment. Based on the study provided and the distance from the adjacent residential uses of approximately 50 feet, the proposed noise levels would not exceed the maximum allowable exterior noise levels for residential (50 dBA) or commercial (60 dBA) areas, pursuant to OCC Section 7-185 (Exterior Sound Standards).

- 7) **Development Advisory Committee:** The Project was reviewed by the Development Advisory Committee (DAC) on March 3, 2021 and May 26, 2021. Conditions of approval from DAC are included in the attached Resolution.
- 8) **Community Workshop and Public Input:** The Project site is located within the El Rio West Neighborhood. On July 19th, 2021, the Project was presented to the public during the City's Community Workshop meeting. Notices were mailed out to property owners of the El Rio, El Rio West, and RiverPark neighborhoods. Approximately 3,200 meeting notices were mailed by the applicant, and the Project site was posted with Project details and Community Workshop information. During the meeting one comment was received by a member of the public regarding the Project. Prior to the meeting three comments were received in response to the Community Workshop notices. The primary concerns expressed were related to traffic and circulation. As discussed above, through the DAC process and subsequent reviews, City staff from Planning, Building and Engineering, Traffic, Fire and Police have reviewed both the site design and Traffic Demand Management Plan to ensure the project will not impede traffic on the adjacent streets. Also, as conditioned if it is determined the Traffic Demand Management Plan is not functioning as needed the City shall have the ability to re-evaluate and amend the plan as needed.

Consistent with public noticing requirements, the Planning Commission hearing was advertised in the newspaper, with an on-site posting, and by mail to property owners within 300 feet of the subject property. To date, Staff has not received any concerns or public comments regarding the proposed Project.

- 9) **Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action on PZ 21-550-01 (MJMD) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period. If an appeal is not filed within 18 working days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Transportation Demand Management Plan
- E. Parking Assessment
- F. Reduced Sign Plans
- G. Draft Planning Commission Resolution Approving Planning and Zoning Permit Nos. 21-550-01 (Major Modification to U-916) , subject to certain findings and conditions.
- H. Staff Presentation

ATTACHMENT

A

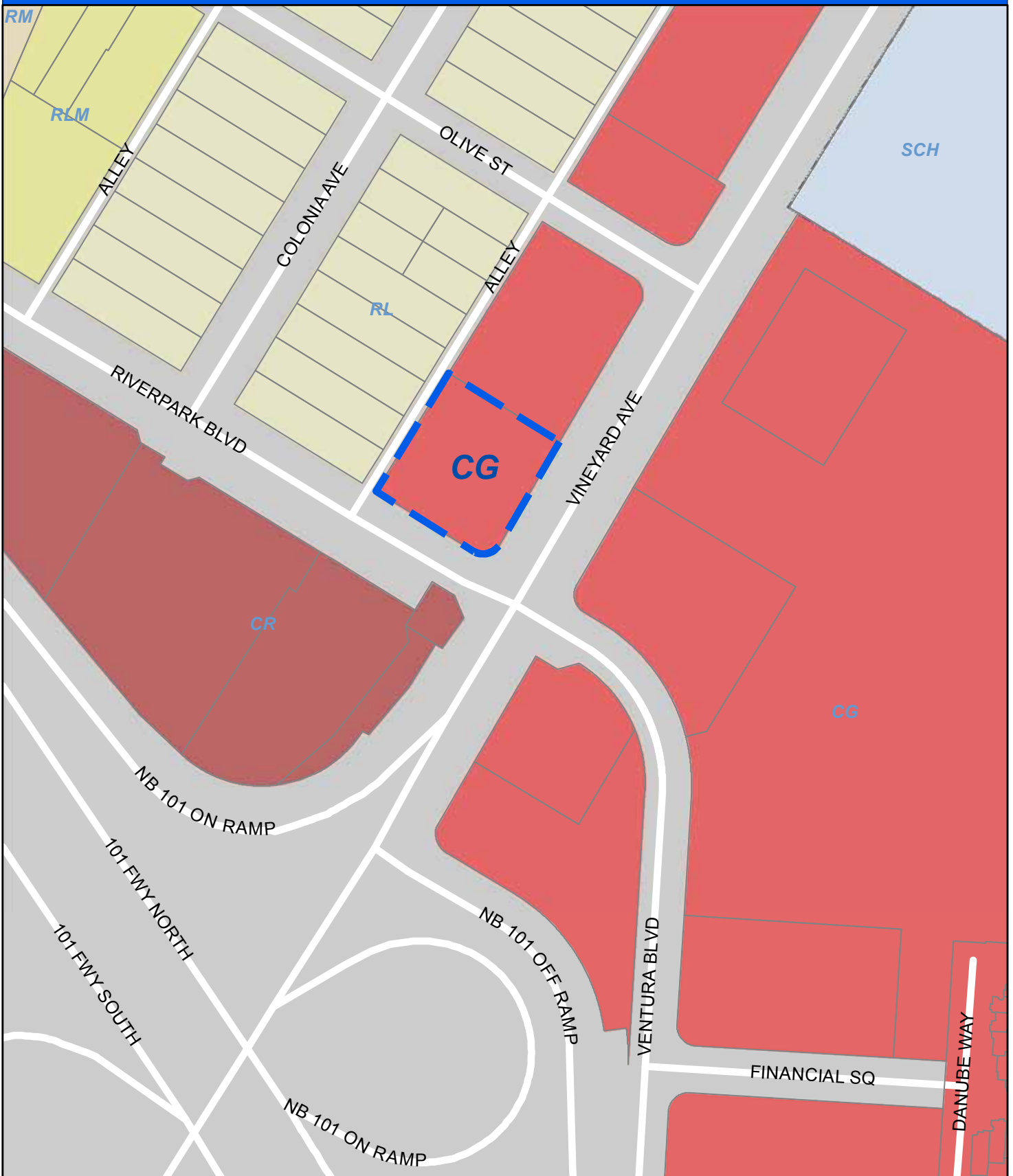
MAPS

(VICINITY, GENERAL PLAN, ZONING, AERIAL)

PZ 21-550-01



2030 General Plan Land Use Map



Oxnard Planning
June 15, 2021

PZ 21-550-01
Location: 2551 N Vineyard Ave
APN:1320043215
Vineyard Starbucks Renovation

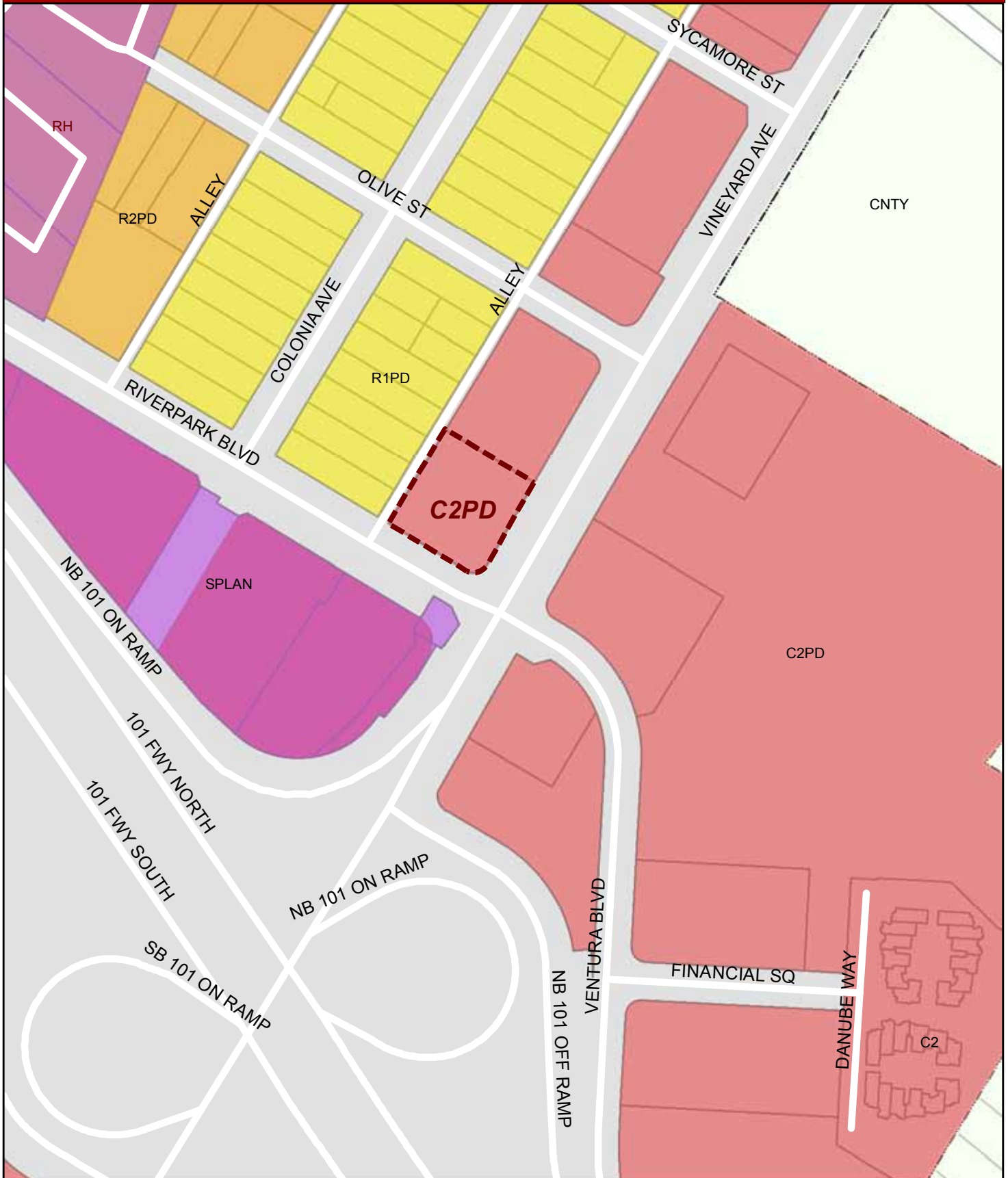
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2030 General Plan Land Use Map



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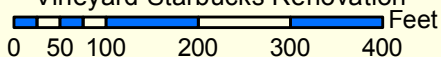
Zoning/Specific Plan Map



Oxnard Planning

June 15, 2021

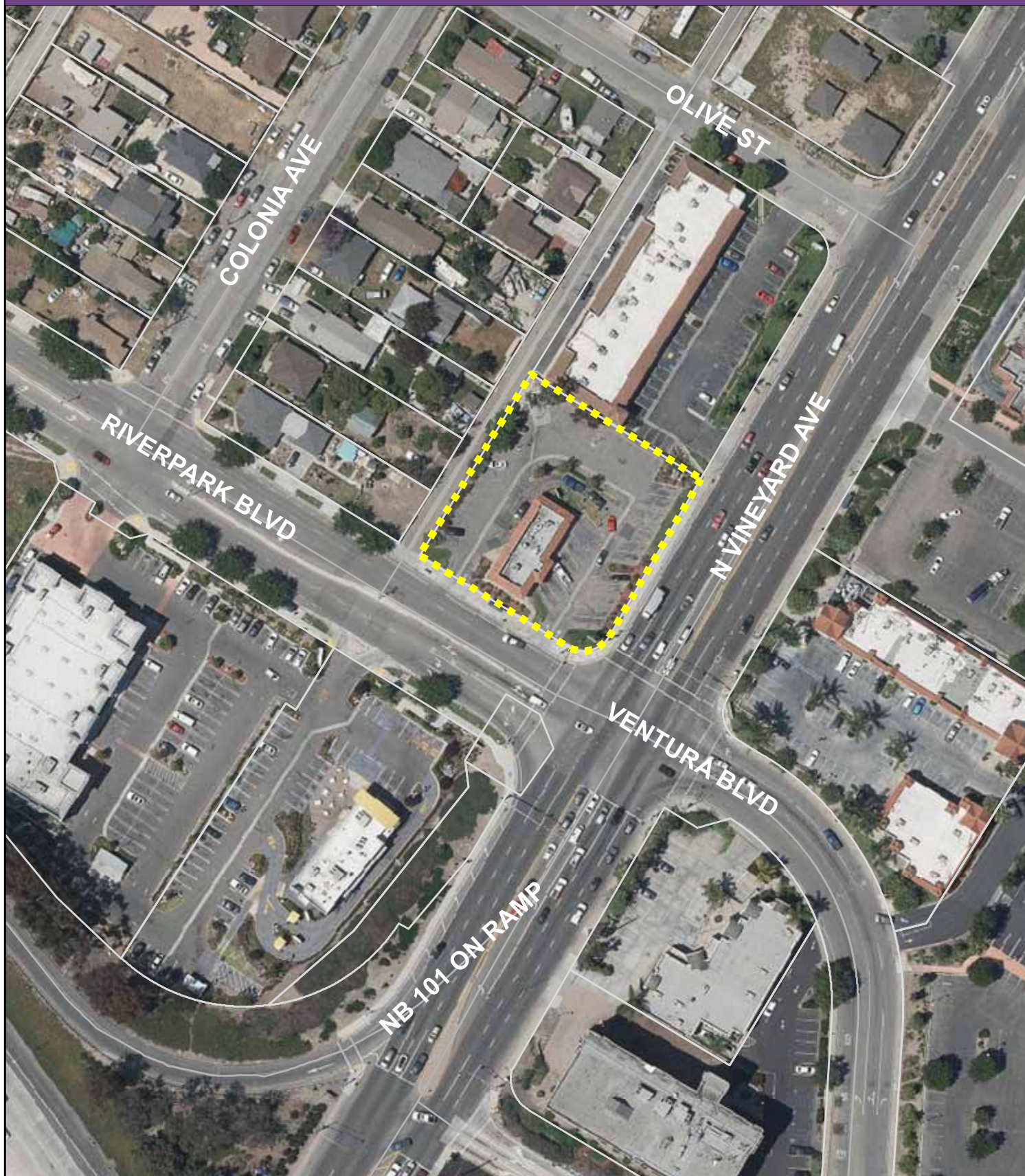
PZ 21-550-01
Location: 2551 N Vineyard Ave
APN:1320043215
Vineyard Starbucks Renovation



Zoning/Specific Plan Map



1:2,500



ATTACHMENT B

REDUCED PROJECT PLANS



INDEX

- **DRAWING PACKAGE**
 - EXISTING SITE PLAN
 - PROPOSED SITE PLAN
 - PROPOSED DIMENSION PLAN
 - PROPOSED FLOOR PLAN
 - PROPOSED ELEVATIONS
 - SITE PHOTOS
 - PROPOSED PHOTOMETRIC PLAN
 - PROPOSED LANDSCAPE PLAN
 - PROPOSED PYLON SIGNAGE
 - PROPOSED SIGNAGE & BIKE RACK DETAIL
 - TRASH ENCLOSURE & CMU WALL DETAIL
 - PROPOSED MATERIAL & ARTWORKS
- **SUPPLEMENTARY DOCUMENT**
 - RESPONSE LETTER
 - TRANSPORTATION DEMAND MANAGEMENT PLAN
 - SIGNAGE PACKAGE
 - LIGHTING SPECIFICATION
 - CIVIL PLANS
 - LETTER OF DRAINAGE ASSESSMENT

DATE: 07/01/21
MCG JOB #: 20006.30

DATE: REVISIONS

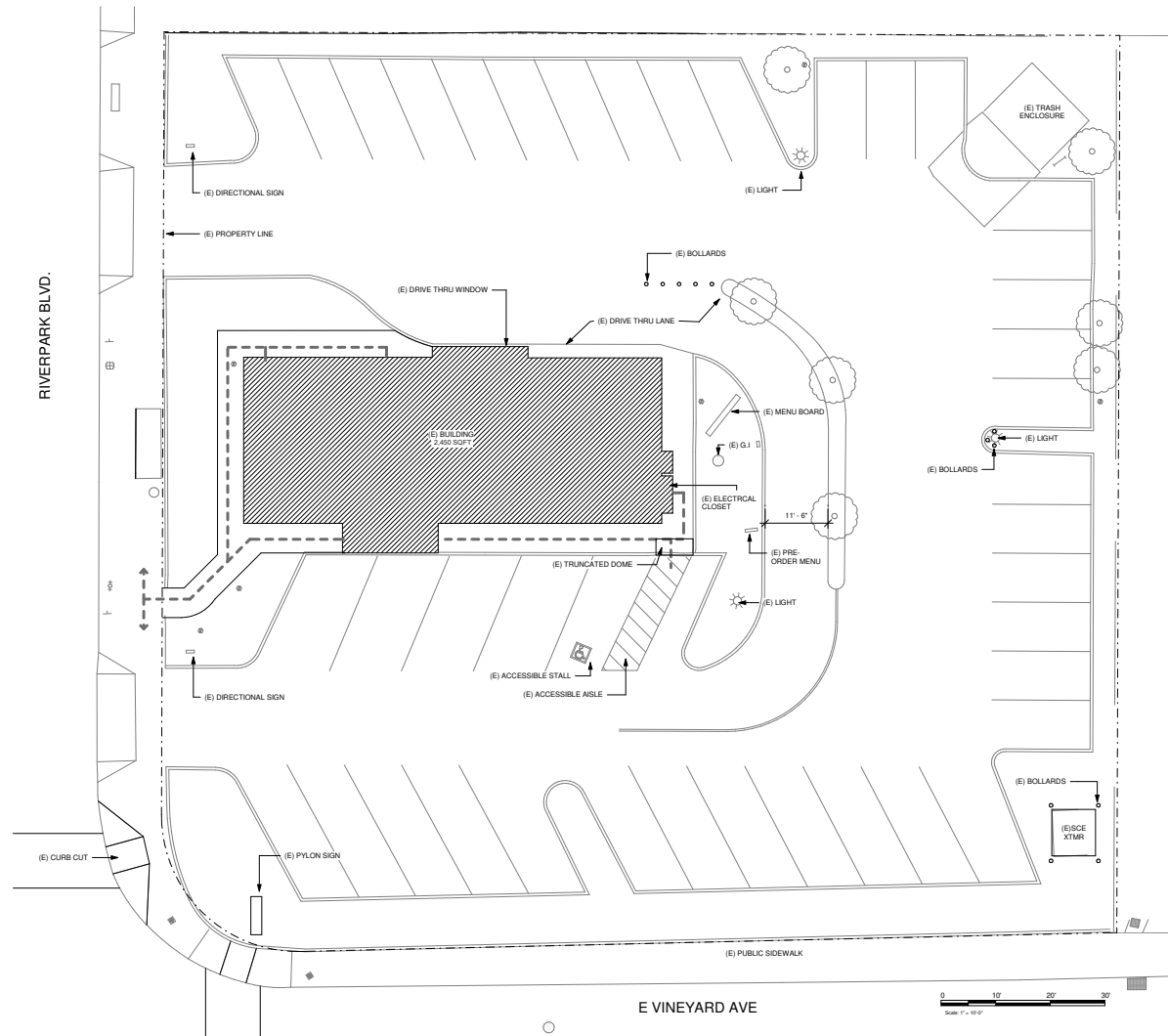
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FACADE REMODEL

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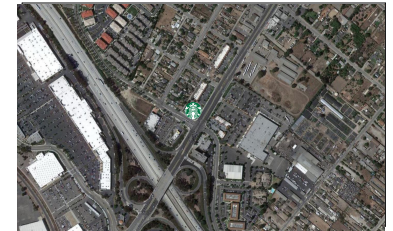


EXISTING SITE PLAN

FACADE REMODEL

2551 E. VINEYARD AVE.
OXNARD, CA 93036

VICINITY MAP



PROJECT SUMMARY

PROJECT ADDRESS: 2551 E. VINEYARD AVE.
OXNARD, CA 93036
APN: 132-0-043-214

SCOPE OF WORK

REPURPOSE AN EXISTING RESTAURANT BUILDING WITH DRIVE-THRU FOR A NEW TENANT. EXTERIOR MODIFICATIONS ARE DRIVE-THRU BUMP OUT AND WINDOW ADDITION (40 SQFT REMOVED/ 60 SQFT ADDED) AND PAINT/FINISHES FOR REBRANDING. SITE MODIFICATIONS INCLUDE ADDITIONAL ACCESSIBLE PARKING STALL AND NEW CURB AT THE DT LANE. THERE IS NO CHANGE IN USE.

SITE SUMMARY

EXISTING BUILDING SQFT: 2,450 SQFT
LOT SIZE: +/-0.66 ACRES

REQUIRED PARKING

EXISTING ZONE: C2PD
PARKING REQUIRED (1 PER 50 SQFT): 49 SPACES

EXISTING PARKING

EXISTING PARKING SPACES: 42 SPACES
DRIVE-THRU STACKING CREDIT (1 PER 23 LNFT): 105 LNFT / 23 = 5
TOTAL: 47

BUILDING INFORMATION

	EXISTING	PROPOSED
LOT SIZE	+/-0.66 ACRES(+/-28,750 SQFT)	
BUILDING	2,450 SQFT (8.5%)	2,500 SQFT (8.7%)
PAVING	19,755.4 SQFT (68.7%)	18,669 SQFT (64.9%)
LANDSCAPE	6,553.6 SQFT (22.8%)	7,581 SQFT (26.4%)
BUILDING HEIGHT	21FT	
PARKING	47	35
-	DEMO 40 SQFT	ADDITION 90 SQFT

DATE: 07/01/21
MCG JOB #: 20006.30

DATE: REVISIONS

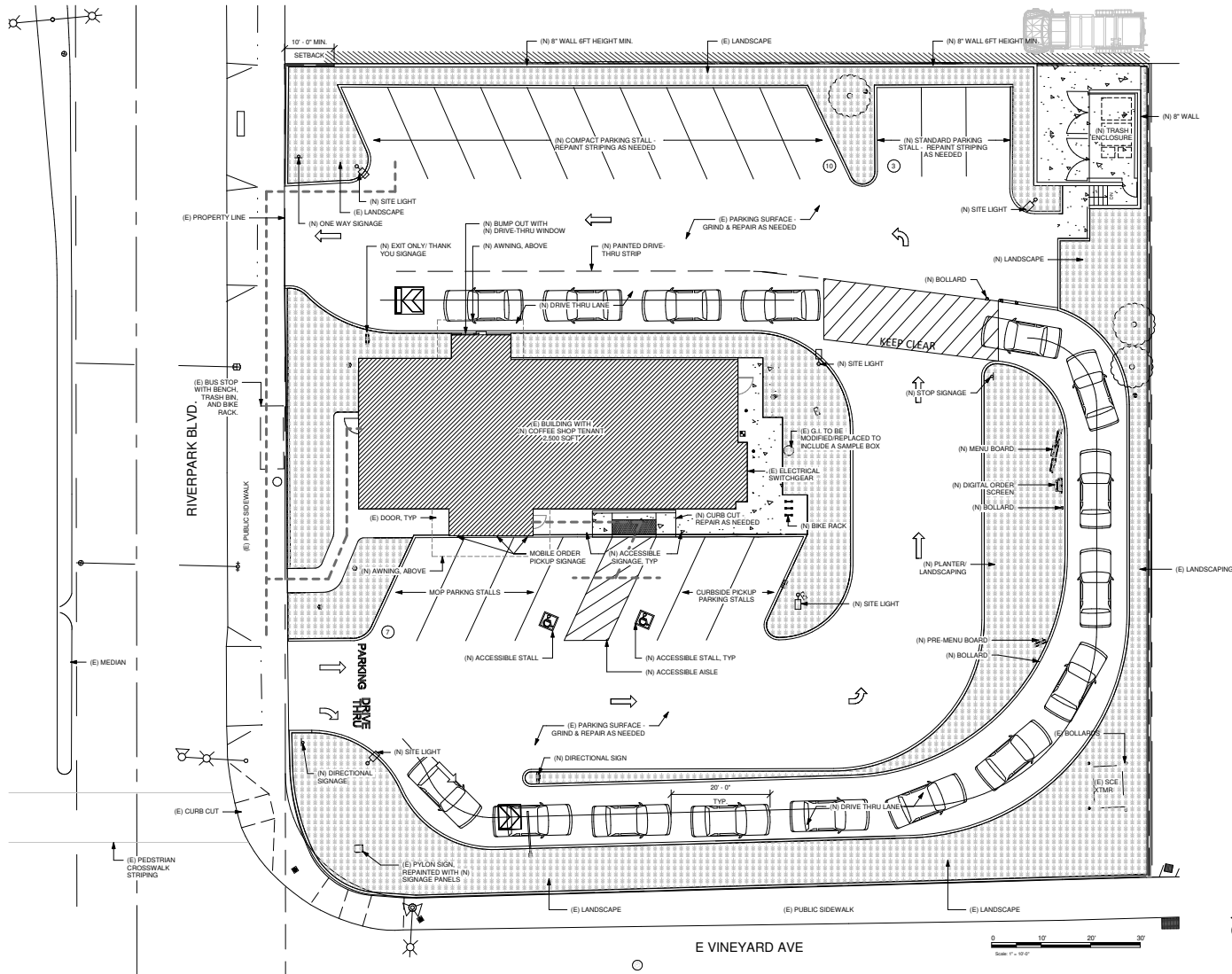
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TRUE REFERENCE

15635 Alton Pkwy, Suite 100
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www.mcgarhitecture.com





SITE SUMMARY

PROPOSED BUILDING SQFT:	2,500 SQFT
GROSS LAND:	+/-0.66 ACRES
	+/-28,750 SQFT

LAND COVERAGE:

BUILDING:	8.7%(2,500 SQFT)
PAVING:	65.5%(18,832 SQFT)
LANDSCAPE:	25.8%(7,418 SQFT)

REQUIRED PARKING

EXISTING ZONE: C2PD	
PARKING REQUIRED (1 PER 50 SQFT):	49 SPACES

EXISTING PARKING

EXISTING PARKING SPACES:	42 SPACES
DRIVE-THRU STACKING CREDIT (1 PER 23 LNFT):	105 LNFT / 23 = 5
TOTAL:	47

PROPOSED PARKING

PROPOSED PARKING SPACES:	20 SPACES
DRIVE-THRU STACKING CREDIT (1 PER 23 LNFT):	345 LNFT / 23 = 15
TOTAL:	35

PROPOSED BIKE RACK:	6 SPACES
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BUILDING INFORMATION

	EXISTING	PROPOSED
LOT SIZE	+/-0.66 ACRES(+/-28,750 SQFT)	
BUILDING	2,450 SQFT (8.5%)	2,500 SQFT (8.7%)
PAVING	19,755.4 SQFT (68.7%)	18,869 SQFT (64.9%)
LANDSCAPE	6,553.6 SQFT (22.8%)	7,581 SQFT (26.4%)
BUILDING HEIGHT	21FT	
PARKING	47	35
	DEMO 40 SQFT	ADDITION 90 SQFT



NOTE: THE DELIVERY TIME IS 4AM AND THE LOADING VEHICLE WILL USE ONE STANDARD PARKING SPACE.

DATE: 07/01/21
MCO JOB #: 20006.30

DATE: REVISIONS

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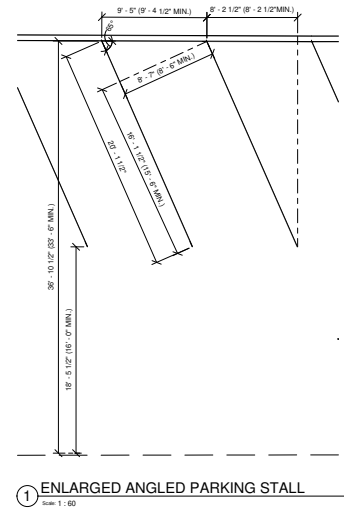
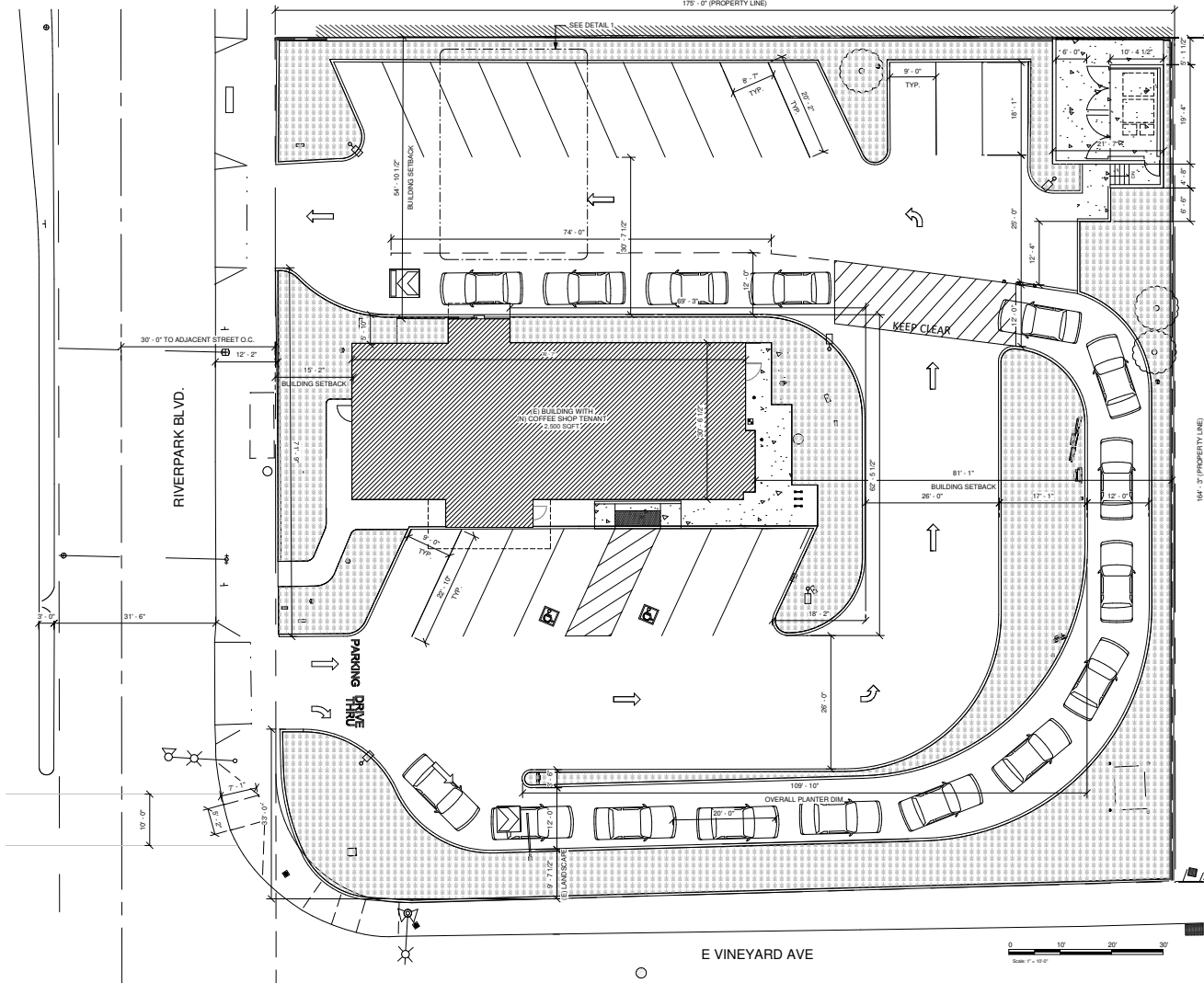
PROPOSED SITE PLAN

FACADE REMODEL

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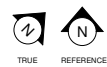
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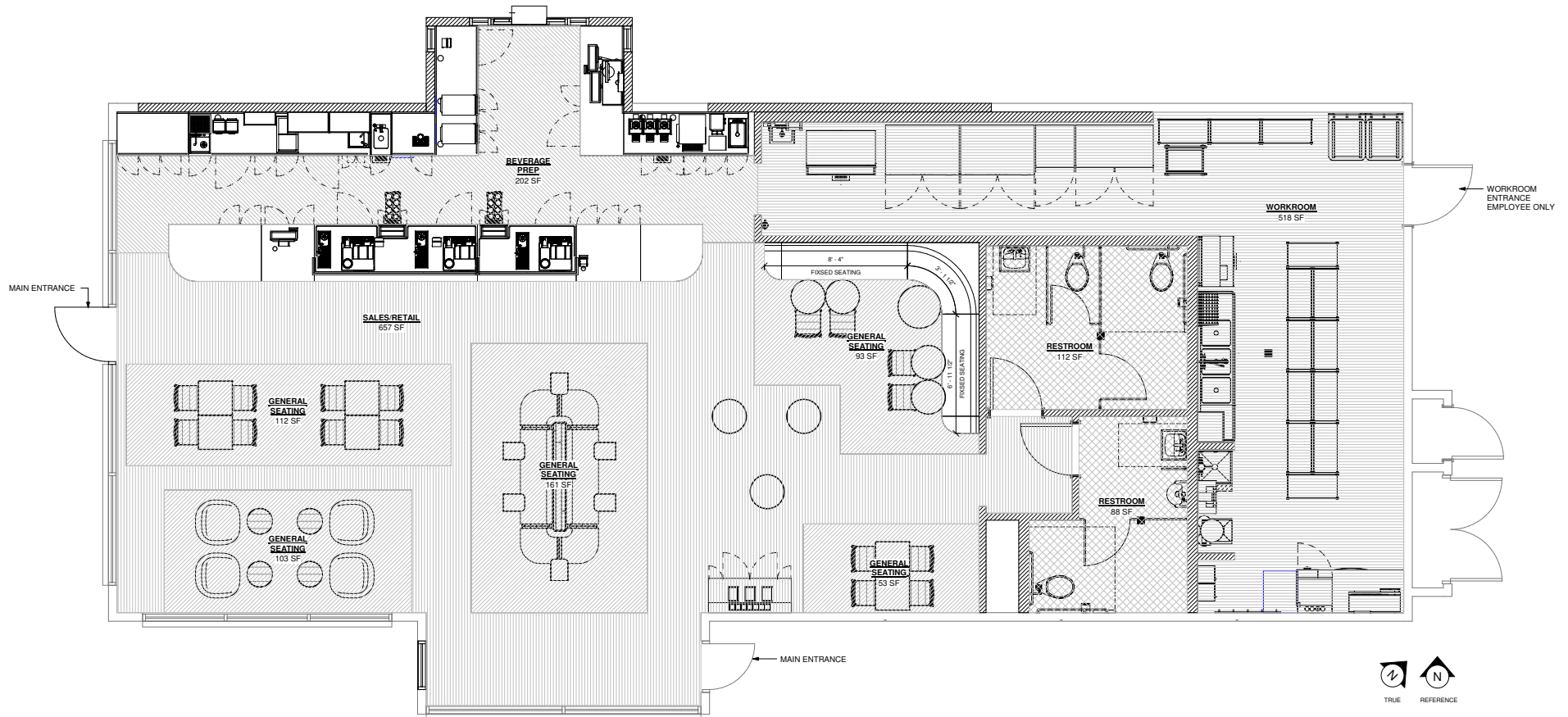


ROOM SCHEDULE

NAME	AREA
BEVERAGE PREP	202 SF
GENERAL SEATING	522 SF
RESTROOM	199 SF
SALES/RETAIL	657 SF
WORKROOM	518 SF
GRAND TOTAL	2098 SF

LEGEND

	BEVERAGE PREP
	GENERAL SEATING
	SALES/RETAIL
	WORKROOM
	RESTROOM
	FIXED SEATING



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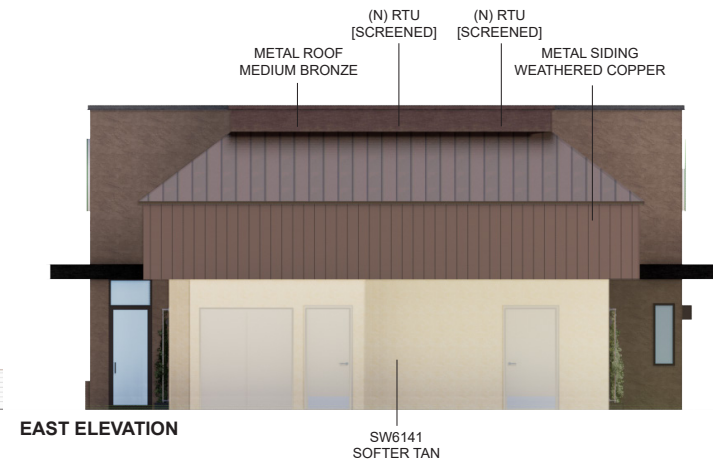
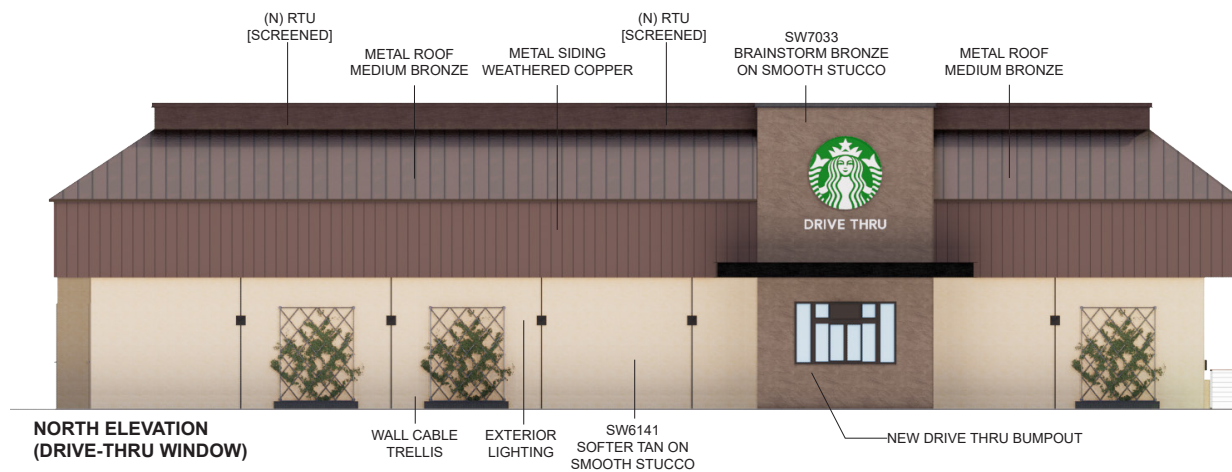
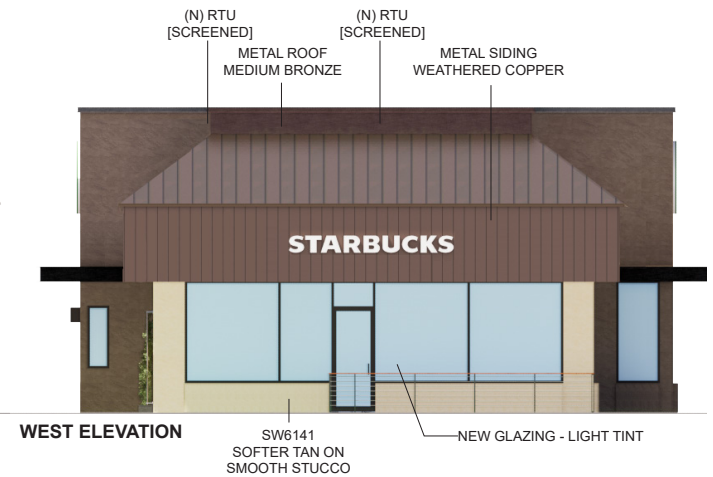
PROPOSED FLOOR PLAN

FACADE REMODEL

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PROPOSED ELEVATIONS

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SITE PHOTOS

FACADE REMODEL

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[illegible]

GENERAL NOTES:

- A. PROVIDE POLES WITH MAXIMUM EAVE RATING GREATER THAN TOTAL EAVE OF INSTALLED FUTURE HEADS FOR WIND SPEED OF 140 MPH IN WHICH THE PROJECT IS LOCATED.
- B. PROVIDE POLES WITH MAXIMUM SUPPORTED WEIGHT RATING GREATER THAN THE TOTAL WEIGHT OF THE INSTALLED FUTURE HEADS.
- C. PROVIDE AN ADDITIONAL 25% EAVE AND WEIGHT CAPACITY ABOVE WHAT IS REQUIRED FOR THE INSTALLED FUTURE HEADS ANDY CARRIERS OR BARRIERS WILL BE MOUNTED ON POLES.
- D. PROVIDE APPROPRIATE BRILLING OR TENSING TO MAINTAIN HEADS IN PLUMB REQUIRED.
- E. PROVIDE POLE CAP, HANGERO, ANCHOR BOLTS, AND ANCHOR BOLT COVERS FOR ALL POLES.
- F. PROVIDE POLES BEING LOCATED IN THE MIDDLE OF THE ROAD TO BE 12' LONG.
- G. PROVIDE 300VA TRANSFORMER WITH 120V 120V SECONDARY INSTALLED INSTEAD POLE AND WIRE TO RECEPTACLE FOR ALL RECEPTABLES BEING VOLTAGE OF THOSE HEADS IS OTHER THAN 120V VOLTS.
- H. PROVIDE 20 AMP PLUMB FUSE AND FUSEHOLDER WITH HANGERO, FOR EACH UNPROTECTED CONDUCTOR.

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Parking Lot	+	2.2 %	5.9 %	0.2 %	29.01	11.01



**STARBUCKS COFFEE
COMPANY**
2401 UTAH AVENUE SOUTH
SEATTLE, WASHINGTON 98134
(206) 318-1575

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ARCHITECT OF RECORD
mog architecture

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P: 949.553.1117 F: 949.474.7111

[illegible]

PROJECT NAME:
**VINEYARD AND
RIVERPARK**

PROJECT ADDRESS:
**2551 E. VINEYARD AVE.
OXNARD, CA 93036**

STORE #:	64612
PROJECT #:	89321-00
PROFILE TYPE:	OCRE
ISSUE DATE:	12-15-20
PROGRAM MANAGER:	
STORE DESIGNER:	K.RIFFKIN
LEED®:	NA
CHECKED BY:	GRS
MOG PROJECT #:	2007
MOG PROJ. MANAGER:	C.LEE
MOG PROJ. SPECIALIST:	S.PARK

Revision Schedule			
Rev	Date	By	Description

SHEET TITLE:
**ELECTRICAL
SITE PLAN**

SCALE: AS SHOWN

E-0000

DATE:	REVISIONS

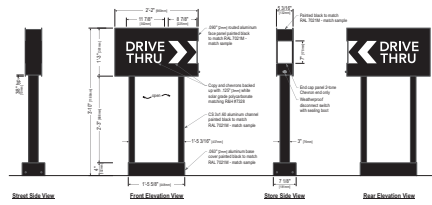
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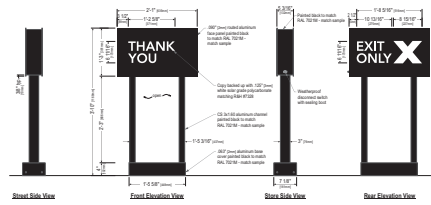
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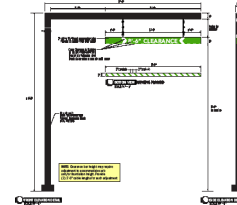




DIRECTIONAL SIGNAGE



EXIT ONLY/THANK YOU SIGNAGE



CLEARANCE BAR



Product Specifications	
LENGTH INCHES	14-1/2
HEIGHT INCHES	34
COLOR FINISH	Black
ASSEMBLY	Unassembled
BRAND	Global Industrial
CONSTRUCTION	12-Gauge Steel
MOUNT TYPE	Flange for Existing Cement
TUBE DIAMETER INCHES	1-5/8
TYPE	U-Bike Rack
WEIGHT LBS	12.2



PRE-MENU BOARD



DIGITAL ORDER SCREEN



5-PANEL MENU BOARD



MOBILE ORDER PICKUP SIGNAGE



ACCESSIBLE SIGNAGE



STOP SIGNAGE



ENTRANCE SIGNAGE



BIKE RACK DETAIL



Accepts Up to 2 Bikes Alone or Can Be Used Side-by-Side to Store Multiple Bikes

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PROPOSED SIGNAGE & BIKE RACK DETAIL

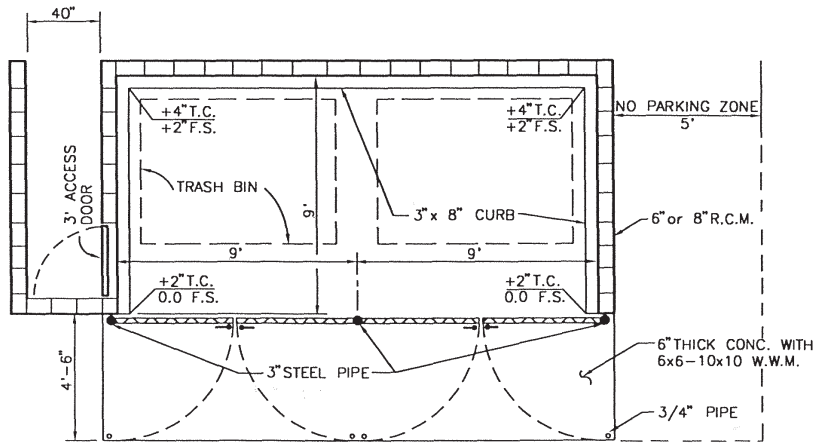
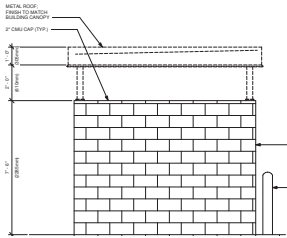
FACADE REMODEL

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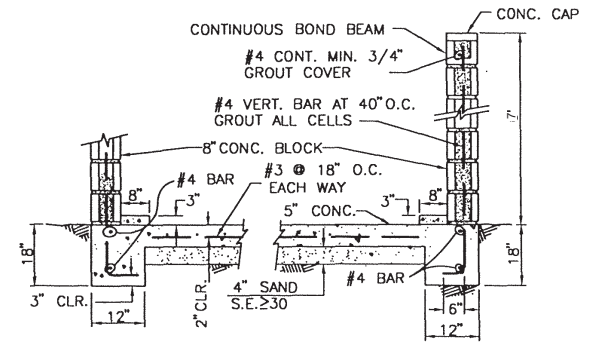


ROOF: A SOLID ROOF WITH 8 FEET OF CLEARANCE IS REQUIRED ON ALL TRASH ENCLOSURES.



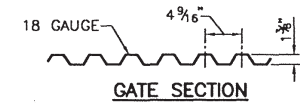
PLAN VIEW

10'-4" X 19'-4" TRASH ENCLOSURE WILL BE PROVIDED TO ACCOMMODATE DOUBLE 4 YARD DUMPSTERS AND DOUBLE 64 GALLON TOTES.

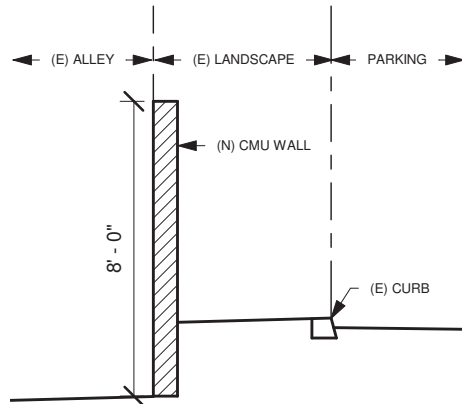


FOOTING SECTION

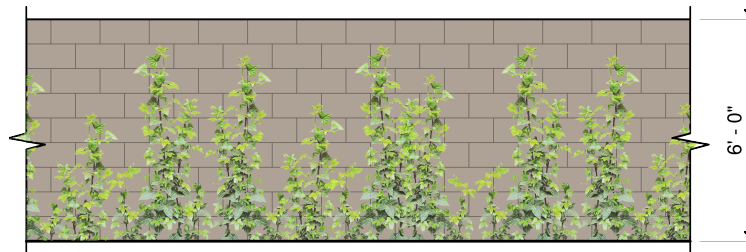
ALTERNATE FOOTING



GATE SECTION



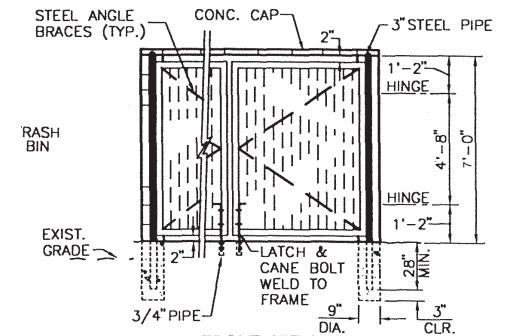
CMU WALL SECTION



CMU WALL ELEVATION

SMOOTH CONCRETE BLOCK PAINTED SW7031 MEGA CREIGE
BOSTON IVY

PLEASE SEE CIVIL DRAWING FOR MORE INFORMATION.



FRONT VIEW

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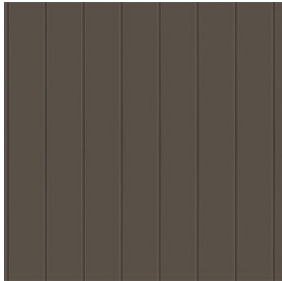
TRASH ENCLOSURE & CMU WALL DETAIL

FACADE REMODEL

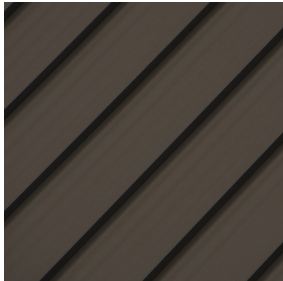
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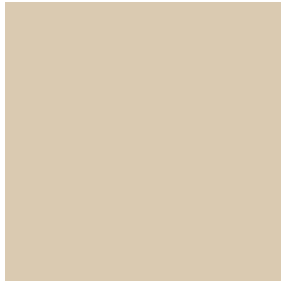




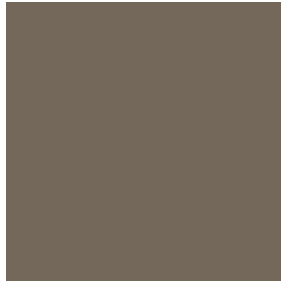
METAL SIDING
WEATHERED COPPER



STANDING SEAM ROOF
MEDIUM BRONZE



SW6141 SOFTER TAN



SW7033 BRAINSTORM
BRONZE



SMOOTH STUCCO TO BE
PAINTED



WALL CABLE TRELLIS WITH
PLANT BASE

FACADE REMODEL

PROPOSED MATERIAL

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ATTACHMENT C

CEQA NOTICE OF EXEMPTION

NOTICE OF EXEMPTION

Project Description: Vineyard Starbucks Site Renovations; PZ No. 21-550-01 (Major Modification to U-916 (Special Use Permit)): The project includes modifications to an existing 2,450 square-foot drive-through fast food restaurant building and to allow for a Starbucks coffee shop on a 0.66 acre site. The proposed improvements will consist of a small addition, facade changes, revised signage, upgraded landscaping, new parking lot striping, drive-through lane modification to allow for an extended queuing lane to allow for a maximum capacity of 16 vehicles. The request also includes a request for a parking modification to allow for a reduction in the amount of required parking from 50 parking spaces to 35 parking spaces, including 15 spaces which are provided via the drive-thru queue. The parking modification will also allow for 11 of the parking spaces to be compact parking spaces. The project includes a Queue Management Plan. The Project site is located at 2551 North Vineyard Avenue (APN: 132-0-043-215) within the General Commercial (C-2) zone district and within the Commercial General land use designation. Filed by Beverly Metz, of Starbucks, 555 Anton Boulevard, Costa Mesa, CA 92626.

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 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request to convert an existing drive-through fast food restaurant to another drive-through coffee shop. The small addition will only increase the building size by 50 square feet or approximately 2 percent, and will be within the existing developed area. Onsite circulation will be improved through the realignment of the drive-through lane and a Transportation Demand Management Plan will be implemented for the site to prevent vehicles from backing-up into adjacent roadways. As a result, this Project will not result in any significant effects relating to traffic, noise, or air quality. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption.

Based on the above exemption and in accordance with CEQA, the Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment, the project is Categorically Exempt from the provisions of CEQA, there is no requirement to prepare an environmental document, and hereby authorizes and directs the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Scott Kolwitz,
Planning & Environmental Services Manager

ATTACHMENT D

TRANSPORTATION DEMAND MANAGEMENT PLAN

Transportation Demand Management Plan

Prepared for: The City of Oxnard

Prepared by: MCG Architecture

Revised: June 21, 2021

Per the U.S. Department of Transportation, transportation demand management (TDM), or simply demand management, is defined a set of strategies aimed at maximizing traveler choices. The following are several performance-based approaches that Starbucks employs nationwide to provide customers with the maximum number of choices to make purchases from a store, while mitigating the impacts to regular traffic flow.

1. Intentional Site Selection

- a. Careful consideration is given to each site to ensure customers will have many convenient options for transportation. This particular site is directly adjacent to a bus stop, providing a ride share option. It is also within walking distance of both single and multi-family developments as well as the Martinez & Vineyard Shopping Centers.
- b. These items are indicated on the Site Plan attached by numbers ①.

2. Effective Site Planning & Data-Driven Menu Board Placement

- a. For this project, Starbucks engaged with MCG Architecture for over a year to determine the most efficient site plan design given the constraints of this existing site. Countless iterations focused balancing parking requirements with drive-thru stacking length. Particular attention was given to traffic flow and safety.
- b. Through its many drive-thru locations already in operation, Starbucks has gathered extensive data on the most efficient placement of the menu board so that the flow of customers is steady. After customers place their order, they proceed to the pick-up window where their drink is simultaneously ready. Every effort is made to reduce waiting time at any given point.

3. “Mobile Order & Pay” or MOP

- a. Starbucks launched “Mobile Order & Pay” in 2015 combining the company’s existing payment system with new online ordering features that let you order ahead for pickup at stores. According to an earnings document published on Oct. 1, 2020, almost a quarter of all transactions (24%) at Starbucks stores in the US are mobile orders through the company’s app.^{1,2}
- b. How it works: Customers place their orders (including payment) ahead of time using the Starbucks Mobile App. When the customer arrives at the store, they will find their order is ready for them to pick up on the counter.
- c. The MOP program relieves orders placed in the drive-thru lane and customers are in and out of parking stalls within a few minutes at most.
- d. Designated parking stalls for this program are indicated on the Site Plan attached by number ②.

4. Curbside Pick-up

- a. Starbucks' customers have evolved an increased desire for flexibility and convenience. In response, Starbucks added Curbside Pick-up options to many locations to further increase the efficiency of the "Mobile Order & Pay" program by bringing offerings out to the car rather than requiring the customer to enter the store.
- b. How it works: Customers place their orders (including payment) ahead of time using the Starbucks Mobile App. When a customer arrives at the store, they are able to check in using the same app and note which spot they are parked in. Starbucks Partners are alerted to the customer's arrival and bring the order directly out to the car.
- c. The Curbside Pick-up program relieves orders placed in the drive-thru lane and customers are in and out of parking stalls within a few minutes at most.
- d. Designated parking stalls for this program are indicated on the Site Plan attached by number ③.

5. Delivery in partnership with UberEats

- a. With customers shifting preferences towards delivery rather than dining-in, Starbucks has partnered with UberEats to introduce a new choice for customer convenience.
- b. How it works: Customers place their orders through the UberEats app. Orders are prepared similar to the "Mobile Order & Pay" and Curbside Pick-up programs. A delivery driver, designated by UberEats, picks up the order(s) and delivers it/them to the customer.
- c. The Delivery program relieves orders placed in the drive-thru lane and the parking lot. It is possible for multiple orders to be picked up at once. Delivery drivers are in and out of parking stalls within a few minutes at most.
- d. There are no specific designated parking stalls for this program, however, delivery drivers are eligible to use the "Mobile Order & Pay" designated stalls, indicated on the Site Plan attached by number ②.

6. Flexible or Hand-Held Order Point(s)

- a. A new program, which is currently being developed and tested at select locations, allows for orders and payment to be taken ahead of the fixed Order Point. The feedback from this pilot program will aid the company in determining its effectiveness and most impactful times for deployment.
- b. How it works: The Handheld Order Point will be used to take orders earlier, allowing labels to be printed earlier and potentially providing more time to prepare orders, when necessary as determined by the store's operators.
- c. Starbucks is currently assessing stores that are good candidates for this trial program.
- d. The potential location of this kiosk is indicated on the attached Site Plan by number ④.

¹'Starbucks Mobile Order & Pay Now Available to Customers Nationwide' 2015, Stories.Starbucks.com, 22 September 2015, Accessed 22 April 2021 <<https://stories.starbucks.com/stories/2015/starbucks-mobile-order-pay-now-available-to-customers-nationwide/>>

²Campbell, Ian 2020 'Starbucks says nearly a quarter of all US retail orders are placed from a phone', The Verge, 30 October 2020, Accessed 21 April 2021 <https://www.theverge.com/2020/10/30/21540908/starbucks-app-q4-earnings-mobile-payments>

Site Specific Performance-Based Measures & Mitigation

A. Visibility & Exterior Cameras

- a. The Site Plan for Starbucks at Vineyard & Riverpark is designed with a direct line-of-sight from the Starbucks partner at the point of sale to the 15th & 16th cars in the drive-thru lane. This will allow the partner to observe and monitor the traffic flow throughout the day. See Site Plan number ⑤.
- b. At least one (1) exterior camera will be mounted to face the drive-thru lane. This will also allow partners in the Back of House and the Store Manager to observe the flow as a second set of eyes. See Site Plan number ⑥.

B. Signage & Directional Markings

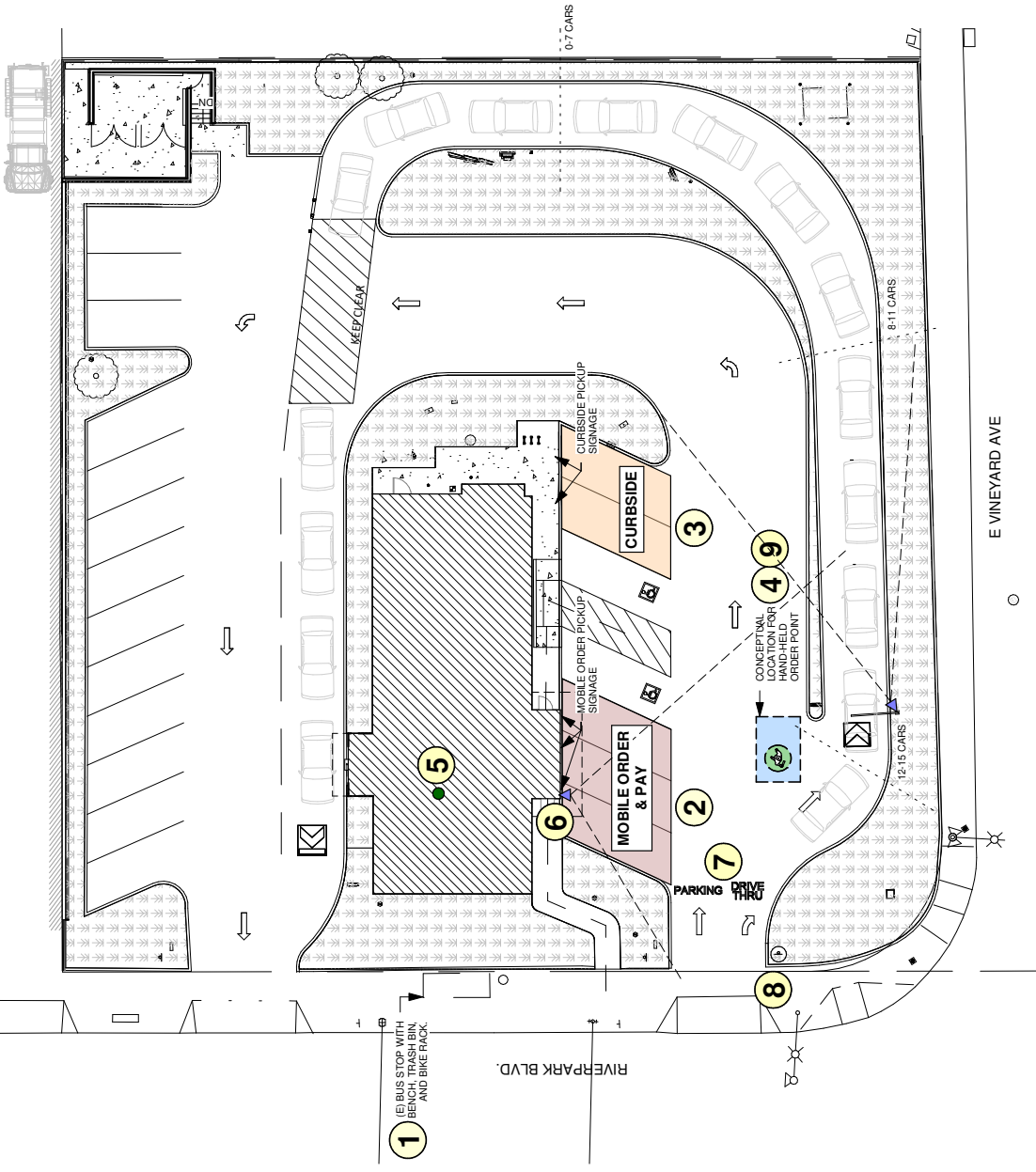
- a. Directional arrows shall be placed on the pavement at the entry drive aisle to clearly define thru-traffic from drive-thru traffic. See Site Plan number ⑦.
- b. Additional pole-mounted signage will be placed at the entry to the site indicating that cars should not overflow onto the street and block traffic. See Site Plan number ⑧.

C. Partner-Guided Traffic Flow

- a. Should the traffic exceed the capacity of the drive-thru lane and if it is safe to do so, a Starbucks partner may be tasked with directing cars to bypass the drive-thru lane and either park, or leave the site to return when the traffic backup is mitigated. See Site Plan number ⑨.

D. Example Decision-Making Metrics

- a. Starbucks partners and the Store Manager will have the ability to implement and modify this plan based on observed performance metrics as follows:
 - i. **0-7 cars observed in lane:** No action; typical traffic flow
 - ii. **8-11 cars observed in lane:** Observations are vocally shared with all partners to increase efficiency where possible.
 - iii. **12-15 cars observed in lane:** Store Manager is aware of the situation and designates an available partner to prepare to direct traffic, if needed; Store Manager deploys traffic mitigation methods including but not limited to those discussed in this TDM plan.
 - iv. **16+ cars observed:** Store Manager deploys designated partner to direct traffic on-site.



4 HAND-HELD ORDER POINT



1 SITE



DATE: 07/01/21
MCG PROJECT #: 20006.30

TRAFFIC DEMAND MANAGEMENT PLAN

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ATTACHMENT E

PARKING ASSESSMENT

MEMORANDUM

LINSCOTT
LAW &
GREENSPAN

engineers

To: John Schmid
MCG Architecture

Date: October 7, 2021

From: David S. Shender
Linscott, Law & Greenspan, Engineers

LLG Ref: 5-21-0539-1

Subject: **Parking Assessment for the Proposed Starbucks Coffee Shop at 2551 East Vineyard Avenue in the City of Oxnard**

Engineers & Planners

Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers

20931 Burbank Boulevard
Suite C
Woodland Hills, CA 91367
818.835.8648 T
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www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

This parking assessment has been prepared by Linscott, Law & Greenspan, Engineers (LLG) for the proposed Starbucks coffee shop (the “Project”) at 2551 East Vineyard Avenue (the “Project Site”) in the City of Oxnard. The Project Site is located at the northwest corner of the Vineyard Avenue/Riverpark Boulevard intersection. LLG understands the Project proposes to provide a supply of on-site vehicle parking that is less than what would otherwise be required based on the City of Oxnard Municipal Code. Thus, the purpose of this memorandum is to provide an assessment as to whether the proposed supply of parking spaces would adequately serve the expected peak parking demand generated by the proposed Starbucks.

Project Description

The Project Site is currently occupied by a Wendy’s drive-through restaurant providing 2,450 square feet of building floor area, as well as an existing drive-through lane and vehicle parking. LLG understand the Project proposes to remodel the Project Site to accommodate a Starbucks coffee shop with drive-through service. The Project site plan is provided on **Figure 1** attached to this memorandum. The building size is proposed to increase slightly to 2,500 square feet in size. In addition, the existing drive-through lane and parking area will be reconfigured so as to increase the vehicle stacking capacity within the drive-through lane. As shown on **Figure 1**, the Project Site will provide 20 vehicle parking spaces and the reconfigured drive-through lane will accommodate 15 queued vehicles. In addition, six bicycle parking spaces will be provided on-site.

Code Parking

Section 16-622 within the City of Oxnard Municipal Codes provides the off-street parking requirements for various land uses, including restaurants with drive-through services. Subsection (F) of Section 16-622 provides the following off-street parking requirements applicable to the Project:

- One parking space per 50 square feet of gross (building) floor area; and

- Stacking credit in drive through lane may count toward the required parking at basis of one auto per 23 lineal feet of striped stacking line. A maximum credit not to exceed 30 percent of total requirement or no more than 20 spaces may be applied for stacking, whichever is less.

Table 1 below provides the Code parking analysis for the Project.

Table 1
Code Parking Analysis

Project Feature	Code Parking Requirement	Project Site	Required Parking
Starbucks Building	1 space/50 s.f.	2,500 s.f.	50 spaces
Drive-Through Lane	Credit of 1 space per 23 lineal feet of vehicle stacking [a]	345 feet of drive-through lane stacking	(15) spaces
Total			35 spaces

[a] City Code limits drive-through lane parking credit to 30% of required parking (i.e., 15 spaces for this Project) or 20 spaces, whichever is less.

As previously noted, the Project proposes to provide 20 vehicle parking spaces, which is less than the Code requirement for 35 parking spaces. Thus, additional review has been conducted to assess whether the Project's proposed supply of 20 parking spaces will adequately accommodate the forecast parking demand generated by the Project.

Starbucks Parking Demand Data

Parking demand data related to Starbucks was reviewed for purposes of assessing the adequacy of the proposed on-site parking supply at the Project Site. In March 2013, LLG collected parking demand data at an existing Starbucks coffee shop located at 450 East 17th Street in the City of Costa Mesa (the "Costa Mesa Starbucks"). The Costa Mesa Starbucks provides 2,356 square feet of building floor area, which is similar to the Project (2,500 square feet). In addition, the Costa Mesa Starbucks provides a drive-through lane, as well as vehicle parking for walk-in service. While the vehicle parking supply at the Costa Mesa Starbucks (35 spaces) is greater than the proposed Project Site, the capacity of the drive-through lane is less (accommodating approximately 10 cars) when compared to the Project. It is noted that at the time the parking counts were conducted at the Costa Mesa Starbucks, the adjoining tenant space (currently occupied by a Mendocino Farms) was vacant.

Table A attached to this memorandum provides a summary of the parking utilization data collected hourly from 7:00 a.m. to 10:00 p.m. at the Costa Mesa Starbucks over four days (Wednesday through Saturday) in 2013. In review of *Table A*, the following is noted:

- The 85th percentile of parking demand was calculated to be 17 spaces utilized. The 85th percentile factor is a commonly used by traffic engineers, for example, in determining the appropriate length of left and right-turn lanes at intersections. By comparison, the Project proposes to provide 20 on-site parking spaces, exceeding the 85th percentile factor from the Costa Mesa Starbucks data.
- There were four instances over the four days of counts (e.g., 9:00 and 10:00 a.m. on Wednesday, 8:00 a.m. on Thursday, and 12:00 p.m. on Saturday) when the number of parked vehicles exceeded 20.

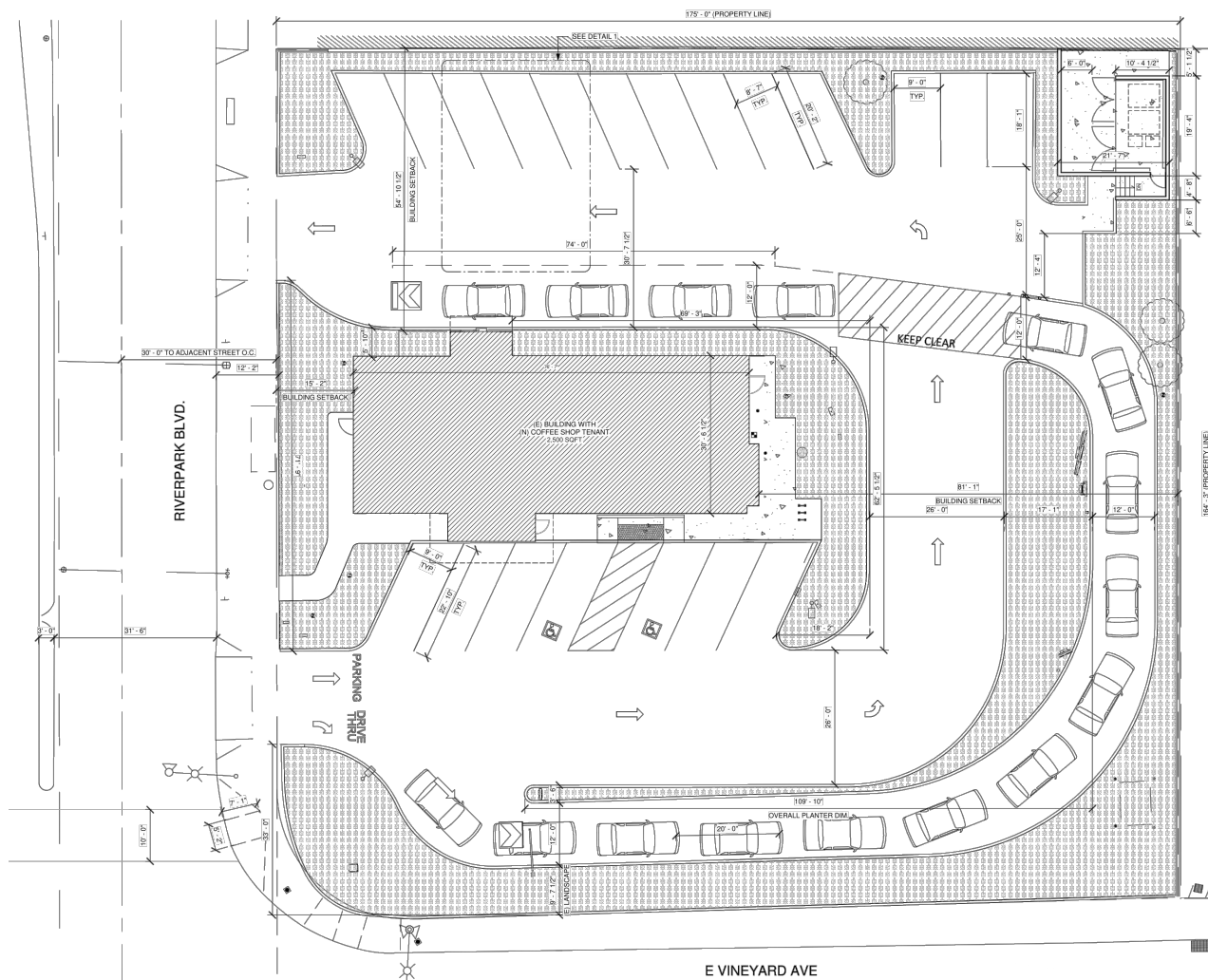
It is noted that at the time of the parking survey at the Costa Mesa Starbucks in 2013, Starbucks management had stated this was one of the highest revenue locations in Southern California. Also, as additional Starbucks locations have opened in the vicinity of the Costa Mesa Starbucks since the time of the parking survey, parking demand at the site has been reduced. Thus, the parking demand data can be considered as highly conservative (“worst case”).

Parking Assessment

Based on the parking demand data from the Costa Mesa Starbucks, it can be concluded that the proposed parking supply at the Project would adequately accommodate the parking demand generated at the Project Site. As shown from the Costa Mesa Starbucks data, parking demand is typically 20 vehicles or less throughout the day, which can be readily accommodated by the proposed parking supply at the Project. During unusual peak times when more than 20 vehicles may wish to park at the Project Site, it is expected that this additional demand will be absorbed by the substantial capacity provided by the proposed enhanced drive-through lane (i.e., incoming motorists will choose to utilize the drive-through instead of walk-in service).

In conclusion, based on the parking demand data provided by an existing Starbucks location, it is expected that the Project will provide sufficient vehicle parking to accommodate the forecast peak demand.

cc: File



NOT TO SCALE

SOURCE: MCG ARCHITECTURE

FIGURE 1
SITE PLAN

TABLE A
STARBUCKS PARKING SURVEY [1]

Time	Wednesday March 13, 2013	Thursday March 14, 2013	Friday March 15, 2013	Saturday March 16, 2013	Maximum	Surplus/Deficiency (+/-)
7:00 AM	15	16	12	7	16	19
8:00 AM	20	30	17	17	30	5
9:00 AM	25	19	19	13	25	10
10:00 AM	21	18	17	20	21	14
11:00 AM	15	11	11	18	18	17
12:00 PM	14	12	7	23	23	12
1:00 PM	13	12	10	19	19	16
2:00 PM	14	10	9	15	15	20
3:00 PM	12	11	8	11	12	23
4:00 PM	13	12	9	10	13	22
5:00 PM	6	9	6	7	9	26
6:00 PM	13	6	4	6	13	22
7:00 PM	9	9	3	6	9	26
8:00 PM	5	8	0	4	8	27
9:00 PM	1	2	0	1	2	33
10:00 PM	1	0	0	0	1	34

Note:

[1] Counts conducted by National Data and Surveying Services (NDS).

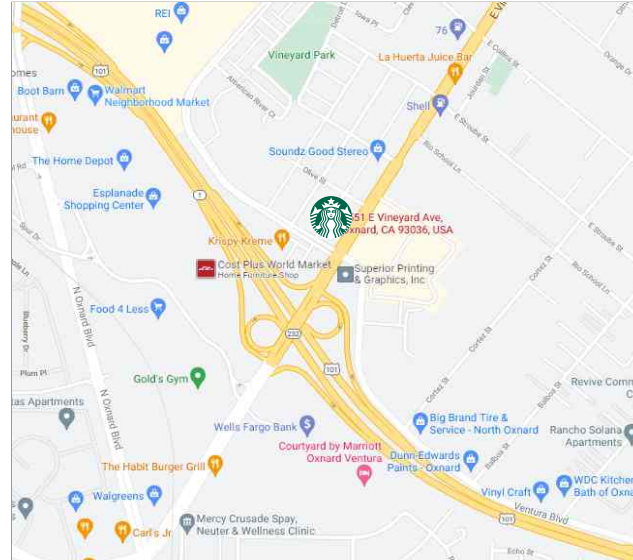
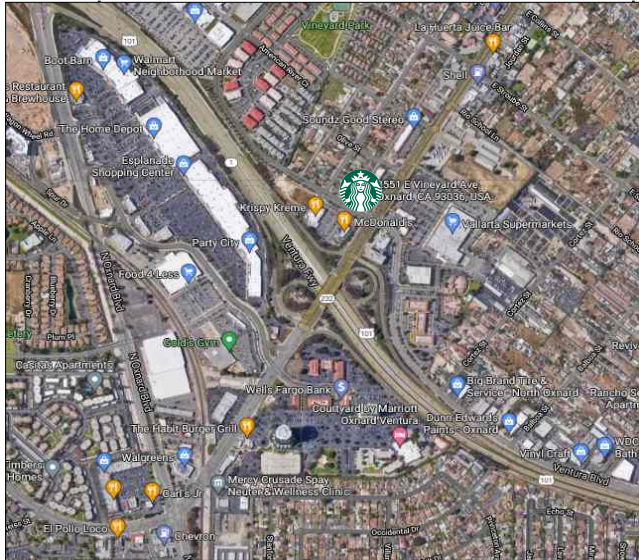
During the time of the counts 35 spaces were available for parking at 450 E. 17th Street.

Indicates 85th percentile and greater values. The 85th percentile of parked vehicles is calculated to be 17 vehicles.

Indicates peak demand.

ATTACHMENT F

REDUCED SIGN PLANS



VICINITY MAP
Not To Scale



WALL SIGNS LEGEND		
DESCRIPTIONS	Sq Ft.	QTY
A 60" SIREN ILLUMINATED LOGO DICS	19.62	2
B 8" DAY/NITE DT CHANNEL LETTERS	3.66	2
C 16" ILLUMINATED CHANNEL LETTERS	17.18	1
D 10" DT CHANNEL LETTERS	10.41	1
E DT ENTRY DIRECTIONAL	3	2
F DT EXIT DIRECTIONAL	2	1
K PYLON SIGN	83.52	1
total sign area proposed		165.67

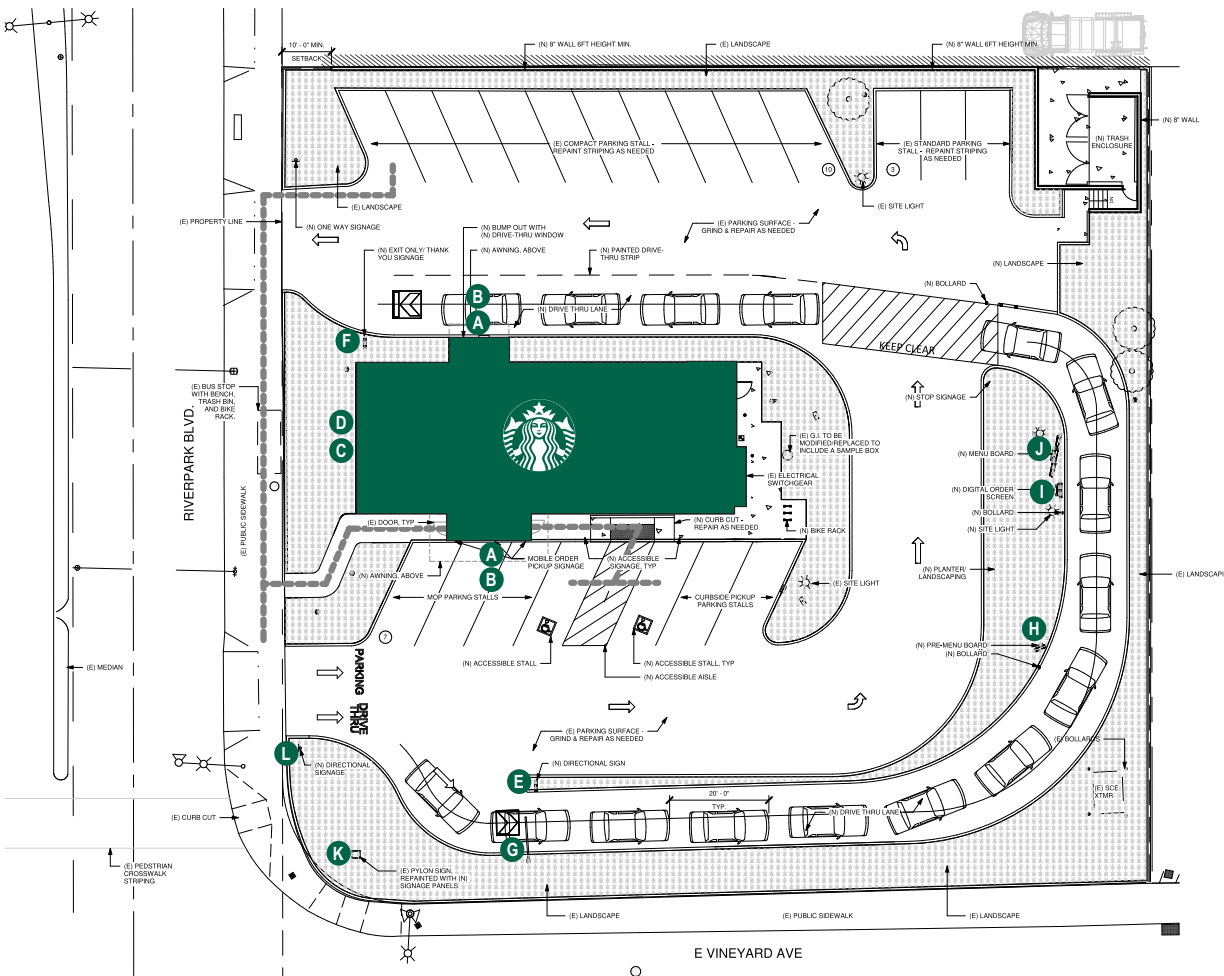


PROJECT: #20006.30
STORE # 65182

VINEYARD & RIVERPARK - STARBUCKS COFFEE

2551 E. Vineyard Ave.
Oxnard, CA 93036





KEY LEGEND

- A** 60" SIREN LOGO DICS
- B** 8" DT CHANNEL LETTES
- C** 16" CHANNEL LETTERS
- D** 10" DT CHANNEL LETTERS
- E** DT ENTRANCE DIRECTIONAL
- F** DT EXIT/THANK YOU DIRECTIONAL
- G** CLEARANCE BAR
- H** PRE MENU BOARD
- I** DT DIGITAL ORDER SCREEN
- J** DT 5-PANEL MENU SIGN
- K** PYLON SIGN
- L** POST SIGN

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date: 6-23-21 Drawn by: L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



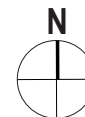
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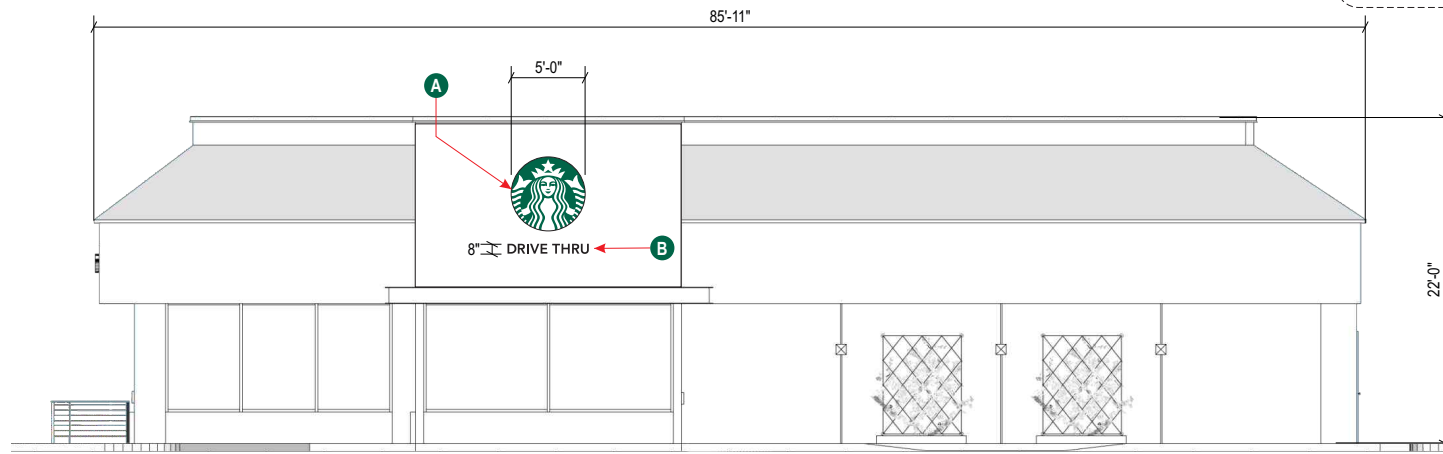
Drawing No

21-253

Page: **SP.1**



1 SITE PLAN
SCALE: NTS



KEY LEGEND

- A 60" SIREN LOGO DICS
- B 8" DT CHANNEL LETTES
- C 16" CHANNEL LETTERS
- D 10" DT CHANNEL LETTERS

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:
Paul L.

Date: 6-23-21 Drawn by: L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:
☐ 120 Volts ☐ 277 Volts

Sign Industries INCORPORATED

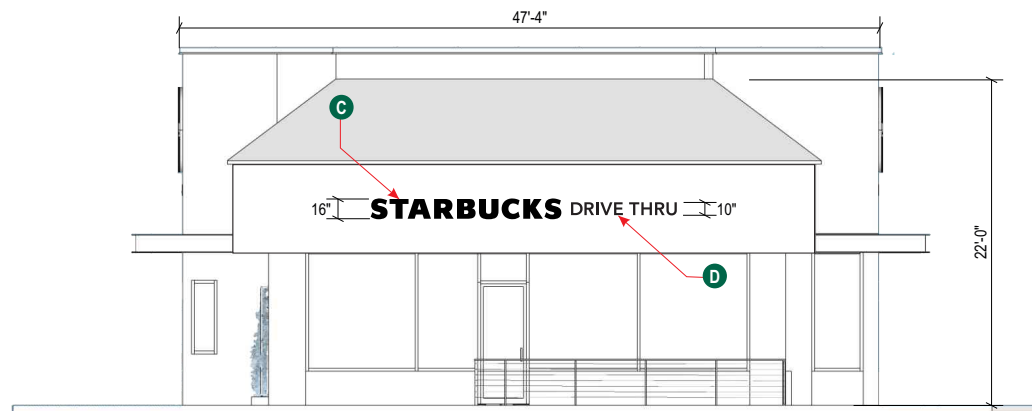
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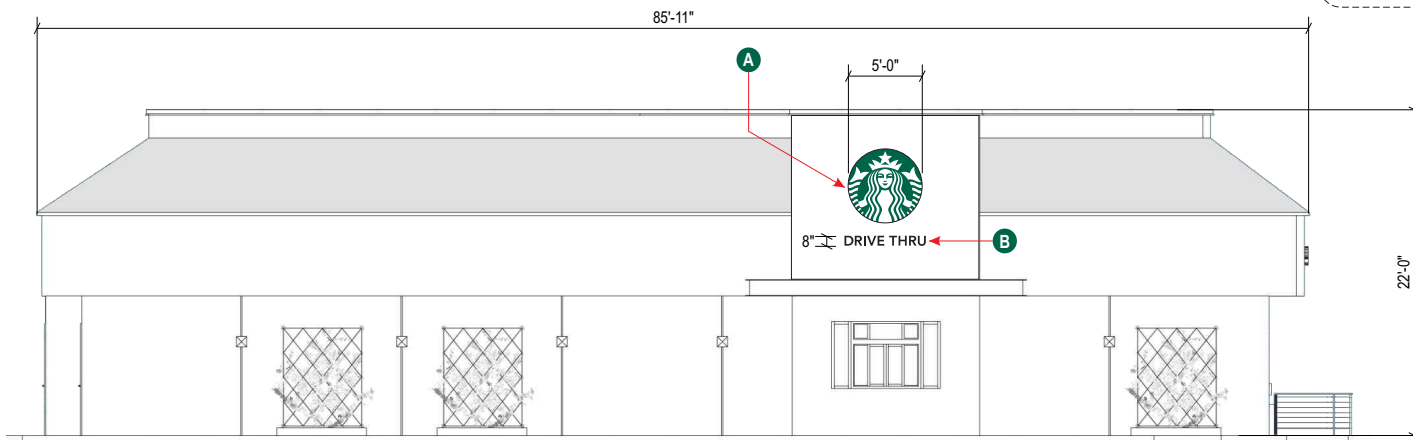
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21-253

Page: **ELE.1**

1 SOUTH ELEVATION
SCALE: 1/8" = 1'



2 WEST ELEVATION
SCALE: 1/8" = 1'



KEY LEGEND

- A 60" SIREN LOGO DICS
- B 8" DT CHANNEL LETTES

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:
6-23-21

Drawn by:
L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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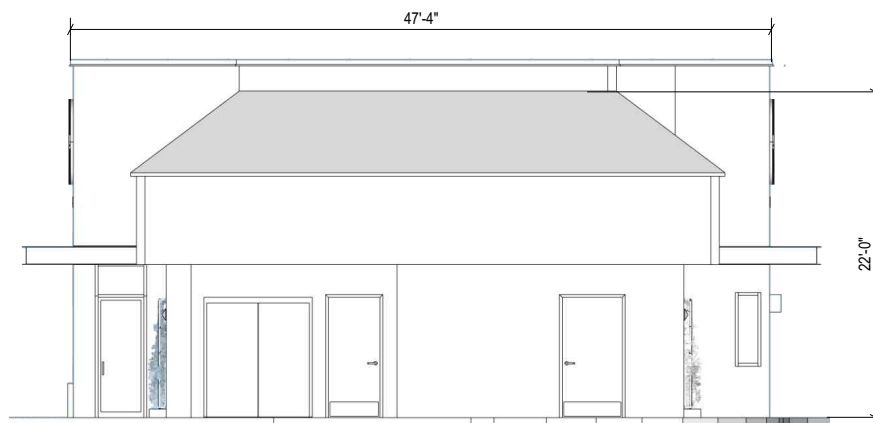
21-253



Page: ELE.2

1 NORTH ELEVATION

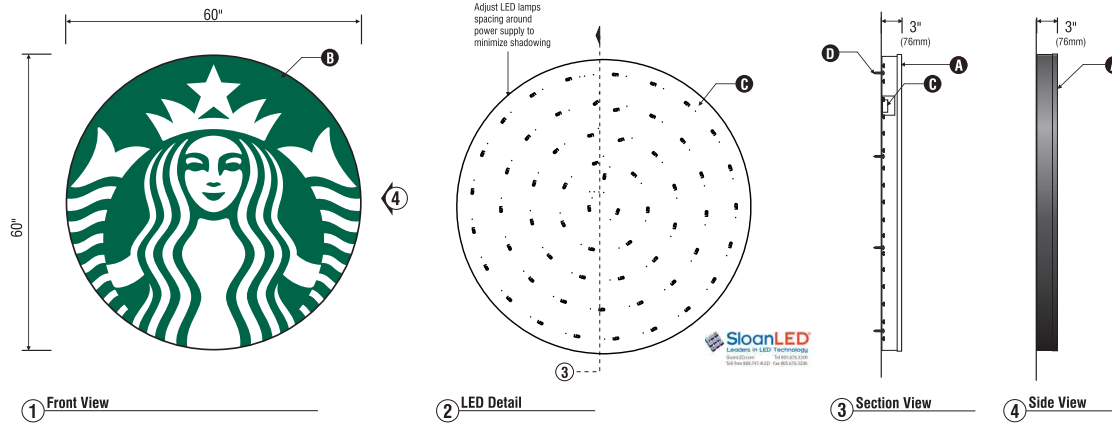
SCALE: 1/8" = 1'



2 EAST ELEVATION

SCALE: 1/8" = 1'

Design ID #13164



A 60" Illuminated Logo Disc - Wall Mounted ~ Qty (2)

Sq.Ft.
19.62

Scale: 1/2"= 1'

SPECIFICATIONS:

- A** 60" (1524mm) Single faced internally illuminated wall mount logo disc. Cabinet to be 3" (76mm) deep, fabricated aluminum sidewalls and back. Paint cabinet black polyurethane. Faces to be 3/16" (5mm) Acrylite 015-2GP, 1" (25mm) black trimcap with square head screws retainer edging.
- B** Graphics of logo to be 1st surface 3M Translucent Scotchcal vinyl- Holly Green #3630-76. Siren to show thru White.
- C** Internally illuminated logo disc with Sloan Prism Enlightne white 6500k, laid out at 1.5 modules per foot, 6" on center installed to back of disc with self-contained power supply with U.L approved enclosure.
- D** Flushed mounted to fascia (minium (4) with minimum 3" embedment)

Sign must be approved by the National Electrical Code, Underwriters Laboratory, CUL, and all applicable local codes. Disconnect switch in primary to be within sight of sign (sign includes power supply enclosure) REF: NEC 110-3(B) 600-2, 600-4, Primary electrical source 1/2"(13mm) conduit (minimum) REF: NEC 600-6, 600-21 (provided by installer).

MOUNTING HARDWARE CHART			
	MASONRY	WOOD	METAL
1/4" BOLTS THRU WALL	*	*	*
1/4" LAGS W/ SHIELD	*		
1/4" LAG BOLTS		*	
1/4" TOGGLE BOLTS			*

Disk 60in S/F Illuminated wall mount EVOLVED			
Size	Sq.Ft.	Sq.M.	Volts
60" (1524mm)	19.62	1.82	120



Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:
6-23-21

Drawn by:
L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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X00102



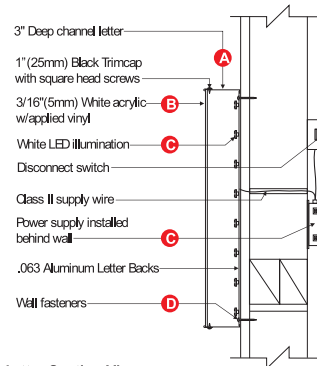
B 8" DAY/NITE DRIVE THRU LETTERS~ Qty (2) sign area 3.66 sq. ft
Scale 1" = 1'-0"

DRIVE THRU SPECIFICATION:

- A** Internally illuminated channel letters to be fabricated from 0.040 / 3003 aluminum with pre painted White interiors and painted Black polyurethane exteriors, 3"(76mm) deep. Letters backs to be .063 Black & White aluminum pop-riveted to sidewalls and sealed.
- B** Faces to be 3/16" clear acrylic with black trim cap retainer edging, letters face to be 3M day/nite perforated vinyl overlay, with white 3M diffuser second surface.
- C** Internally illuminated with Sloan Prism Enlighten white 6500k, laid out 1.5 modules per foot, 6" on center installed to back of letter with sloan power supply with U.L. approved closure.
- D** Fasten letters flush to wall with required fasteners.



Sign must be approved by the National Electrical Code, Underwriters Laboratory, CUL, and all applicable local codes.
Disconnect switch in primary to be within sight of sign (sign includes power supply enclosure) REF: NEC 110-3(B) 600-2, 600-4
Primary electrical source (1/2"(13mm) conduit minimum) REF: NEC 600-6, 600-21 (provided by installer)



Letter Section View
NTS

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:
6-23-21

Drawn by:
L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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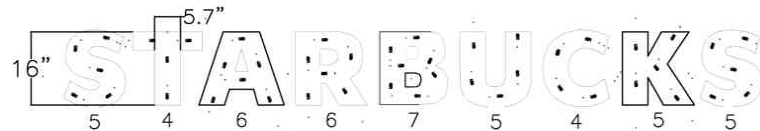


Page: 2.0

Design # 16496



C 16" DAY/NITE CHANNEL LETTERS ~ Qty (1) sign area 17.18 sq. ft
SCALE: 3/8"=1'



LED LAYOUT

Scale: 1/4"= 1'

STARBUCKS SPECIFICATION:

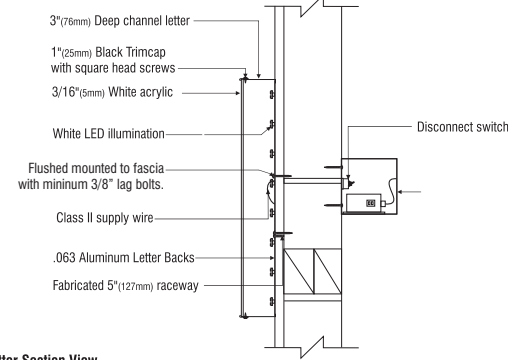
- Internally illuminated channel letters to be fabricated from 0.040 / 3003 aluminum with pre painted White interiors and painted Black polyurethane exteriors, 3"(76mm) deep. Letters backs to be .063 Black & White aluminum pop-riveted to sidewalls and sealed.
- Faces to be 3/16" white acrylic faces with 3M Day/Nite perforated vinyl black trim cap retainer edging. I
- Internally illuminated with Sloan Prism Entlighten white 6500K, laid out 1.5 modules per foot, 6" on center installed to back of letter with sloan power supply with U.L. approved closure.
- Fasten letters flush to wall with required fasteners.



Sign must be approved by the National Electrical Code, Underwriters Laboratory, CUL, and all applicable local codes.
Disconnect switch in primary to be within sight of sign (sign includes power supply enclosure) REF: NEC 110-3(B) 600-2, 600-4
Primary electrical source (1/2"(13mm) conduit minimum) REF: NEC 600-6, 600-21 (provided by installer)



Size	Sq. Ft.	Volts	Amps
16" (406mm)	17.18	120	.7



Letter Section View

Scale: NTS

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:
6-23-21

Drawn by:
L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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X00102



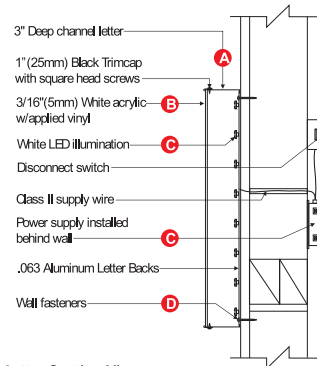
D 10" DAY/NITE DRIVE THRU LETTERS~ Qty (1) sign area 10.41 sq. ft
Scale 1" = 1'-0"

DRIVE THRU SPECIFICATION:

- A** Internally illuminated channel letters to be fabricated from 0.040 / 3003 aluminum with pre painted White interiors and painted Black polyurethane exteriors, 3"(76mm) deep. Letters backs to be .063 Black & White aluminum pop-riveted to sidewalls and sealed.
- B** Faces to be 3/16" clear acrylic with black trim cap retainer edging, letters face to be 3M day/nite perforated vinyl overlay, with white 3M diffuser second surface.
- C** Internally illuminated with Sloan Prism Enlighten white 6500k, laid out 1.5 modules per foot, 6" on center installed to back of letter with sloan power supply with U.L. approved closure.
- D** Fasten letters flush to wall with required fasteners.



Sign must be approved by the National Electrical Code, Underwriters Laboratory, CUL, and all applicable local codes.
Disconnect switch in primary to be within sight of sign (sign includes power supply enclosure) REF: NEC 110-3(B) 600-2, 600-4
Primary electrical source (1/2"(13mm) conduit minimum) REF: NEC 600-6, 600-21 (provided by installer)



Letter Section View
NTS

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:
6-23-21

Drawn by:
L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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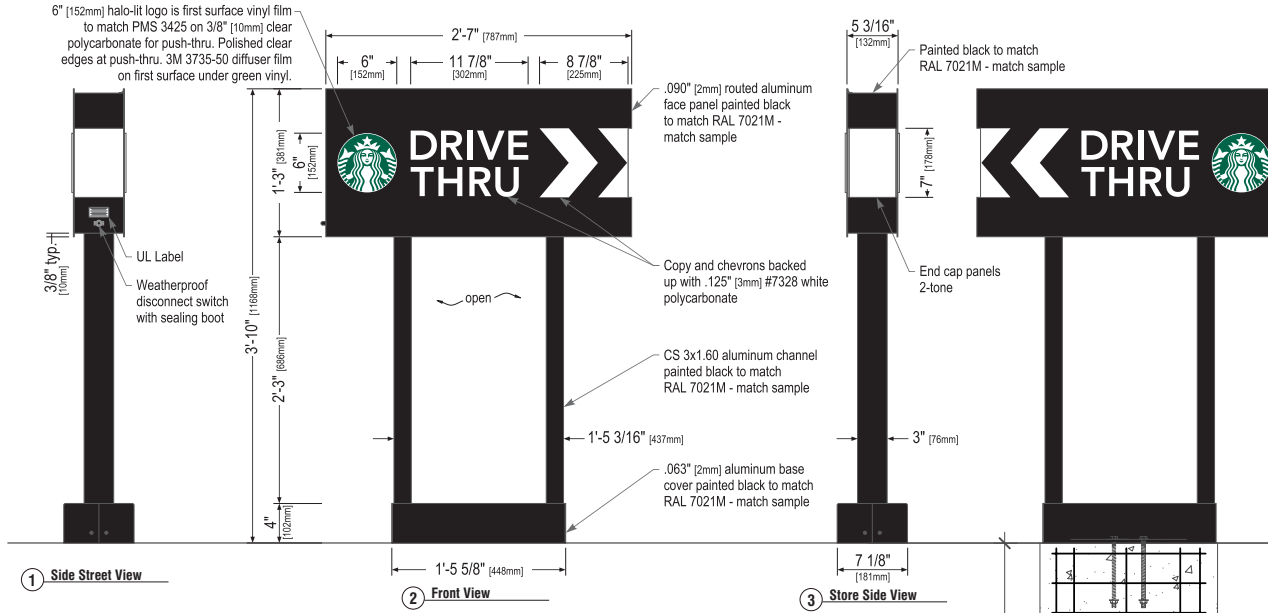
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Drawing No

21-253



Page: **4.0**



Sign Specifications:

Design ID#14104



Cabinet:

- Fabricated .090" [2mm] aluminum housing painted black to match RAL 7021M with white end caps as shown.
- Directional copy and chevrons backed up with .125" [3mm] #7328 white polycarbonate. Siren logo is 6" [152mm] diameter, 3/8" [10mm] clear polycarbonate routed to push thru aluminum face. Decorate logo with 1st surface computer cut vinyl film to match PMS 3425 and 3735-50 diffuser film underneath green vinyl. Edges of push thru logo are to be clear polished. All polycarbonate face elements to be attached to aluminum face panel with weld studs.
- Interior aluminum surfaces of sign cabinet to be painted white with Lacryl Starbrite.
- Welded aluminum construction with no visible fasteners. Fasteners retaining the hinged face will be located on the bottom such that they are not visible. All fasteners used in the assembly of internal components shall be coated to prevent corrosion.
- Internal structure of cabinet shall be per approved shop drawings.
- Internally illuminated logo disc with Sloan Prism Enlighten white 6500k, laid out at 1.5 modules per foot, 7" on center with self-contained power supply with U.L. approved enclosure.

Support:

- Supporting structure will be all welded aluminum tube and channel construction painted black to match RAL 7021M as per approved shop drawings and shall be integral to the sign cabinet.
- Base tube will be constructed so that it can be retro-fittable to existing sign foundations. All foundations, existing and new must be analyzed for suitability and must meet all local city or state codes regulations.

Regulatory:

- Sign must meet all regulations in the National Electric Code as well as any local or state electrical codes.
- As per NEC 600.6, sign is equipped with a service disconnect switch.
- Sign must be listed as an Electric Sign per Underwriters Laboratories UL48 and/or CSA and bear the appropriate UL, CUL or CSA relevant certification marks.
- Primary power by electrical contractor per NEC.

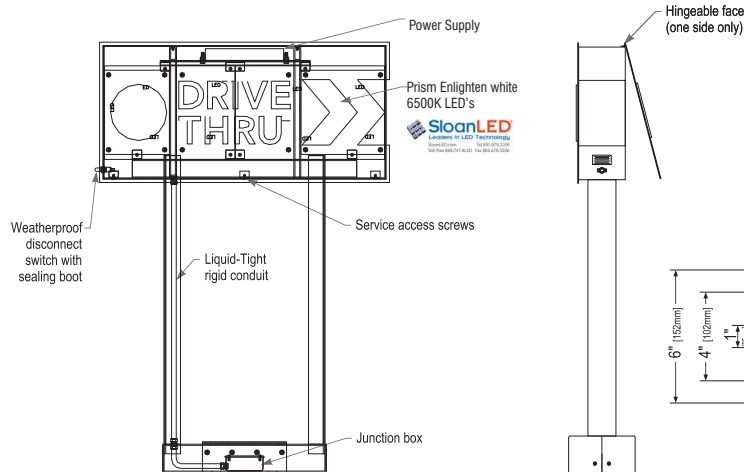


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This drawing is a Design Development Document. Site specific modifications made under the responsible charge of the Architect and/or Engineer-of-Record will be required prior to using this document for Bidding, Permitting, or Construction.

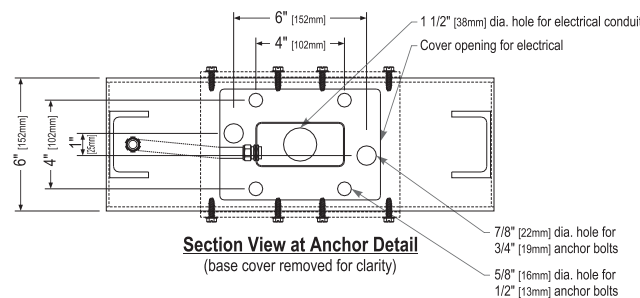
E D/F DRIVE THRU DIRECTIONAL SIGNS~ Qty (2)

Scale: 1"= 1'



Vertical Cross-Section View, Typ.

Service Position View



Section View at Anchor Detail
(base cover removed for clarity)

Size	Sq. Ft. ¹	Sq. Ft. ²	Volts	Amps
46" (1168mm)	1.51	9.90	120	0.85

1: Figured as illuminated center part
2: Figured as complete signage

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date: 6-23-21 Drawn by: L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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Web: www.signindustries.tv

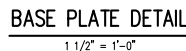
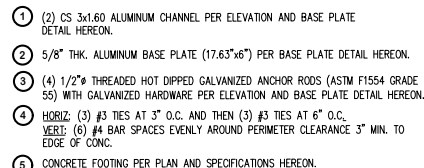
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Drawing No

21-253

Page: **5.0**





1. DESIGN AND CONSTRUCTION IN COMPLIANCE TO ACI 318-14.
2. STEEL REINFORCEMENT IN CONCRETE ASTM A615 GRADE 60.
3. COMPRESSIVE STRENGTH AT 28 DAYS: $f'_c = 2,500$ PSI MIN.
4. PROVIDE A MINIMUM 3" CONCRETE COVER OVER ALL EMBEDDED STEEL.
5. CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH SOIL.
6. SOIL PASSIVE PRESSURE PER CBC CLASS 5 (100 PCF).

1. FABRICATE AND ERECT ALUMINUM IN COMPLIANCE WITH THE MOST CURRENT ALUMINUM ASSOCIATION ALUMINUM DESIGN MANUAL 1.
2. ALUMINUM ELEMENTS 6061-T6
3. ALL SHOP AND FIELD WELDS SHALL BE PERFORMED BY AN AISC QUALITY CERTIFIED FABRICATOR.
4. UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM SIZE OF WELD TO MATCH SMALLEST MEMBER/MATERIAL SIZE.
5. ALL WELDS SHALL BE MADE IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN THE AISC WELDING QUALITY STANDARDS BASED UPON THE CURRENT EDITION OF AWS/AWS D12. WELDERS AND WELDING OPERATORS SHALL BE QUALIFIED AS PROVIDED IN THE CODE.

Base Plate Check		Size:	Nominal Yield Moment
Mu=	0.484 k-ft	t: 0.625 in	Mnps/FyZ: 1.46 k-in
Vu=	5.81 kip	a: 4 in	0.9
Tu=	0.16 kip	Arm: 0.5 in	PhiMpL: 0.32 k-in
		add: 1 in	Demand/Capacity: 1.28 OKAY
Vpr	1.45 kip	2: 2 bolts	
Tb=	0.73 kip/bolt	Aluminum 6061-T6	Nominal Yield Moment
Mo PL=	0.41 kip	Ftpr: 24 ksi	Mnps/FyZ: 2.34 k-in
		Ftypr: 15 ksi	0.6
Sj[m]=	0.065	Ftypr: 15 ksi	PhiMpL: 0.11 k-in
Sj[m]=	0.098	Ft: 1	Demand/Capacity: 2.17 OKAY

Check Aluminum Rectangular Tube						
Mat#	0.484	k-ft	Mat#	5.809	k-in	Aluminum 6061-T6
Size	C3x1.6	Sx	1.310	in ³	F _{allow}	24 ksi
		2x	1.510	in ³	F _{yield}	15 ksi
		Req Z	0.39		F _{yield}	15 ksi
					K _{te}	1
Normal Yield Moment			Nominal Rupture Moment			
M _{np}	22.65	k-in	M _{np}	36.24	k-in	
φ _c	0.9		φ _c	0.9		
φ _c M _{np}	20.39	k-in	φ _c M _{np}	32.62	k-in	
D/C	0.26		D/C	0.18		

1	08-11-21	L.S
2	08-23-21	L.S
3		
4		
5		
6		

☐ 120 Volts ☐ 277 Volts

YR ENGINEERING LP
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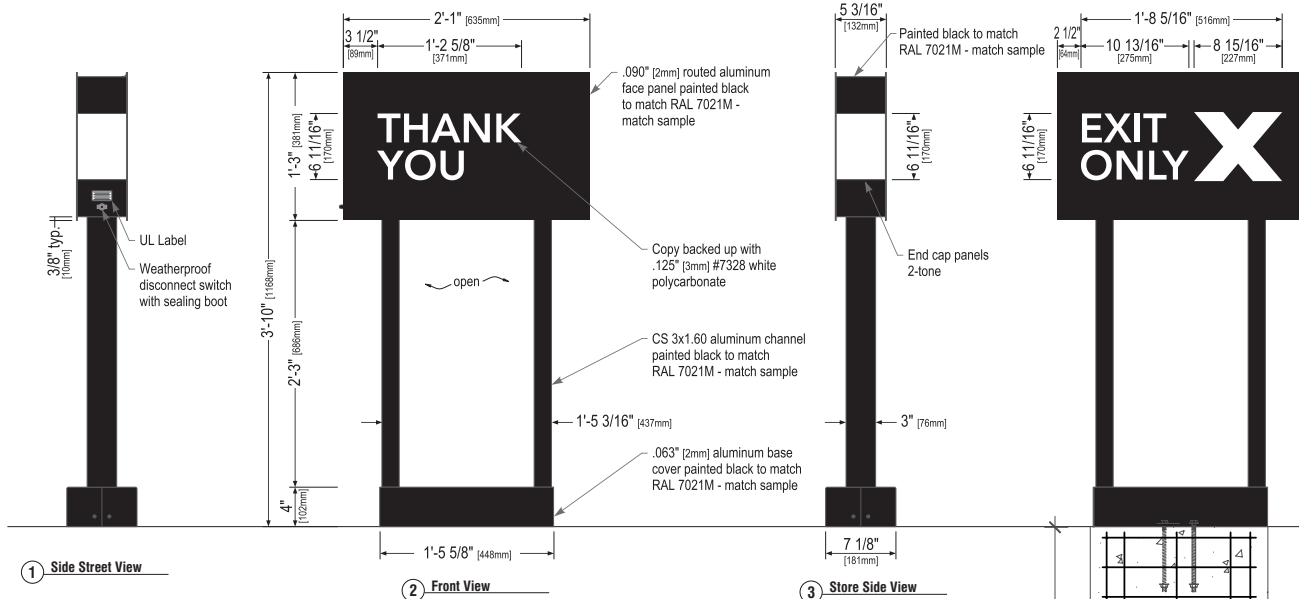
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NO	REVISION	BY	APPROVED	DATE

CHECKED BY: YR	JOB NO: 2012-00		SHEET: 1 OF 1	
DISREGARD PRINTS BEARING EARLIER REVISION DATES	10-22-20	12-15-20		

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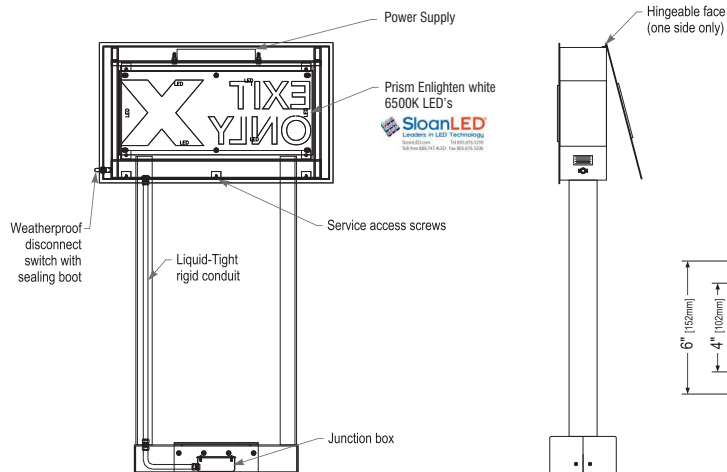
Page: 5.1





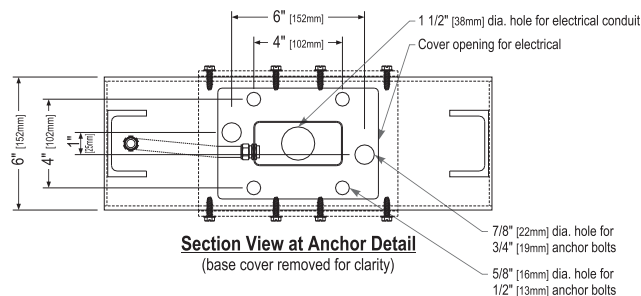
F D/F EXIT DIRECTIONAL SIGNS~ Qty (1)

Scale: 1"= 1'



Vertical Cross-Section View, Typ.

Service Position View



Section View at Anchor Detail
(base cover removed for clarity)

4 Rear View

Sign Specifications:

Design ID#14191



Cabinet:

- Fabricated .090" [2mm] aluminum housing painted black to match RAL 7021M with white end caps as shown.
- Directional copy backed up with .125" [3mm] #7328 white polycarbonate. All polycarbonate face elements to be attached to aluminum face panel with weld studs.
- Interior aluminum surfaces of sign cabinet to be painted white with Lacryl Starbrite.
- Welded aluminum construction with no visible fasteners. Fasteners retaining the hinged face will be located on the bottom such that they are not visible. All fasteners used in the assembly of internal components shall be coated to prevent corrosion.
- Internal structure of cabinet shall be per approved shop drawings.
- Internally illuminated logo disc with Sloan Prism Enlighten white 6500K, laid out at 1.5 modules per foot, 7" on center with self-contained power supply with U.L approved enclosure.

Support:

- Supporting structure will be all welded aluminum tube and channel construction painted black to match RAL 7021M as per approved shop drawings and shall be integral to the sign cabinet.
- Base tube will be constructed so that it can be retro-fittable to existing sign foundations. All foundations, existing and new must be analyzed for suitability and must meet all local city or state codes regulations.

Regulatory:

- Sign must meet all regulations in the National Electric Code as well as any local or state electrical codes.
- As per NEC 600.6, sign is equipped with a service disconnect switch.
- Sign must be listed as an Electric Sign per Underwriters Laboratories UL48 and/or CSA and bear the appropriate UL, CUL or CSA relevant certification marks.
- Primary power by electrical contractor per NEC.



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This drawing is a Design Development Document. Site specific modifications made under the responsible charge of the Architect and/or Engineer-of-Record will be required prior to using this document for Bidding, Permitting, or Construction.

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:

6-23-21

Drawn by:

L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



2101 Cerrillo Privado, Ontario, CA 91761
(909) 930-0303 Fax: (909) 930-0308
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Drawing No

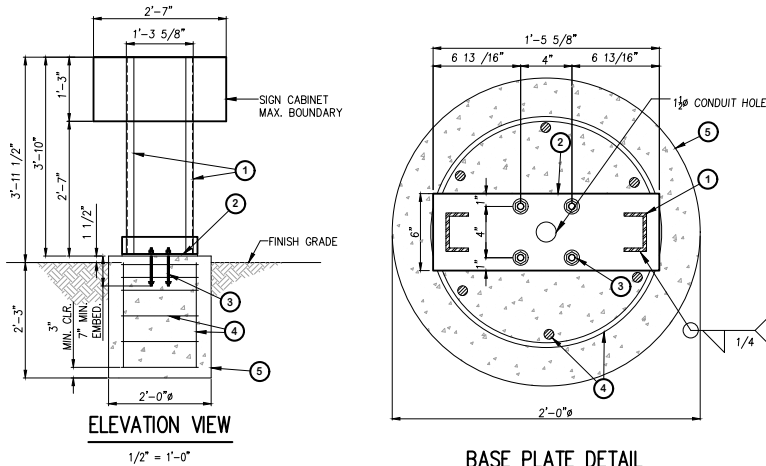
21-253

Page: 6.0



Size	Sq. Ft. ¹	Sq. Ft. ²	Volts	Amps
46" (1168mm)	0.94	7.99	120	0.85

1: Figured as illuminated center part
2: Figured as complete signage



- 1 (2) CS 3x1.60 ALUMINUM CHANNEL PER ELEVATION AND BASE PLATE DETAIL HEREON.
- 2 5/8" THK. ALUMINUM BASE PLATE (17.63"x6") PER BASE PLATE DETAIL HEREON.
- 3 (4) 1/2" THK. GALVANIZED HOT DIPPED GALVANIZED ANCHOR RODS (ASTM F1554 GRADE 55) WITH GALVANIZED HARDWARE PER ELEVATION AND BASE PLATE DETAIL HEREON.
- 4 HORIZ: (3) #3 TIES AT 3" O.C. AND THEN (3) #3 TIES AT 6" O.C. VERT: (6) #4 BAR SPACES EVENLY AROUND PERIMETER CLEARANCE 3" MIN. TO EDGE OF CONC.
- 5 CONCRETE FOOTING PER PLAN AND SPECIFICATIONS HEREON.

GENERAL NOTES:

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, THE 2019 CALIFORNIA BUILDING CODE (CBC), AND 2018 INTERNATIONAL BUILDING CODE (IBC).
2. ANY CONFLICTS BETWEEN THESE DRAWINGS, STANDARDS NOTED HEREIN, PROJECT REQUIREMENTS, AND/OR OTHER REFERENCE DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE CIVIL ENGINEER, WHERE CONFLICTS OCCUR, THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.
3. PROVIDE ISOLATION OF DISSIMILAR MATERIALS

DESIGN CRITERIA:

1. STRUCTURE IS DESIGNED IN ACCORDANCE WITH ASCE 7-16 BASIC WIND SPEED: 130 MPH RISK CATEGORY: II EXPOSURE CATEGORY: C SITE CLASS: D OCCUPANCY CATEGORY: II SEISMIC DESIGN CATEGORY: D IMPORTANCE FACTOR: 1.0 RESPONSE MODIFICATION FACTOR: $R_p=3.0$ AMPLIFICATION FACTOR: $A_p=2.5$

CONCRETE:

1. DESIGN AND CONSTRUCTION IN COMPLIANCE TO ACI 318-14.
2. STEEL REINFORCEMENT IN CONCRETE ASTM A615 GRADE 60.
3. COMPRESSIVE STRENGTH AT 28 DAYS: $f'_c=2,500$ PSI MIN.
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5. CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH SOIL.
6. SOIL PASSIVE PRESSURE PER CBC CLASS 5 (100 PCF).

ALUMINUM

1. FABRICATE AND ERECT ALUMINUM IN COMPLIANCE WITH THE MOST CURRENT ALUMINUM ASSOCIATION ALUMINUM DESIGN MANUAL 1.
2. ALUMINUM ELEMENTS 6061-T6
3. ALL SHOP AND FIELD WELDS SHALL BE PERFORMED BY AN AISC QUALITY CERTIFIED FABRICATOR.
4. UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM SIZE OF WELD TO MATCH SMALLEST MEMBER/MATERIAL SIZE.
5. ALL SHOP CONNECTIONS SHALL BE WELDED IN CONFORMANCE WITH STANDARDS BASED UPON THE CURRENT EDITION OF ANSI/AWS D1.2. WELDERS AND WELDING OPERATORS SHALL BE QUALIFIED AS PROVIDED IN THE CODE.

WINLOADS PER ASCE 7-16:

(29.3-1)	Freq. "G" $G \cdot C \cdot A_s$	(26.10-1)	$q_s = 0.00256 \cdot K_z \cdot K_{zt} \cdot K_d \cdot V^2 \cdot I$
(26.5)	Risk Category:	II	
(26.6-1)	Wind Speed (V):	130	mph per ATC Council
(26.7)	Directional Fac. (K_d):	0.85	(Table 26.6-1)
(26.8-1)	Exposure Category:	C	
(26.8-2)	Topo Fac. (K_{zt}):	1	(unless unusual terrain)
(26.8)	Ground Elev. Fac. (K_z):	1	(for all elevation)
(26.11)	Gust Effect Fac. (G):	0.85	
	s (height of affected area)	1.25	ft
	h (height)	4	ft
	B (width of affected area)	2.583	ft
	I/H	0.31	
	B/H	2.07	
	Force Coefficient (C_f):	1.794	
	Velocity pressure exposure coefficient (K_z):		(Table 29.3-1)
	for $s/h=1$, add 10%		ASCE fig. 29.4-1 therefore: 1.0
	If 2 poles, spacing between:	1.3	O.C.

Structure Component	Height at section c.g. ft	K_z factor	q_s psf	$q_s \cdot G \cdot C_f$ psf	A_v ft ²	Shear lb	Wind Moment lb-ft
1	0.33	0.85	31.26	47.66	0.5	24	8
2	3.38	0.85	31.26	47.66	3.3	357	532
Forces at finish grade		2 pole distribution factor	0.90	4	163	484	

DIRECT BURIAL FOOTING:

M_u	0.48	k-ft	(0.68 M_u):	0.29	k-ft	w :	1.3	IBC 1805.3.2
V_u	0.16	kips	(0.68 V_u):	0.10	kips			
P	0.13	kips	S1:	Sed/3		200.00	psf	IBC 1806.1
Base	2	ft	A:	2.34" (51ab)	12 ft or	1068	psf MAX	IBC 1806.3.4
Depth	2.25	ft deep				0.74	ft	IBC 1807.3.2.1
h	2.98	ft	d:	0.54d (1+3+4+308a)		1.07	ft	
W	100	psf/ft						
S_u	266.667	psf/ft	IBC Table 1806.2					

BASE PLATE DESIGN:

Base Plate Check		Size		Nominal Yield Moment				
Mun	0.484	k-ft	1	0.625	in	MnpFy*Z	1.46	k-in
	5.81	k-in	S	4	in	Phi	0.9	
Vun	0.16	kip	Arm	0.5	in	Phi*Mu	1.32	k-in
			b eff	1	in	Demand/Capacity	0.28	OKAY
			n	2	bolts			
Tgrp	1.45	kip	Aluminum 6061-T6			Nominal Yield Moment		
Tbr	0.73	kip/bolt	Flange	24	ksi	MnpFy*Z	1.34	k-in
Mu PL	0.4	k-in	Flange	15	ksi	Phi	0.9	
			F cyw	15	ksi	Phi*Mu	2.11	k-in
S (in³)	0.065		Kt	1		Demand/Capacity	0.17	OKAY
Z (in³)	0.098							

ALUMINUM COLUMN DESIGN:

Check Aluminum Rectangular Tube						
M_u	0.484	k-ft	M_u	5.809	k-in	Aluminum 6061-T6
Size	C3x1.6		S	1.310	in ³	F_{tuyon} 24 ksi
			Z	1.510	in ³	F_{tuyon} 15 ksi
			Req Z	0.39		F_{oyon} 15 ksi
						Kt 1
Normal Yield Moment			Nominal Rupture Moment			
M_{np}	22.65	k-in	M_{np}	36.24	k-in	
ϕ_u	0.9		ϕ_u	0.9		
$\phi_u M_{np}$	20.39	k-in	$\phi_u M_{np}$	32.62	k-in	
D/C:	0.28		D/C:	0.18		



YOSMAR RAMOS
R.C.E. 89832
LIC. EXP 06/30/21

PREPARED BY:



YR ENGINEERING LP
424 E. MAITLAND ST.
SUITE A
ONTARIO, CA 91761
PHONE: (626) 374-5881
EMAIL: YRAMOS@YRENGINEERING.COM

NO	REVISION	BY	APPROVED	DATE

STARBUCKS DRIVE THRU SIGNAGE DIRECTIONAL SIGNAGE VARIOUS LOCATIONS, CALIFORNIA

PREPARED FOR: SIGN INDUSTRIES, INC.

CHECKED BY: YR	JOB NO: 2012-00	SHEET: 1 OF 1
DISREGARD PRINTS BEARING EARLIER REVISION DATES	10-22-20	12-15-20

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date: 6-23-21
Drawn by: L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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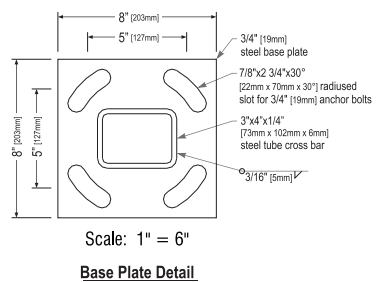
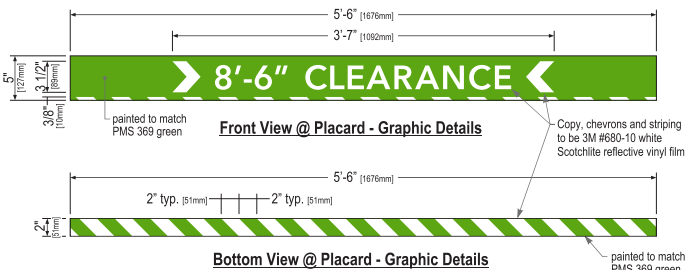
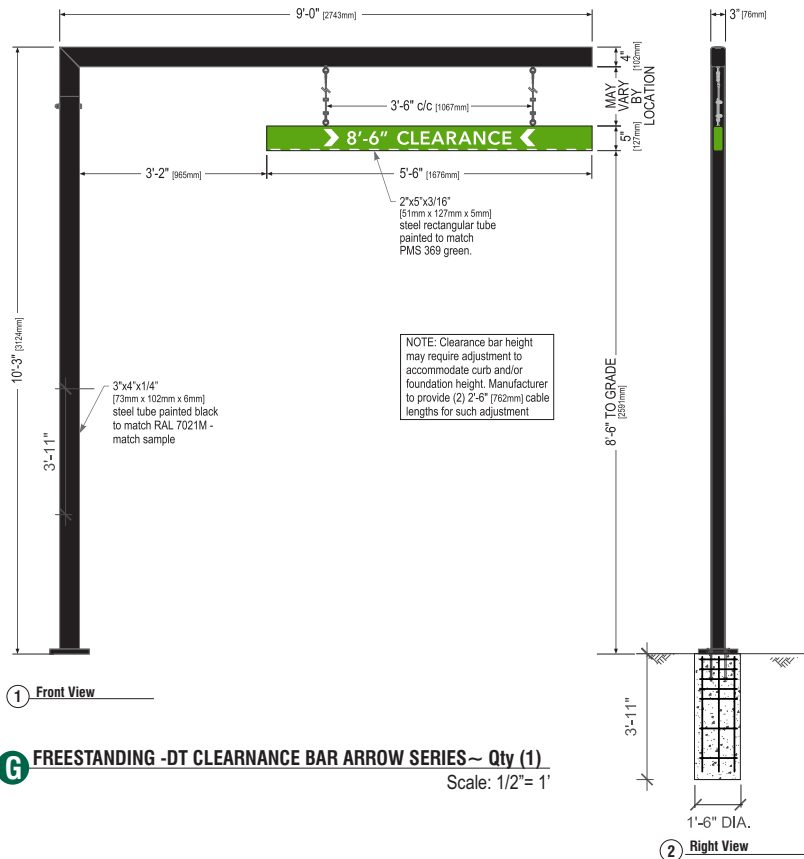
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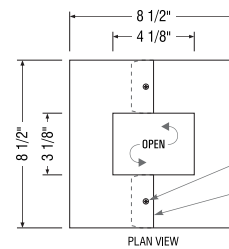
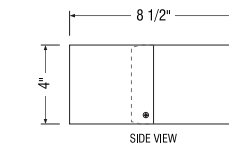
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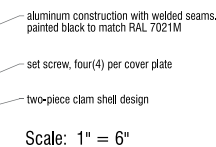
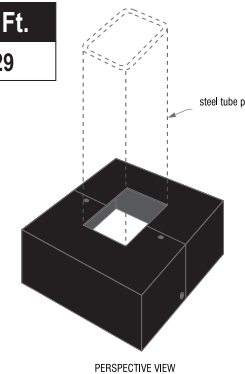




Size	Sq. Ft.
10'-3" (3124mm)	2.29



Base Plate Cover Detail



Design ID#14106



SPECIFICATIONS:

Scraper Bar:

- 2"x5" [51mm x 127mm] steel tube painted to match PMS 369 green.
- Flush steel end caps painted to match PMS 369 green.
- Copy and chevrons to be 1st surface computer cut 3M #680-10 white Scotchlite reflective vinyl film.
- Bottom striping to be 1st surface computer cut 3M #680-10 white Scotchlite reflective vinyl film. Striping extends 3/8" [10mm] onto front face.
- Suspend from support with SS cable & hardware. Cable provided requires field adjustment for proper clearance height.

Support:

- Supporting structure will be all welded steel tube construction painted black to match RAL 7021M as per approved shop drawings.
- Base tube will be constructed so that it can be retro-fittable to existing sign foundations. All foundations, existing and new must be analyzed for suitability and must meet all local city or state codes regulations.

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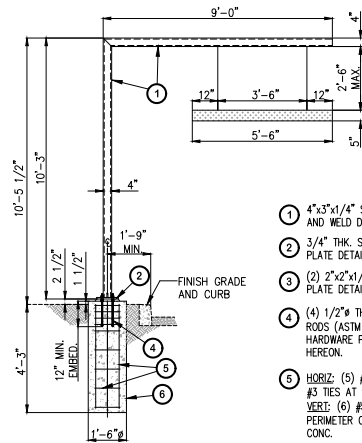
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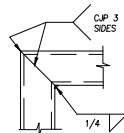




ELEVATION VIEW

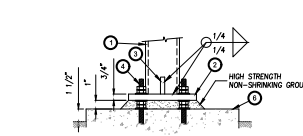
1/4" = 1'-0"

- 4"x3"x1/4" SQ. HSS FRAME PER ELEVATION AND WELD DETAIL HEREON.
- 3/4" THK. STEEL BASE PLATE (8"x8") PER BASE PLATE DETAIL HEREON.
- (2) 2"x2"x1/4" STEEL GUSSET PLATE PER BASE PLATE DETAIL HEREON.
- (4) 1/2" THREADED HOT DIPPED GALVANIZED ANCHOR RODS (ASTM F1554 GRADE 55) WITH GALVANIZED HARDWARE PER ELEVATION AND BASE PLATE DETAIL HEREON.
- HORIZ: (5) #3 TIES AT 3" O.C. AND THEN (4) #3 TIES AT 9" O.C.
- VERT: (6) #5 BARS SPACES EVENLY AROUND PERIMETER CLEARANCE 3" MIN. TO EDGE OF CONC.
- CONCRETE FOOTING PER PLAN AND SPECIFICATIONS HEREON.



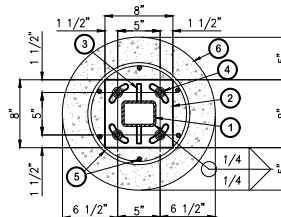
CORNER HSS CONNECTION

NTS



BASE PLATE DETAIL (ELEV VIEW)

1 1/2" = 1'-0"



BASE PLATE DETAIL (PLAN VIEW)

1 1/2" = 1'-0"

GENERAL NOTES:

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- PROVIDE ISOLATION OF DISSIMILAR MATERIALS

DESIGN CRITERIA:

- STRUCTURE IS DESIGNED IN ACCORDANCE WITH ASCE 7-16
BASIC WIND SPEED: 130 MPH
RISK CATEGORY: II
EXPOSURE CATEGORY: C
SITE CLASS: D
OCCUPANCY CATEGORY: II
SEISMIC DESIGN CATEGORY: D
RESPONSE MODIFICATION FACTOR: $R_p=3.0$
AMPLIFICATION FACTOR: $A_p=2.5$

CONCRETE:

- DESIGN AND CONSTRUCTION IN COMPLIANCE TO ACI 318-14.
- STEEL REINFORCEMENT IN CONCRETE ASTM A615 GRADE 60.
- COMPRESSIVE STRENGTH AT 28 DAYS: $f'_c=2500$ PSI MIN.
- PROVIDE A MINIMUM 3" CONCRETE COVER OVER ALL EMBEDDED STEEL.
- CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH SOIL.
- SOIL PASSIVE PRESSURE PER CBC CLASS 5 (100 PCF).

WINDLOADS PER ASCE 7-16:

(29.3-1)	$F_{eq} = G C_p C_A$	(26.10-1)	$q_s = 0.00256 V^2 K_z K_{zt} K_d V^2$
(29.3-1)	Risk Category: II		
(26.5)	Wind Speed (V):	130	mph per ATC Council
(Table 26.6-1)	Directional Fac. (K_d):	0.85	(Table 26.6-1)
(26.7)	Exposure Category:	C	
(26.8.2)	Topo Fac. (K_z):	1	(unless unusual terrain)
(26.9)	Ground Elev. Fac. (K_{zt}):	1	(for all elevations)
(26.11)	Gust Effect Fac. (G):	0.85	
	h (height of affected area):	0.42	ft
	b (width of affected area):	10.25	ft
	s/b:	0.04	
	b/w:	13.10	
	Force Coefficient (C_p):	1.0	
	Velocity pressure exposure coefficient (K_z):	1.0	(Table 29.3-1)
	For $s/h=1$, add 10%		ASCE fig. 29.4-1 therefore: 1.0

Structure Component	Height at section c.g. ft	(Table 26.10-1)	q_s	$q_s G C_p$	A_p	Shear	Wind Moment
1	0.1	0.85	33.26	50.48	0.1	15	2
2	5.33	0.85	33.26	50.48	5.42	173	929
3	10.29	0.85	33.26	50.48	3	151	1554
4	10.29	0.85	33.26	50.48	2.3	116	1195

STEEL REC. 4x3 HSS DESIGN:

F_y	46	ksi	Area of Sign	9	ft ²	Max	9.7	k-ft
F_u	26000	ksi	Wind Load	50.48	psf	V_{eq}	0.5	kips
Size H (in)	3		Section Member Design					
Size B (in)	4							
t (in)	1/4							
Length (ft)	10.25							
A_g (in ²)	3.04		4.71 $\sqrt{E F_y}$	118.3				
r (in)	1.38		Use: Eq. 2					
Z (in ³)	3.32		For: Eq. 1	2.42		(E3-3)		
S (in ²)	2.80		Eq. 2	0.73		(E3-3)		
I (in ⁴)	4.20		Flanges: $b/t \leq 14.2$	$< 1.12 \sqrt{E F_y} / (b/t)$	28	True, Section is Compact		
Wt (lb)	114		Web: $b/t \leq 9.9$	$< 1.49 \sqrt{E F_y} / (b/t)$	35	False, Try other		
Wt	0.44			$< 2.45 \sqrt{E F_y} / (b/t)$	41	True, Section is Compact		
Sec	0.33			$< 5.70 \sqrt{E F_y} / (b/t)$	343	False, Try other		
						LRFD $\phi=0.90$		
Plastic Moment	Compact Shapes							
Plastic Moment	Noncompact Shapes							
Z req.	3.07	in ³	Choose Size (Z)	3.32	in ³	OKAY	0.52	

DIRECT BURIAL FOOTING:

Direct Burial Footing Design:

M_u	3.73	k-ft	(0.80 M_u)	2.24	k-ft	W_u	1.3	kip
V_u	0.46	kips	(0.80 V_u)	0.27	kips			
P	0.96	kips	DC: Sd=0			325.37	psf	OK OKAY
Base	1.5	ft dia.				1068.00	psf	OK OKAY
Depth	4.10	ft deep	A: $2.34 \sqrt{f'_c} / (d/b)$	1.44	ft	OK	1007.0.0.0	
b	8.19	in						
S	287	psf/ft	d: $0.54(1+(1+14.380A))$	4.37	ft			

BASE PLATE DESIGN:

Base Plate Check:

M_u	3.73	k-ft	Size:	1	0.75	in	Nominal Yield Moment	$M_{np} \phi F_y$	15.19	k-in
V_u	0.46	kips		1	6	in	ϕ_u		0.9	
	0.46	kip		2	1.5	in	$\phi_u M_u$		13.67	OKAY
				3	3	in	Demand/Capacity:	0.41	OKAY	
Trip	7.46	kip		2	bolts					
Tb	3.73	kip/bolt	Steel A36				Nominal Yield Moment	$M_{np} \phi F_y$	15.19	k-in
$M_u \phi$	5.9	k-in		30	ksi		ϕ_u		0.9	
				30	ksi		$\phi_u M_u$		13.67	OKAY
S (in ³)	0.281		F type:	35	ksi		Demand/Capacity:	0.41	OKAY	
Z (in ³)	0.422		W:	1						

STEEL:

- SQUARE/REC HSS STEEL: ASTM A500GR. B $F_y=46$ KSI
- PLATE STEEL: ASTM A36 $F_y=36$ KSI
- STRUCTURAL STEEL MEMBERS SHALL BE SHEARED, FORMED, PUNCHED, WELDED, AND PAINTED BY THE MANUFACTURER. ALL SHOP CONNECTIONS SHALL BE WELDED IN CONFORMANCE WITH STANDARDS BASED UPON THE CURRENT EDITION OF AWS/AWS D1.1. WELDERS AND WELDING OPERATORS SHALL BE QUALIFIED AS PROVIDED IN THE CODE.



YOSIMAR RAMOS
R.C.E. 89832
LIC. EXP 06/30/21

PREPARED BY:



YR ENGINEERING LP
424 E. MAITLAND ST.
SUITE A
ONTARIO, CA 91761
PHONE: (626) 374-5881
EMAIL: YRAMOS@YRENGINEERING.COM

NO	REVISION	BY	APPROVED	DATE

STARBUCKS DRIVE THRU SIGNAGE CLEARANCE BAR DETAILS VARIOUS LOCATIONS, CALIFORNIA

PREPARED FOR: SIGN INDUSTRIES, INC.

CHECKED BY: YR	JOB NO: 2012-00	SHEET: #1 OF 1
DISREGARD PRINTS BEARING EARLIER REVISION DATES	10-22-20	

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:

6-23-21

Drawn by:

L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



2101 Cerrillo Private, Ontario, CA 91761
(909) 930-0303 Fax: (909) 930-0308
E-mail: design@signindustries.tv
Web: www.signindustries.tv

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Drawing No

21-253

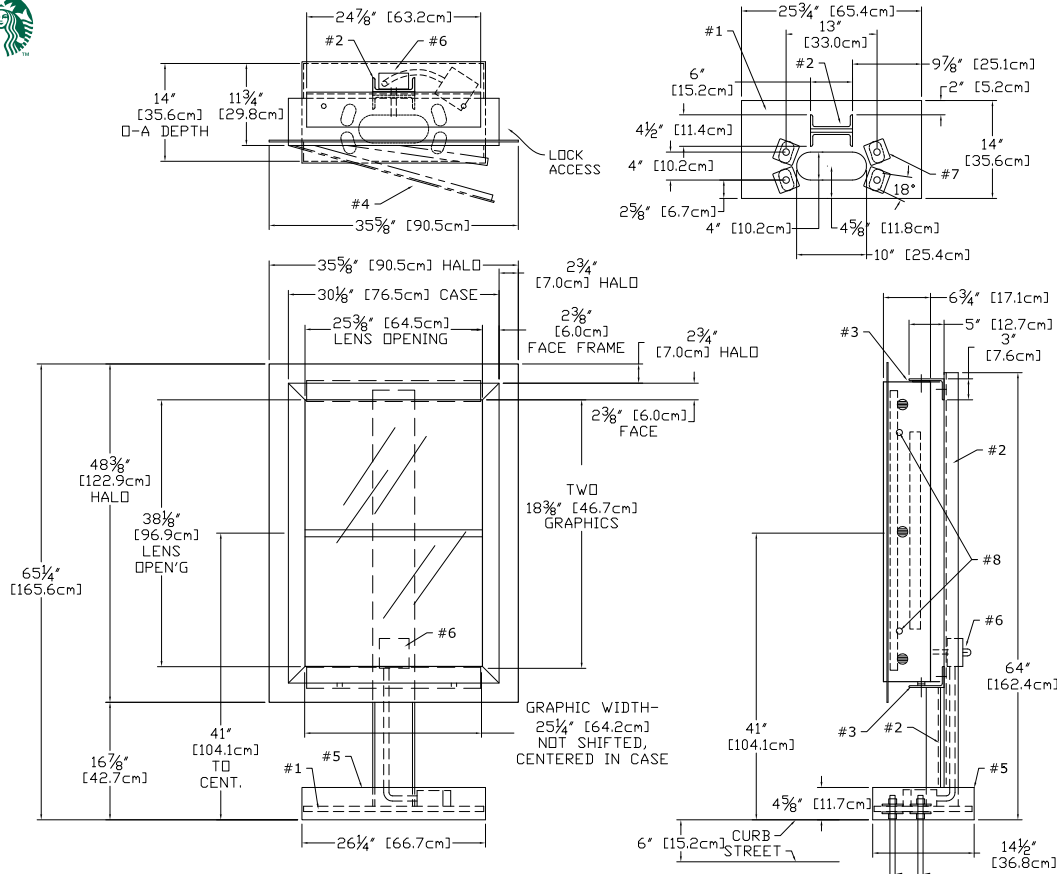
Page: 7.1



Design ID#14120



PRE-MENU SIGN



H DRIVE THRU PRE-MENU SIGN~ Qty (1) **INSTALLATION ONLY**

Sign Specifications:

- #1 - 3/4" [19mm] STEEL BASE PLATE w/ 18deg HOLES PATTERN LEFT SQUARE / SYMMETRICAL
- #2 - C6X10.5 (6"x2"x5/16") STEEL POST (1x)
- #3 - 5"x3"x1/4" STEEL SUPPORT ANGLES (2x) (WELDED TO STEEL POST)
- #4 - EXTRUDED ALUMINUM MENU BOARD (1x) ONE SPLIT PANEL LIGHTBOX TWO 25 1/4"x18 3/8" GRAPHICS GRAPHIC ASSEMBLY CENTERED, NOT SHIFTED STANDARD LED TUBE LIGHTING, SIDE LOCKS

- #5 - WELDED ALUMINUM BASE COVER
- #6 - WATER-TIGHT BOX w/SWITCHES & SENSOR, RIDGID CONDUIT RUN TO SECOND EXT BOX BELOW BASE COVER, 120 WATT, 0.30Aac
- #7 - 8 BASE WASHERS, 1/4" THICK
- #8 - TWO SIDE MOUNT LOCKS, RETAIN EXISTING KEY #E3-26-819-15

RAL7021 BLACK GREY, 10% SHEEN, EXT

DT PRE ORDER FREESTANDING		11036584
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DSA/PHOTOTECH 16961 Central Avenue, Carson, CA 90746 (310) 537-5000 (310) 537-7060 Fax phubbell@dsaphototech.com		
DRIVE THRU PRE ORDER w/ STAND		
PAH	DATE 02/13/14	CQSBDTPRELED
		SCALE 1:16
		S

APPROVED
02/04/14

Scale: 3/4" = 1'

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:

6-23-21

Drawn by:

L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



2101 Carrillo Private, Ontario, CA 91761
(909) 930-0303 Fax: (909) 930-0308
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Drawing No

21-253



Page: 8.0



Client Approval:

Date of Approval:

Sales Rep:

Paul I.

Date:

Date: 6-23-21 Drawn by: L.S.

1	08-11-21	L.S
2	08-23-21	L.S
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts

2101 Carrillo Privado, Ontario, CA 91761
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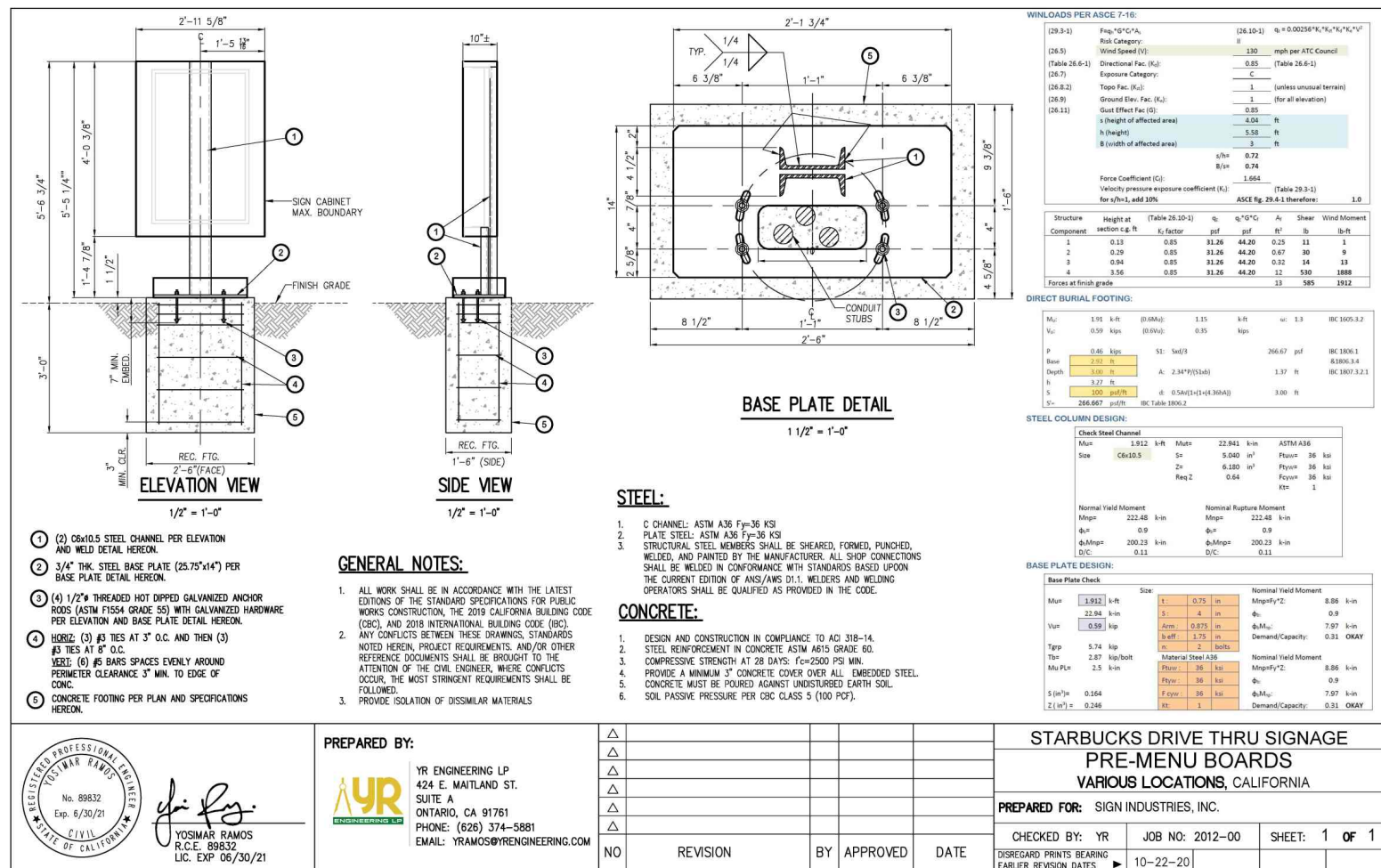
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YOSIMAR RAMOS
R.C.E. 89832
LIC. EXP 06/30/21

PREPARED BY:



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EMAIL: YRAMOS@YRENGINEERING.COM

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△				
△				
△				
NO	REVISION	BY	APPROVED	DATE

STARBUCKS DRIVE THRU SIGNAGE
PRE-MENU BOARDS
VARIOUS LOCATIONS, CALIFORNIA

PREPARED FOR: SIGN INDUSTRIES, INC.

CHECKED BY: YR	JOB NO: 2012-00	SHEET: 1 OF 1
DISREGARD PRINTS BEARING EARLIER REVISION DATES	10-22-20	



Project:

Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date: _____

Drawn by:

6-23-21

L.S.

1	08-11-21	L.S
2	08-23-21	L.S
3		
4		
5		
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Electrical Requirement:

☐ 120 Volts☐ 277 Volts

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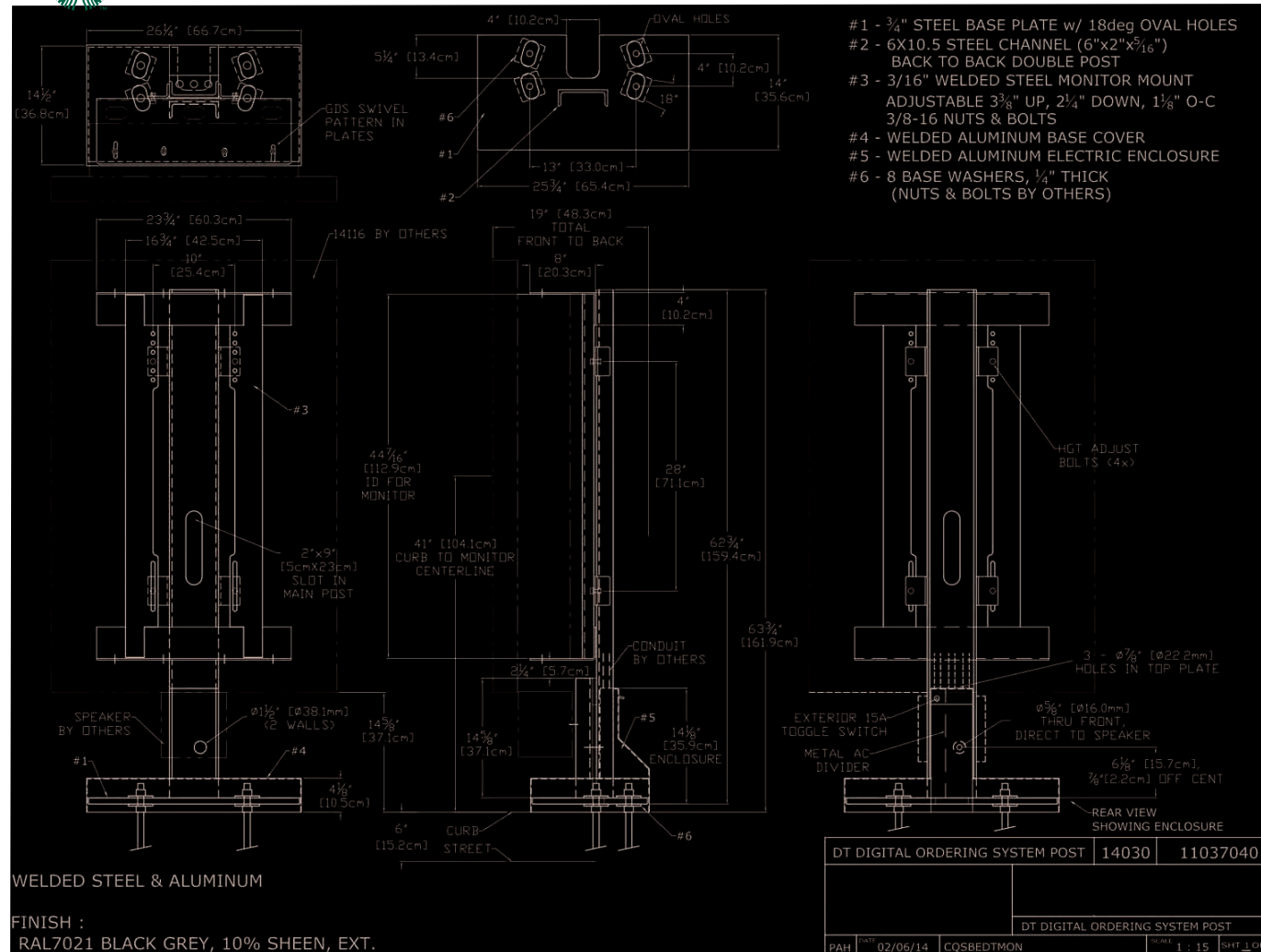
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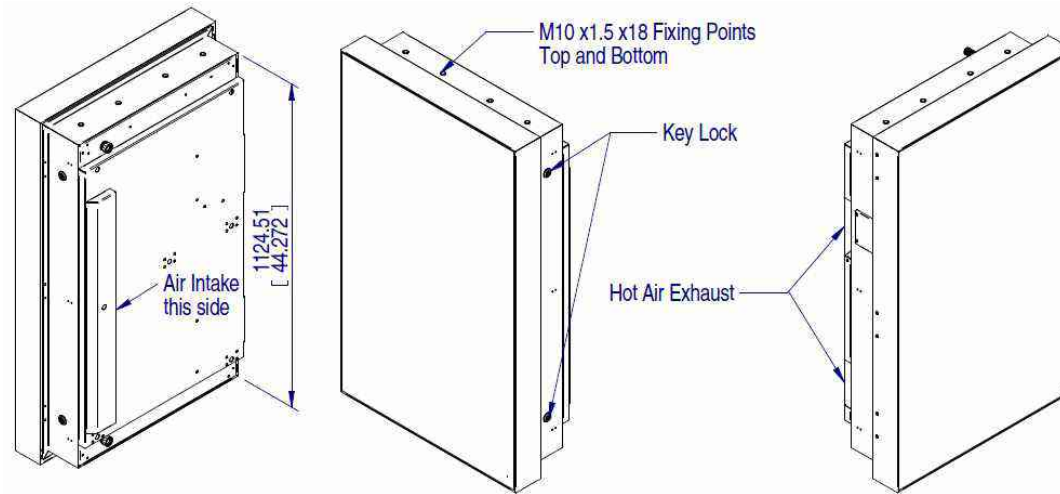
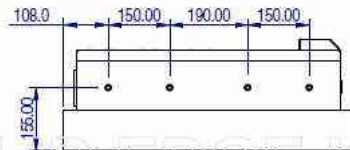
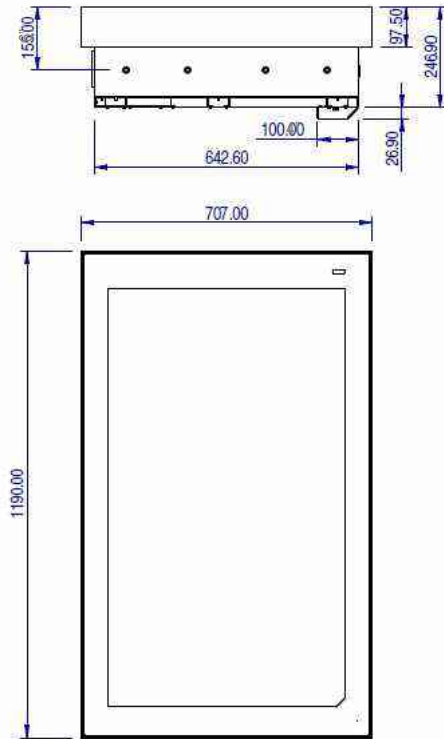
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H DRIVE THRU DIGITAL ORDER POST~ Qty (1)
INSTALLATION ONLY

NTS

Design ID#14116



Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:
6-23-21

Drawn by:
L.S.

1	08-11-21	L.S.
2	08-23-21	L.S.
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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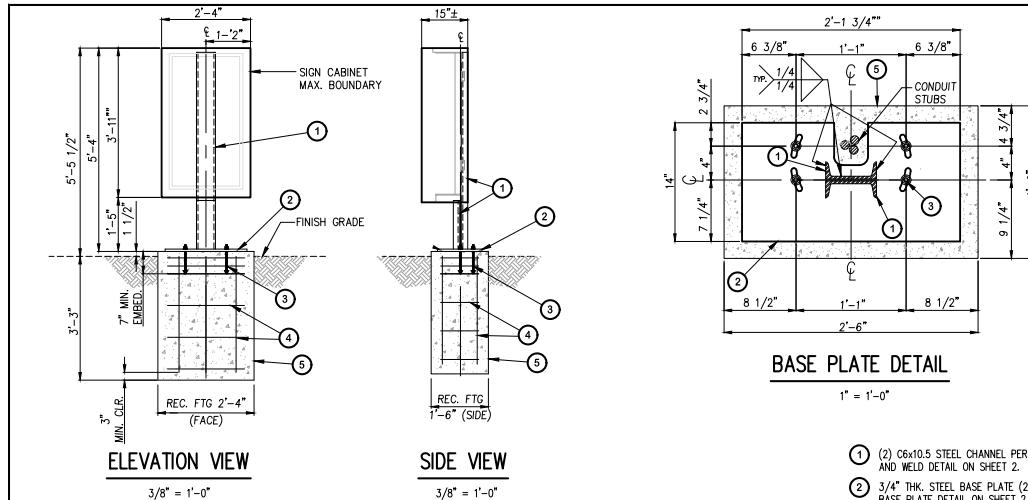
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Page: 9.1

H.1 DRIVE THRU DIGITAL ORDER SCREEN~ Qty (1)
INSTALLATION ONLY ON

NTS



BASE PLATE DETAIL

- ① (2) C6x10.5 STEEL CHANNEL PER ELEVATION AND WELD DETAIL ON SHEET 2.
- ② 3/4" THK. STEEL BASE PLATE (25.75"x14") PER BASE PLATE DETAIL ON SHEET 2.
- ③ (4) 1/2" THREADED HOT DIPPED GALVANIZED ANCHOR RODS (ASTM F1554 GRADE 55) WITH GALVANIZED HARDWARE PER ELEVATION AND BASE PLATE DETAIL ON SHEET 2.
- ④ HORIZ. (3) #3 TIES AT 3" O.C. AND THEN (3) #3 TIES AT 10" O.C. VERT. (6) #6 BARS SPACES EVENLY AROUND PERIMETER CLEARANCE 3" MIN. TO EDGE OF CONC.
- ⑤ CONCRETE FOOTING PER PLAN AND SPECIFICATIONS HEREON AND SHEET 2.

WINLOADS PER ASCE 7-16:

(29.3-1)	$F_{wi} = G \cdot C_e \cdot A_s$	(26.10-1)	$q_s = 0.00256 \cdot K_z \cdot K_{zt} \cdot K_d \cdot V^2$
	Risk Category: II		
(26.5)	Wind Speed (V):	130	mph per ATC Council
(Table 26.6-1)	Directional Fac. (K _d):	0.85	(Table 26.6-1)
(26.7)	Exposure Category:	C	
(26.8.2)	Topo Fac. (K _a):	1	(unless unusual terrain)
(26.9)	Ground Elev. Fac. (K _g):	1	(for all elevation)
(26.11)	Gust Effect Fac. (G):	0.85	
	z (height of affected area)	4.4	ft
	h (height)	5.9	ft
	B (width of affected area)	2.92	ft
	s/h =	0.75	
	B/s =	0.66	
	Force Coefficient (C _f):	1.661	
	Velocity pressure exposure coefficient (K _z):		(Table 29.3-1)
	for s/h=1, add 10%		ASCE fig. 29.4-1 therefore:
			1.0

Structure Component	Height at section c.g. ft	K _f factor	q _s psf	q _s * G * C _f psf	A _v ft ²	Shear lb	Wind Moment lb-ft
1	0.1	0.85	31.26	44.13	0.56	25	2
2	0.88	0.85	31.26	44.13	0.69	30	27
3	3.76	0.85	31.26	44.13	12.84	967	2190
Forces at final grade:							14 622 2160

DIRECT BURIAL FOOTING:

M _u	2.16 k-ft	(0.6M _u)	1.30	k-ft	ω = 1.3	IBC 1805.3.2
V _u	0.62 kips	(0.6V _u)	0.37	kips		
P	0.48 kips	S ₁ : Snd/3		288.89 psf		IBC 1806.1
Base	2.77 ft					IBC 1806.3.4
Depth	3.25 ft deep	A ₁ : 2.34 * P / (S ₁ * h)		1.42 ft		IBC 1807.3.2.1
h	3.47 ft					
S	100 psf/ft	d ₁ : 0.5A ₁ / (1 + (4.30A ₁))		3.13 ft		
S'	266.667 psf/ft	IBC Table 1806.2				

STEEL COLUMN DESIGN:

Check Steel Channel			
M _u	2.160 k-ft	M _u	25.915 k-in
Size	C6x10.5	S _x	5.040 in ³
		Z _x	6.180 in ³
		Req Z	0.72
		F _y	36 ksi
		F _{cw}	36 ksi
		K _t	1
Normal Yield Moment		Nominal Rupture Moment	
M _{np}	222.48 k-in	M _{np}	222.48 k-in
φ _y	0.9	φ _y	0.9
φ _y M _{np}	200.23 k-in	φ _y M _{np}	200.23 k-in
D/C:	0.13	D/C:	0.13

BASE PLATE DESIGN:

Base Plate Check			
M _u	2.160 k-ft	Size:	t: 0.75 in
V _u	0.62 kip	S _x :	4 in
		Arm:	2 in
		S _y :	4 in
		IT:	2 bolts
T _{np}	6.48 kip	Steel A36	
M _u PL:	6.5 k-in	F _y :	36 ksi
		F _y :	36 ksi
S _x / S _y :	0.375	F _{cw} :	36 ksi
Z _x (in ³):	0.563	M _u :	1
Nominal Yield Moment		Nominal Yield Moment	
M _{np}	222.48 k-in	M _{np}	20.25 k-in
φ _y	0.9	φ _y	0.9
φ _y M _{np}	18.23 k-in	φ _y M _{np}	18.23 k-in
Demand/Capacity:	0.36 OKAY	Demand/Capacity:	0.36 OKAY

GENERAL NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, THE 2019 CALIFORNIA BUILDING CODE (CBC), AND 2018 INTERNATIONAL BUILDING CODE (IBC).
- ANY CONFLICTS BETWEEN THESE DRAWINGS, STANDARDS NOTED HEREIN, PROJECT REQUIREMENTS, AND/OR OTHER REFERENCE DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE CIVIL ENGINEER, WHERE CONFLICTS OCCUR, THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.
- PROVIDE ISOLATION OF DISSIMILAR MATERIALS

STEEL:

- C CHANNEL: ASTM A36 F_y=36 KSI
- PLATE STEEL: ASTM A36 F_y=36 KSI
- STRUCTURAL STEEL MEMBERS SHALL BE SHEARED, FORMED, PUNCHED, WELDED, AND PAINTED BY THE MANUFACTURER. ALL SHOP CONNECTIONS SHALL BE WELDED IN CONFORMANCE WITH STANDARDS BASED UPON THE CURRENT EDITION OF ANSI/AWS D1.1. WELDERS AND WELDING OPERATORS SHALL BE QUALIFIED AS PROVIDED IN THE CODE.

DESIGN CRITERIA:

- STRUCTURE IS DESIGNED IN ACCORDANCE WITH ASCE 7-16
- BASIC WIND SPEED: 130 MPH
- RISK CATEGORY: II
- EXPOSURE CATEGORY: C
- SITE CLASS: D
- OCCUPANCY CATEGORY: II
- SEISMIC DESIGN CATEGORY: D
- IMPORTANCE FACTOR: 1.0
- RESPONSE MODIFICATION FACTOR: R_p=3.0
- AMPLIFICATION FACTOR: A_p=2.5

CONCRETE:

- DESIGN AND CONSTRUCTION IN COMPLIANCE TO ACI 318-14.
- STEEL REINFORCEMENT IN CONCRETE ASTM A615 GRADE 60.
- COMPRESSIVE STRENGTH AT 28 DAYS: f'_c=2500 PSI MIN.
- PROVIDE A MINIMUM 3" CONCRETE COVER OVER ALL EMBEDDED STEEL.
- CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH SOIL.
- SOIL PASSIVE PRESSURE PER CBC CLASS 5 (100 PCF).



Yosimar Ramos
YOSIMAR RAMOS
R.C.E. 89832
LIC. EXP 06/30/21

PREPARED BY:



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PHONE: (626) 374-5881
EMAIL: YRAMOS@YRENGINEERING.COM

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Δ					
Δ					
Δ					
NO	REVISION	BY	APPROVED	DATE	

STARBUCKS DRIVE THRU SIGNAGE		
DIGITAL ORDER SCREEN DETAILS		
VARIOUS LOCATIONS, CALIFORNIA		
PREPARED FOR: SIGN INDUSTRIES, INC.		
CHECKED BY: YR	JOB NO: 2012-00	SHEET: 1 OF 1
DISCARD PRINTS BEARING EARLIER REVISION DATES	10-22-20	

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date: 6-23-21

Drawn by: L.S.

①	08-11-21	LS
②	08-23-21	LS
③		
④		
⑤		
⑥		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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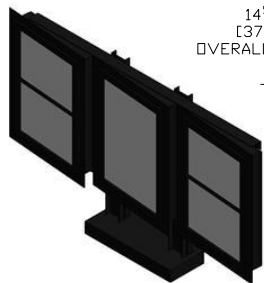
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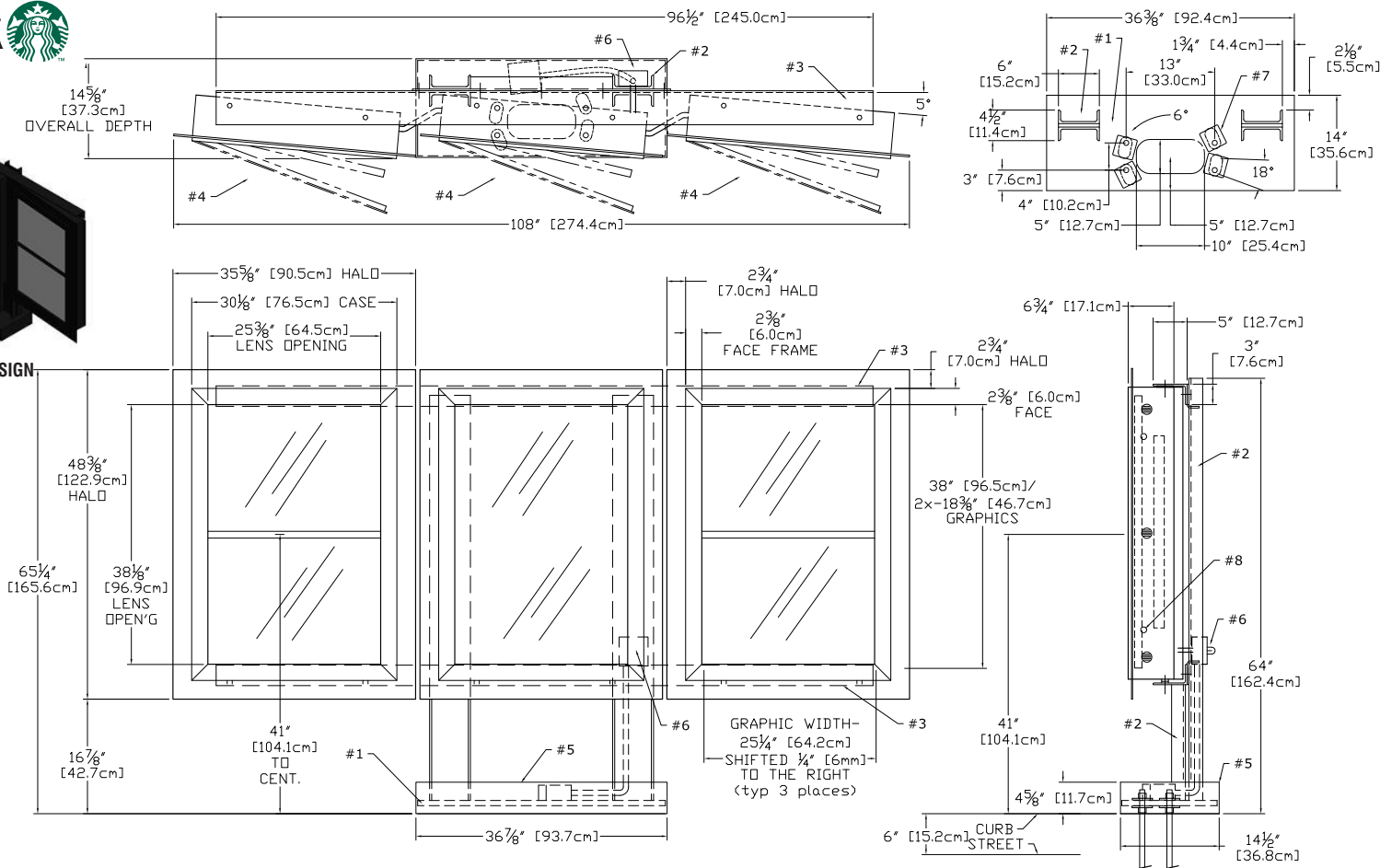


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Design ID#14119



5-PANEL MENU SIGN



J DRIVE THRU 5-PANEL MENU SIGN~ Qty (1) INSTALLATION ONLY

Sign Specifications:

- #1 - 3/4" [19mm] STEEL BASE PLATE w/ 18deg HOLES PATTERN ROTATED FOR 15deg THRU 3deg POSITION
- #2 - C6X10.5 (6"x2"x5/16") STEEL POST (2x)
- #3 - 5"x3"x1/4" STEEL SUPPORT ANGLES (2x) (BOLTED TO WELDED 1/4" STEEL CROSSBARS)
- #4 - EXTRUDED ALUMINUM MENU BOARDS (3x) ONE FULL AND TWO SPLIT PANEL LIGHTBOXES
- ONE - 25 1/4"x38" AND FOUR 25 1/4"x18 3/8" GRAPHICS
- ALL GRAPHIC ASSEMBLIES SHIFTED 1/4" TO RIGHT
- STANDARD LED TUBE LIGHTING, SIDE LOCKS

- #5 - WELDED ALUMINUM BASE COVER
- #6 - WATER-TIGHT BOX w/SWITCH & SENSOR, RIGID CONDUIT RUN TO SECOND EXT BOX BELOW BASE COVER, 120 WATT, 0.90Aac
- #7 - 8 BASE WASHERS, 1/4" THICK
- #8 - TWO SIDE MOUNT LOCKS per MENUBOARD
- RETAIN EXISTING KEY #E3-26-819-15

APPROVED
02/06/14

RAL7021 BLACK GREY, 10% SHEEN, EXT

DT 5 PANEL FREESTANDING		14119	11036585
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DRIVE THRU 5 PANEL w/ STAND		SCALE 1 : 20 SHT 1 OF 1	
PAH	DATE 02/06/14	CQSBDT5LED	

Scale: 1" = 3/4"

Sq. Ft.
36

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:

6-23-21

Drawn by:

L.S.

1	08-11-21	LS
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3		
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Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



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Web: www.signindustries.tv

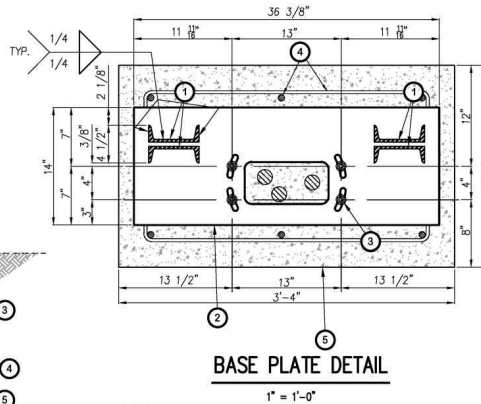
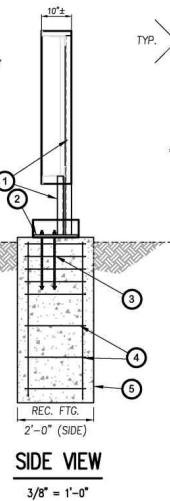
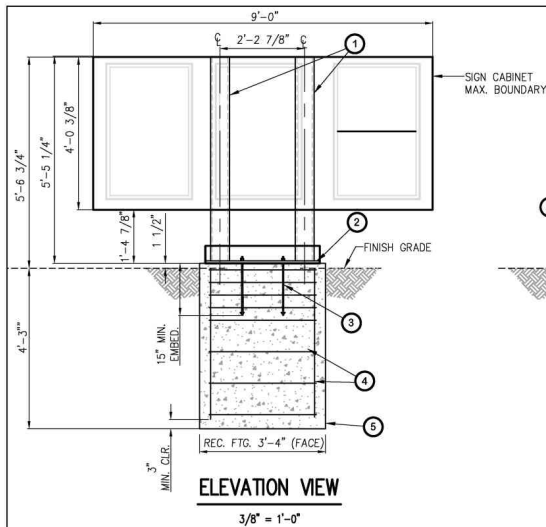
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Drawing No

21-253

Page: **10.0**





WINLOADS PER ASCE 7-16:

(29.3-1) $F_{req} = G \cdot C_e \cdot A_s$	(26.10-1) $q_s = 0.00256 \cdot K_z \cdot K_{zt} \cdot K_d \cdot K_{ex} \cdot V^2$
Risk Category: II	130 mph per ATC Council
(26.5) Wind Speed (V):	130 mph per ATC Council
(Table 26.6-1) Directional Fac. (K_d):	0.85 (Table 26.6-1)
(26.7) Exposure Category:	C
(26.8.2) Topo Fac. (K_{zt}):	1 (unless unusual terrain)
(26.9) Ground Elev. Fac. (K_z):	1 (for all elevation)
(26.11) Gust Effect Fac. (G):	0.85
s (height of affected area)	4.04 ft
h (height)	5.58 ft
B (width of affected area)	9 ft
q/h :	0.72
R/h :	2.23
Force Coefficient (C_f):	1.589
Velocity pressure exposure coefficient (K_z):	(Table 29.3-1) 1.0
for $s/h=1$, add 10%:	ASCE fig. 29.4-1 therefore:
Structure Component	
Height at section c.g. ft	q_s $q_s \cdot G \cdot C_e$ A_s Shear Wind Moment
K_z factor	psf psf ft ² lb-ft
1 0.23	0.85 31.26 44.23 1.53 65 15
2 0.48	0.85 31.26 44.23 2 84 41
3 2.56	0.85 31.26 44.23 36.38 1536 5469
Force at finish grade	40 2191 7182

DIRECT BURIAL FOOTING:

M_u	5.52 k-ft (0.6Mu)	3.31 k-ft	u: 1.3	IBC 1605.3.2
V_u	1.69 kips (0.6Vu)	1.01 kips		
P	1.31 kips	51: Swd/3	377.78 psf	IBC 1806.1
Base	3.95 ft dia.		12 ft or	1068 psf MAX IBC 1806.3.4
Depth	4.75 ft deep	A: 2.34" (51d4)	2.09 ft	IBC 1807.3.2.1
h	3.78 ft			
S	100 psf/ft	d: 0.5A(1+1/(4.36A))	3.97 ft	
V_u	286.667 psf/ft	IBC Table 1806.2		

STEEL COLUMN DESIGN:

Check Steel Channel						
Mu=	7.182	k-ft	Mu2=	86.183	k-in	ASTM A36
Size	C6x10.5		S=	5.040	in ³	Ftuw= 36 ksi
			Z=	6.180	in ³	Ftyw= 36 ksi
			Req Z	2.39		Fcyw= 36 ksi
						Kt= 1
Normal Yield Moment			Nominal Rupture Moment			
Mnps	222.48	k-in	Mnps	222.48	k-in	
φu=	0.9		φu=	0.9		
φuMnps	200.23	k-in	φuMnps	200.23	k-in	
D/C:	0.43		D/C:	0.43		

BASE PLATE DESIGN:

Base Plate Check				
Muz	7.182 k-ft	Size:	t: 0.75 in	Nominal Yield Moment Mnp/Fy*Z:
Vuz	66.18 kip	S:	5 in	0.9
	2.19 kip	Arm:	0.375 in	Phi*Mu:
		b eff:	4 in	18.23 k-in
		n:	2 bolts	Demand/Capacity:
				0.22 OKAY
Tgrp	21.55 kip	Steel A36		Nominal Yield Moment
Tbr	10.77 kip/bolt	Ftuy:	36 ksi	Mnp/Fy*Z:
Mu PL	4.0 k-in	Ftyw:	36 ksi	0.9
		Fcyw:	36 ksi	Phi*Mu:
S (in³)	0.375	Kt:	1	18.23 k-in
Z (in³)	0.563			Demand/Capacity:
				0.22 OKAY

STARBUCKS DRIVE THRU SIGNAGE

5-PANEL MENU BOARD

VARIOUS LOCATIONS, CALIFORNIA

PREPARED FOR: SIGN INDUSTRIES, INC.

CHECKED BY: YR	JOB NO: 2012-00	SHEET: 1 OF 1
DISREGARD PRINTS BEARING EARLIER REVISION DATES	10-22-20	

DESIGN CRITERIA:

- STRUCTURE IS DESIGNED IN ACCORDANCE WITH ASCE 7-16
BASIC WIND SPEED: 130 MPH
RISK CATEGORY: II
EXPOSURE CATEGORY: C
SITE CLASS: D
OCCUPANCY CATEGORY: II
SEISMIC DESIGN CATEGORY: D
IMPORTANCE FACTOR: 1.0
RESPONSE MODIFICATION FACTOR: $R_p=3.0$
AMPLIFICATION FACTOR: $A_p=2.5$

GENERAL NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, THE 2019 CALIFORNIA BUILDING CODE (CBC), AND 2018 INTERNATIONAL BUILDING CODE (IBC).
- ANY CONFLICTS BETWEEN THESE DRAWINGS, STANDARDS NOTED HEREIN, PROJECT REQUIREMENTS, AND/OR OTHER REFERENCE DOCUMENTS SHALL BE BROUGHT TO THE ATTENTION OF THE CIVIL ENGINEER. WHERE CONFLICTS OCCUR, THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.
- PROVIDE ISOLATION OF DISSIMILAR MATERIALS

- (4) C6x10.5 STEEL CHANNEL PER ELEVATION AND WELD DETAIL HEREON.
- 3/4" THK. STEEL BASE PLATE (30"x24") PER BASE PLATE DETAIL HEREON.
- (4) 1/2" THK. TYPED HOT DIPPED GALVANIZED ANCHOR RODS (ASTM F1554 GRADE 55) WITH GALVANIZED HARDWARE PER ELEVATION AND BASE PLATE DETAIL HEREON.
- HORIZ: (3) #3 TIES AT 3" O.C. AND THEN (3) #3 TIES AT 10" O.C.
VERT: (6) #5 BARS SPACES EVENLY AROUND PERIMETER CLEARANCE 3" MIN. TO EDGE OF CONC.
- CONCRETE FOOTING PER PLAN AND SPECIFICATIONS HEREON.

STEEL:

- C CHANNEL: ASTM A36 $F_y=36$ KSI
- PLATE STEEL: ASTM A36 $F_y=36$ KSI
- STRUCTURAL STEEL MEMBERS SHALL BE SHEARED, FORMED, PUNCHED, WELDED, AND PAINTED BY THE MANUFACTURER. ALL SHOP CONNECTIONS SHALL BE WELDED IN CONFORMANCE WITH STANDARDS BASED UPON THE CURRENT EDITION OF ANSI/AWS D1.1. WELDERS AND WELDING OPERATORS SHALL BE QUALIFIED AS PROVIDED IN THE CODE.

CONCRETE:

- DESIGN AND CONSTRUCTION IN COMPLIANCE TO ACI 318-14.
- STEEL REINFORCEMENT IN CONCRETE ASTM A615 GRADE 60.
- COMPRESSIVE STRENGTH AT 28 DAYS: $f'_c=2500$ PSI MIN.
- PROVIDE A MINIMUM 3" CONCRETE COVER OVER ALL EMBEDDED STEEL.
- CONCRETE MUST BE POURED AGAINST UNDISTURBED EARTH SOIL.
- SOIL PASSIVE PRESSURE PER CBC CLASS 5 (100 PCF).



YOSMAR RAMOS
R.C.E. 89832
LIC. EXP. 06/30/21

PREPARED BY:



YR ENGINEERING LP
424 E. MAITLAND ST.
SUITE A
ONTARIO, CA 91761
PHONE: (626) 374-5881
EMAIL: YRAMOS@YRENGINEERING.COM

NO	REVISION	BY	APPROVED	DATE

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:

6-23-21

Drawn by:

L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



2101 Cerrillo Privado, Ontario, CA 91761
(909) 930-0303 Fax: (909) 930-0308
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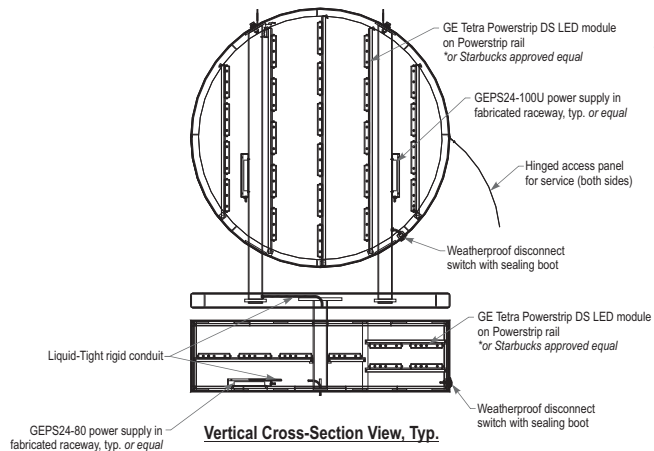
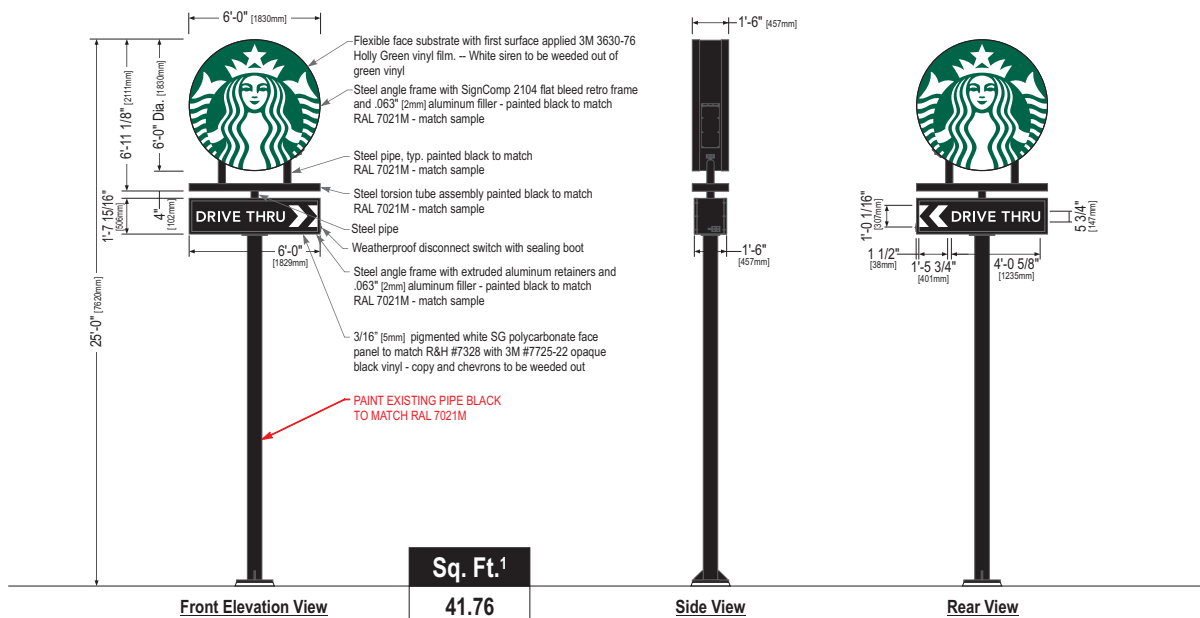
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Drawing No

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K NEW LOGO AND CABINET FOR EXISTING POLE
QTY (1)

Scale: 3/8" = 1'-0"

Sign Specifications:

- Disk Cabinet:**
- Steel angle frame with .063" [2mm] aluminum filler painted black to match RAL 7021M.
 - SignComp retro bleed flex face retainer painted black to match RAL 7021M.
 - Areas using black paint to match RAL 7021M shall have a max 20% gloss level, match sample.
 - Flexible face substrate with first surface applied 3M 3630-76 Holly Green vinyl film. White siren to be weeded out of green vinyl.
 - Interior aluminum surfaces of sign cabinet to be painted white with Lacryl Starbrite.
 - All fasteners used in the assembly of internal components shall be coated to prevent corrosion.
 - Internal structure of cabinet shall be per approved shop drawings.
 - Graphic elements are internally illuminated using GE Tetra Powerstrips DS LED modules mounted on GE Powerstrip Rail operating off (2) GEPS24-100U power supplies in fabricated raceways or Starbucks approved equal. All electrical components are removable for service.
 - Torsion tube assembly to be constructed of 4"x4"x1/4" [102mm x 102mm x 6mm] square steel tube with .063" [2mm] aluminum filler, top and bottom. Assembly painted black to match RAL 7021M.

Drive Thru Cabinet:

- Steel angle frame with extruded aluminum retainers and .063" [2mm] aluminum filler painted black to match RAL 7021M.
- Areas using black paint to match RAL 7021M shall have a max 20% gloss level, match sample.
- 3/16" [5mm] pigmented white solar grade polycarbonate face panel to match R&H #7328 with 3M #7725-22 opaque black vinyl - copy and chevrons to be weeded out.
- Interior aluminum surfaces of sign cabinet to be painted white with Lacryl Starbrite.
- All fasteners used in the assembly of internal components shall be coated to prevent corrosion.
- Internal structure of cabinet shall be per approved shop drawings.
- Graphic elements are internally illuminated using GE Tetra Powerstrips DS LED modules mounted on GE Powerstrip Rail operating off (1) GEPS24-80 power supply in fabricated raceway or Starbucks approved equal. All electrical components are removable for service.

Support:

- Supporting structure will be all welded steel tube, pipe, channel and plate construction painted black to match RAL 7021M as per approved shop drawings.
- Base plate will be constructed so that it can be retro-fittable to existing sign foundations. All foundations, existing and new must be analyzed for suitability and must meet all local city or state codes regulations.

Regulatory:

- Sign must meet all regulations in the National Electric Code as well as any local or state electrical codes.
- As per NEC 600.6, sign is equipped with a service disconnect switch.
- Sign must be listed as an Electric Sign per Underwriters Laboratories UL48 and/or CSA and bear the appropriate UL, CUL or CSA relevant certification marks.
- Primary power by electrical contractor per NEC.



These Drawings and Specifications are confidential and shall remain the sole property of Starbucks Corporation, which is the owner of the copyright in this work. They shall not be reproduced (in whole or in part), shared with third parties or used in any manner on other projects or extensions to this project without the prior written consent of Starbucks Corporation.

This drawing is a Design Development Document. Site specific modifications under the responsible charge of the Architect and/or Engineer-of-Record will be required prior to using this document for Bidding, Permitting, or Construction.

Size	Sq. Ft. ¹	Sq. Ft. ²	Volts	Amps
25' (7620mm)	41.76	45.97	120	3.1

1: Figured as illuminated area
2: Figured as complete signage

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date:

6-23-21

Drawn by:

L.S.

1	08-11-21	LS
2	08-23-21	LS
3		
4		
5		
6		

Electrical Requirement:

☐ 120 Volts ☐ 277 Volts



2101 Cerrillo Privado, Ontario, CA 91761
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Drawing No

21-253



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Design ID #14110

1) PrismBEAM FIXTURES LAID OUT 12" CENTER TO CENTER

2) LAYOUT BASED ON THE PrismBEAM BEING MOUNTED 5"-10" FROM FACE

3) SEE INSTALLATION INSTRUCTIONS FOR QUANTITY OF POWER SUPPLIES FOR PrismBEAM FIXTURES

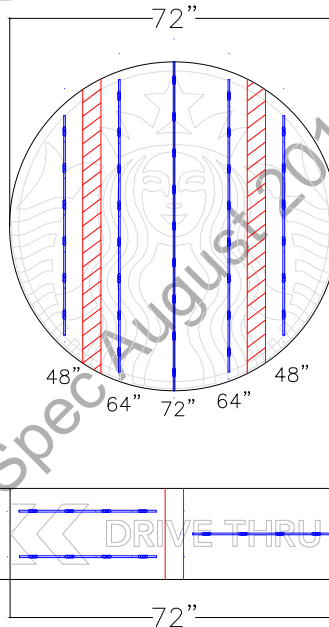
4) HORIZONTAL MOUNTING OF PrismBEAM FIXTURES REQUIRES A SUPPORT IN THE CENTER FOR LENGTHS 96" OR GREATER

5) ALL DIMENSIONS ARE IN INCHES UNLESS OTHERWISE STATED

6) TOTAL WATTS REQUIRED FOR THIS JOB = 154.7



www.SloanLED.com Phone 805.676.3200
Toll-Free 888.747.4LED Fax 805.676.3206



DID# - 14110

ESTIMATED PRODUCT B.O.M. PER DOUBLE SIDED SIGN:

- 1 Each 72" PrismBeam Double Sided Fixtures
PN: 701972-6WPD721
- 2 Each 64" PrismBeam Double Sided Fixtures
PN: 701972-6WPD641
- 2 Each 48" PrismBeam Double Sided Fixtures
PN: 701972-6WPD481
- 3 Each 30" PrismBeam Double Sided Fixtures
PN: 701972-6WPD301
- 3 Each 701895-24C 100W Power Supply 24VDC
- 1 Each 100' Roll of Jacketed Cable

1) This design and drawing are proprietary and the property of SloanLED. Any reproduction or use without prior written approval is prohibited.

2) This layout is based upon SloanLED product standards. PrismBEAM and power supply quantities are ESTIMATES ONLY and are based on the supplied information and drawings. To ensure accurate product requirements, it is recommended that product is tested using customer's specific lens material and letter configuration.

3) SloanLED highly recommends applying Light Enhancement Paint (LEP) or Light Enhancement Film (LEF) inside cabinets for optimal illumination.

4) Jacketed cable estimated assumes maximum run length of 15' per leg of the power supply.

DRAWN	DATE	JOB NUMBER
CC/kl	06/28/18	LS538

STARBUCKS

Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

Date of Approval:

Sales Rep:

Paul L.

Date: 6-23-21 Drawn by: L.S.

1	08-11-21	LS
2	08-23-21	LS
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Electrical Requirement:

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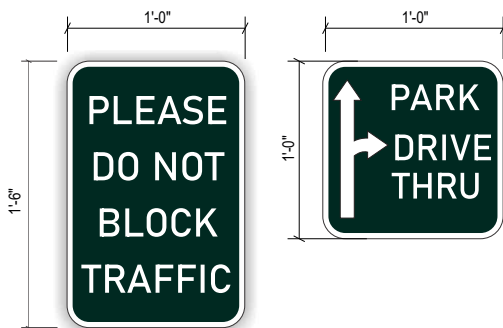
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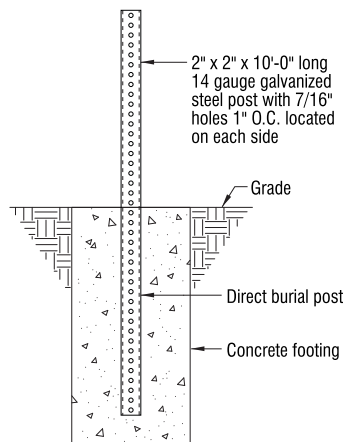
L POST SIGN
QTY (1) Scale: 1 1/2" = 1'

SPECIFICATIONS:

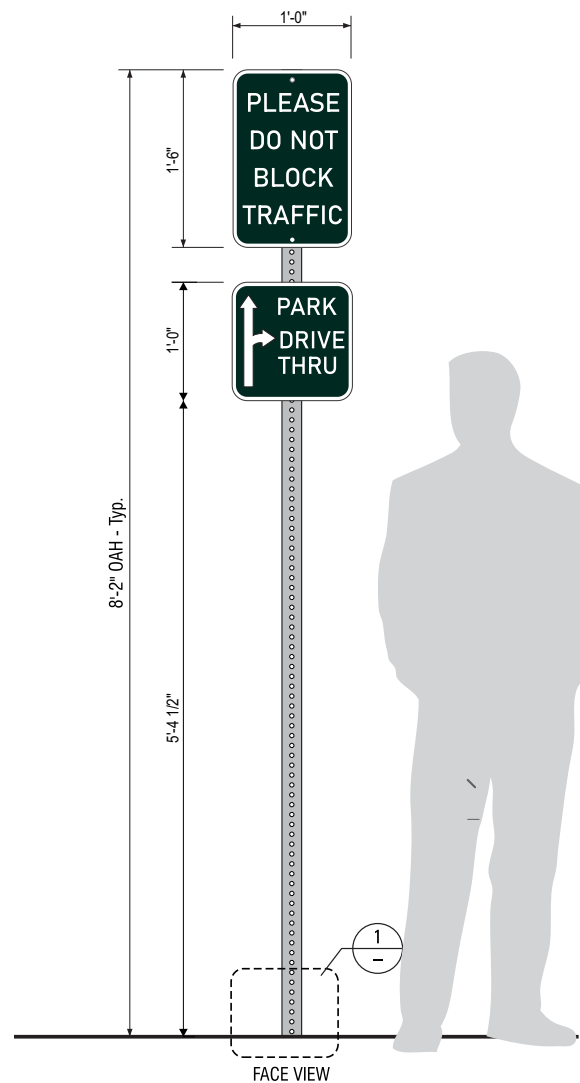
PANEL : TO BE .080 ALUMINUM PANELS WITH 1" RADIUS CORNERS AND PAINTED WHITE SEMI - GLOSS FINISH

COPY/ARROWS: TO BE APPLIED WHITE OPAQUE VINYL

NOTES : STARBUCKS GENERAL CONTRACTOR (GC) WILL PROVIDE AND INSTALL PARKING POLE PER NOTED SITE PLAN



1 DIRECT BURIAL DETAIL
Scale: 1" = 1'-0"



Project:



Location:
2551 E. Vineyard Ave.
Oxnard, CA 93036

Client Approval:

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Date:

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Page: **12.0**

ATTACHMENT G

**RESOLUTION No. 2021-XX
(MAJOR MODIFICATION TO U-916)**

RESOLUTION NO. 2021 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-550-01 (MAJOR MODIFICATION TO U-916 (SPECIAL USE PERMIT)) TO ALLOW FOR MODIFICATIONS TO AN EXISTING 2,450 SQUARE-FOOT DRIVE-THROUGH FAST FOOD RESTAURANT BUILDING AND TO ALLOW FOR A 2,500 SQUARE-FOOT STARBUCKS DRIVE-THROUGH COFFEE SHOP ON A 0.66 ACRE PROJECT SITE AND ADMINISTRATIVE PARKING RELIEF TO DECREASE THE NUMBER OF REQUIRED PARKING SPACES FROM 50 TO 35 (INCLUDING 15 SPACES WHICH ARE PROVIDED VIA THE DRIVE-THROUGH QUEUE) AND TO ALLOW FOR 11 COMPACT PARKING SPACES, LOCATED AT 2551 NORTH VINEYARD AVENUE (APN: 132-0-043-215), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY BEVERLY METZ, OF STARBUCKS, (APPLICANT) 555 ANTON BOULEVARD, COSTA MESA, CA 92626.

WHEREAS, on February 12, 2021, Jennifer Cribbs (the “**Applicant**” and/or “**Permittee**”) submitted a request to allow for modifications to an existing 2,450 square-foot drive-through fast food restaurant building to allow for a Starbucks drive-through coffee shop on a 0.66 acre site. The proposed improvements will consist of a small addition, facade changes, revised signage, upgraded landscaping, new parking lot striping, drive-through lane modification to allow for an extended queuing lane to allow for a maximum capacity of 16 vehicles. The request also includes a request for a parking modification to allow for a reduction in the amount of required parking from 50 parking spaces to 35 parking spaces, including 15 spaces which are provided via the drive-through queue. The parking modification will also allow for 11 of the parking spaces to be compact parking spaces. The project includes a Transportation Demand Management Plan. The project is located in the General Commercial Planned Development (C-2-PD) zone at 2551 North Vineyard Avenue (APN: 132-0-043-215); and

WHEREAS, on October 21, 2021, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the proposed Project, to consider the Applicant’s request to approve Planning and Zoning Permit No. 21-550-01 (Major Modification) to allow for modifications to an existing 2,450 square foot drive-through fast food restaurant building to allow for a Starbucks coffee shop on a 0.66 acre site (the “**Project**”), in accordance with Section 16-561 of the Oxnard City Code (OCC) and to allow for a parking modification to allow for 1) a reduction in the amount of required parking from 50 parking spaces to 35 parking spaces, including 15 spaces which are provided via the drive-through queue, and 2) a parking modification to allow for 11 of the parking spaces to be compact parking spaces in accordance with Section 16-651 of the OCC; and

WHEREAS, Sections 16-561, 16-651(B)(3) and 16-651(B)(4) of the OCC authorize the Planning Commission to approve a Major Modification and relief from parking requirements; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in Sections 16-651(B)(3) and 16-651(B)(4) of the OCC; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report; 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 1 Categorical Exemption (Section 15301). Further, the project does not trigger any of the Exceptions to the Exemptions (15300.2):

- 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 has a 2030 General Plan land use designation of Commercial General and is in the General Commercial - Planned Development (C-2-PD) zoning designation. The project is currently developed with an existing fast food drive-through restaurant and is surrounded by other commercial and residential urban 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 existing development consists of a drive-through fast food restaurant. The proposed development would intensify the use and modify the operational characteristics of the existing development to allow the proposed drive-through coffee shop, but the project also includes site modifications which are intended to improve the site conditions including circulation and aesthetics. As such, the proposed Project is consistent with the 2030 General Plan and Oxnard City Code and is compatible with the physical scale and character of allowable development in the project area. Any projects requiring discretionary approval would be analyzed with the General 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 existing development consists of a drive-through fast food restaurant. The proposed development would intensify the use and modify the operational characteristics of the existing development to allow the proposed drive-through coffee shop, but the project also includes site modifications which are intended to improve the site conditions including circulation and aesthetics. The proposed site improvements 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 urban development (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 and 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.

- 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 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, the Planning Commission finds after due study and deliberation 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 PLANNING COMMISSION OF THE CITY OF OXNARD:

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

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

As described in the Staff Report, the existing development consists of a drive-through fast food restaurant. The proposed development would intensify the use and modify the operational characteristics of the existing development to allow the proposed drive-through coffee shop. The Project is within the General Commercial Planned Development (C-2-PD) zone district which is consistent with the 2030 General Plan land use designation of Commercial General.

As discussed in detail in the Planning Commission Staff Report Sections b, c, d, e, f, and g, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under OCC 16-651(B)(3), "Compact parking spaces" to allow for 11 of the required parking spaces to be compact spaces, and OCC 16-651(B)(4), "Decrease in required parking spaces" to reduce the number of required parking spaces.

The new business and associated improvements does not change the land use of the subject site. The project site is not subject to a Specific Plan. Therefore, the proposed project is in compliance with the 2030 General Plan and other adopted policies of the City of Oxnard and meets this Finding.

2. The nature, condition and development of adjacent uses, buildings and structures shall be considered, and no proposed Special Use Permit shall be granted if the approval body finds such use will adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

As described in the Staff Report, pursuant to the 2030 General Plan land use designation "Commercial General" and the General Commercial - Planned Development (C-2 PD) zoning district, the proposed use of the project site as a drive-through coffee shop, is an allowed use, subject to a Special Use Permit. The surrounding uses are characterized by commercial uses, which are predominantly commercial centers, other drive-through facilities serving food products, and residential uses. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Additionally, the redesign of the Project and the included conditions of approval, will minimize the potential for impacts to adjacent roadways and properties.

Therefore, the proposed use and improvements, as conditioned, 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 that is subject to the Special Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532 (Conditions).**

As described in the Staff Report, the project as designed and conditioned meets the development standards of the General Commercial Planned Development (C2-PD) zone as described above in Finding Section 1(1). The Project will result in an overall increase in onsite landscaping, with the landscaping increasing from 22.8 percent of the site to 26.4 percent. The majority of the new landscaping will be installed along North Vineyard Avenue, a designated scenic corridor which requires a landscaped buffer of at least 30 feet. The existing parking lot is located within this 30-foot area and is considered to be a “legal nonconforming” existing condition. The drive-through queue will be located within this 30-foot paved area, but paved areas will be removed and additional landscaping is proposed to be installed on both linear sides of the drive-through queue within the 30-foot area. This new landscaping will bring the project site more into compliance with the General Plan’s 30-foot wide landscape buffer standard. The revised site landscaping 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, 8 trees will be added throughout the property, which will assist in meeting the requirement of 1 tree for every 40 feet of property line. As such, the subject site is adequate in terms of size and as developed the development meets or exceeds City’s design standards.

- 4. The site that is subject to the Special Use Permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use will generate.**

As described in the Staff Report, the existing development consists of a drive-through fast food restaurant. The proposed development would intensify the use and modify the operational characteristics of the existing development to allow the proposed drive-through coffee shop. The Project site is and will be accessed from Riverpark Boulevard via the existing driveways. The City’s Traffic Engineer finds that the proposed project, as conditioned, and in the context of the documentation provided and reviewed demonstrate that there is sufficient vehicle queue and parking capacity. The project has provided and been conditioned to implement a Transportation Demand Management Plan (TDMP) that identifies how the internal circulation of the site shall be managed, back-ups are avoided, and conflicting turning movements are to be avoided with the introduction of the new business operations. Therefore, the site has sufficient access to streets and highways that are adequate in size and existing intersections adjacent to the project site will operate at acceptable levels of service.

- 5. The site that is subject to the Special Use Permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.**

As described in the Staff Report, the existing development consists of a drive-through fast food restaurant. The proposed development would intensify the use and modify the operational characteristics of the existing development to allow the proposed drive-through coffee shop. The proposed Project improvements have been found to be consistent with anticipated development for this site. Furthermore, the Project will be served by existing City of Oxnard water and sewer mains and adequate Fire Protection will be provided as determined by the Development Advisory Committee. In accordance with the Stormwater Quality Conditions of this Resolution, the Project's design will comply with stormwater control measures as required by the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit. The Project is consistent with the level of development identified under the General Plan and Oxnard City Code, and therefore are within the anticipated level of development. The project is not anticipated to result in any significant impacts to utilities and public services. Therefore, the site for the proposed use will be provided with adequate sewage, water, fire protection and storm drainage facilities.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15301 (Class 1) of the State CEQA Guidelines. The Project involves a request to convert an existing drive-through fast food restaurant to a drive-through coffee shop. The small addition will only increase the building size by 50 square feet or approximately 2 percent, and will be within the existing developed area. Onsite circulation will be improved through the realignment of the drive-through lane. This will work to prevent impacts to adjacent roadways. In addition, to the design improvements a Transportation Demand Management Plan will be implemented for the site to prevent vehicles from backing-up into adjacent roadways. As a result, this Project will not result in any significant effects relating to traffic, noise, or air quality. The Planning Commission has determined that there is no substantial evidence that the project will have a significant effect on the environment and no Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. The Planning & Environmental Services Manager is hereby authorized and directed to file a Notice of Exemption with the Ventura County Clerk pursuant to Section 15602 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of this Resolution.

SECTION 3. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 21-550-01 (Major Modification), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

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

CONDITIONS OF APPROVAL

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 October 21, 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”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).
3. 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 Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, G-5).
6. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process (CA, G-6).
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. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, G-8).
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 except as modified by the Administrative Parking Relief granted by the Planning Commission. (PL/B, G-9).
10. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, G-10).
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. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
18. 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)
19. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
22. 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)
23. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
24. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)
25. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that "all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California". (PK, PK-24)

26. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled "Tree Tabulation Chart". The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist's Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist's economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City's minimum tree size of 24" box. (PK)

PLANNING DIVISION SPECIAL CONDITIONS

27. 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)
28. 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.
29. 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)
30. 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)
31. Applicant shall seek approval for the proposed monument sign under separate building permit. (PL)
32. Prior to building permit issuance, the developer shall provide a public improvement plan which identifies, and includes, a connection to city fiber optic network infrastructure. This connection shall be established by installing fiber optic infrastructure to the project's frontage on the east side of Riverpark Blvd according to city specifications. The fiber optic network infrastructure must be included in the project's master utility plans and installed prior to the granting of a certificate of occupancy.
33. Prior to submitting plans to Building and Engineering for Plan Check, the project plans are to be modified to add trees and drive-through screening along Vineyard Avenue to the satisfaction of the Community Development Director. No less than four trees shall be added spaced approximately 40 feet apart. In addition to the trees a 36-inch high landscape berm or a combination of a 36-inch high decorative wall and landscaping shall be provided to screen the drive-through lane.
34. 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.

35. 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.
36. 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.
37. 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 site 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.
38. 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.
39. 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.

40. 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.
41. 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)
42. Developer shall construct a waste enclosure, with a roof and level concrete pad for the storage of the required 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)

PLANNING DIVISION STANDARD CONDITIONS

43. 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*)
44. 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*)
45. 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*)
46. 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*)
47. 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*)
48. 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
49. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding

factors such as tree locations, off-site or adjacent lighting. (PL)

50. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
51. 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)
52. 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)
53. 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).

POLICE DEPARTMENT STANDARD CONDITIONS

54. 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 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.

55. Graffiti shall be removed within 48-hours of application. (PD)
56. Police recommends graffiti/etching-resistant film application on accessible windowpanes. (PD)
57. 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)
58. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature). (PD)
59. 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)
60. 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)
61. 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)
62. 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)
63. Landscape elements shall be arranged to provide clear lines of sight and eliminate potential places of concealment. (PD)
64. Trees shall not be located where they would conflict with lighting instruments. Appropriate proximity is based on a tree's canopy size at twenty-year maturity. (PD)
65. Creeping fig or similar climbing vine shall be used to dissuade the application of graffiti on CMU walls. This specifically includes trash enclosures. (PD)
66. A security camera system is required to be installed, operated and maintained 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
67. 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.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

68. 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)
69. Developer shall have the site improvement plans prepared using standard DevelopmentServices Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Building and Engineering Division. (DS-3)
70. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)
71. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
72. 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)

73. Developer shall enter into an agreement, approved as to form by the City Attorney, to install and construct all public improvements required by this permit and by the City Code. Developer shall post security satisfactory to the Finance Director, guaranteeing the installation and construction of all required improvements within the time period specified in the agreement or any approved time extension. (DS-14)
74. 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)
75. Prior to issuance of a site improvement permit, Developer shall provide to the Building and Engineering 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)
76. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If the Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer issue a stop work order until such time as the graffiti is removed. (DS-20)
77. 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)
78. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
79. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
80. Prior to beginning construction, Developer shall designate in writing an authorized agent who shall have complete authority to represent and to act for Developer. The authorized agent shall be present at the work site whenever work is in progress. Developer or the authorized agent shall make arrangements acceptable to City for any emergency work. When City gives orders to the authorized agent to do work required for the convenience and safety of the general public because of inclement weather or any other cause, and the

orders are not immediately acted upon by the authorized agent, City may do or have such work done by others at Developer's expense. (DS-24)

81. "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)
82. 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)
83. All grading shall conform to City's standard grading notes, City Code, and recommendations of Developer's soils engineer as approved by the City Engineer. (DS-30)
84. 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)
85. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
86. 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)
87. 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)
88. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
89. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)
90. 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)
91. 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)

92. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
93. Developer shall design project to minimize degradation of stormwater quality by complying with the applicable sections of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) for new development and redevelopment projects. Developer shall submit stormwater quality calculations and associated construction plans demonstrating compliance with the MS4 permit. Calculations shall generally be organized to follow the steps outlined in Chapter 2 of the 2011 Technical Guidance Manual for Stormwater Control Measures ("2011 TGM"). (DS-78)
94. Developer shall construct the trash enclosure 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. 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 Building and Engineering Division. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS-80)
95. Developer's stormwater quality calculations shall include site specific analysis and recommendations from a geotechnical engineer, and if applicable, a landscape architect for design and implementation of stormwater treatment and infiltration devices. Geotechnical Engineering analysis and recommendations shall include, but not necessarily be limited to, determination of site specific soil infiltration rates, depth to permeable soil layers, methods to reach permeable soil layers, appropriate compaction rates, recommendations to enhance infiltration, and other requirements of the 2011 TGM. Landscape architectural recommendations shall include, but not necessarily be limited to, suggestions regarding appropriate vegetation and soil amendments for vegetated infiltration devices. Project plans shall implement approved design recommendations. (DS-81)
96. Using forms provided by the Building and Engineering 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 City Engineer 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)

97. 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 and catch basins with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)
98. 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)
99. 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)
100. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") in all catch basins accepting stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS-88)

DEVELOPMENT DIVISION SPECIAL CONDITIONS

101. Developer shall reconstruct the existing walkway from the public right-of-way to the building to be at 5-foot wide minimum, in full compliance with 2019 CBC disabled access standards. (DS)
102. In accordance with City Code, Developer shall provide separate services and water meters for commercial and irrigation. (DS)

103. Developer shall design the storm drain inlets to allow 6-inches of stormwater to pond over the catch basins or submit an alternative design to demonstrate that enough head will develop over the inlets to capture the required runoff rate and volume. (DS)
104. The trash enclosure shall be designed with sufficient room to house all of the required dumpsters and food waste containers with doors facing the alley. The gates or doors shall not interfere or block any portions of the alley. The design shall also allow the bins to be serviced without the need to be shuffled inside the storage room. An accessible path of travel shall connect the building employee door to the enclosure without steps. (DS)
105. The site drainage shall be designed to maintain the pre-existing drainage pattern. No alteration of drainage pattern is allowed unless approved by the City Engineer. (DS)
106. Developer shall properly abandon all existing sewer and water laterals currently extended to the site that will not be used in the final design, as required by the City Engineer. Abandonment shall occur at the City main. (DS)

TRAFFIC DIVISION SPECIAL CONDITIONS

107. The project design shall include appropriate onsite traffic signs to instruct drivers not to queue in the public sidewalk and public roadway to the City Traffic Engineer's satisfaction. Onsite traffic sign square footage shall not be included within the total Advertising Signs sign area, as defined by Oxnard City Code, Chapter 16, Article IX, allowed on the project site. (TR)
108. The Developer shall comply with Oxnard City Code Section 16-639 in relation to the design of parking stalls within the development, or as approved by the Planning Commission. (TR)
109. The site shall be designed and operated in a manner that vehicles do and will not spill into the adjacent street waiting to enter the site or into the drive-through aisle. Vehicles must be able to pull into the drive-through entrance lane as easily and quickly as possible. Final project design shall verify that vehicle entrance into the drive lane and then into the drive-through aisle can be accomplished with a single turning movement. The project will need to adjust the location of the drive-through median island nose, as necessary, to allow for these movements. Final design of the driveway and drive-through location shall be subject to the approval of the City Traffic Engineer. (TR)
110. A Transportation Demand Management Plan (June 21, 2021) has been prepared for the project and shall be utilized by the occupant at all times during daily operations to reduce the potential for project traffic to back into the adjacent street system. The Developer is responsible for taking appropriate actions as identified in the Plan, as well as any other necessary means, as directed by the City Traffic Engineer, to ensure traffic does not spill back into the adjacent street system. If traffic does back into the street system the occupant will work with the City to revise the Plan to develop additional measures to limit this occurrence. (TR)
111. A report on the effectiveness of the Transportation Demand Management Plan shall be prepared and submitted for review and approval to the City Traffic Engineer at 6 Months

and 12 months after operations begin on the site 1) verify the Plan adequately addresses safety concerns, or 2) propose modifications to ensure the site will be designed and operated in a manner that vehicles will not spill into the adjacent street. Proposed design and operational modifications shall be subject to approval of the City Traffic Engineer. (TR)

ENVIRONMENTAL RESOURCES DIVISION

112. 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.
113. 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.
114. 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.
115. 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.
116. 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.

117. 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.
118. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.
119. 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.
120. 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>
121. 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

122. 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*)
123. 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*)
124. 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*)
125. 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*)
126. 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*)

127. The project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, *F-6*)
128. 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*)
129. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
130. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
131. 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*)
132. 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*)
133. 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*)
134. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, *F-15*)
135. 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

136. 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.
137. 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.
138. All drive overhangs shall be a minimum of 13 feet 6 inches.
139. All overhangs are required to be sprinklered.
140. Trash enclosure is required to be sprinklered.

141. FDC is required to be within 50-feet of the fire hydrant and not across drive aisles.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on
this 21st day of October 2021.

Daniel Chavez, Jr., Chair

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Planning Commission of the City of Oxnard at a meeting held on 21st day of October 2021, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Scott Kolwitz, Secretary

ATTACHMENT H

STAFF PRESENTATION

Vineyard Starbucks Site Renovations

Planning & Zoning Permit No. 21-550-01
(Major Modification to U-916 (Special Use Permit))

Applicant: Beverly Metz, Starbucks, Applicant

Joe Pearson II, Senior Planner
Scott Kolwitz, Planning and Environmental Services Manager

Planning Commission
October 21, 2021

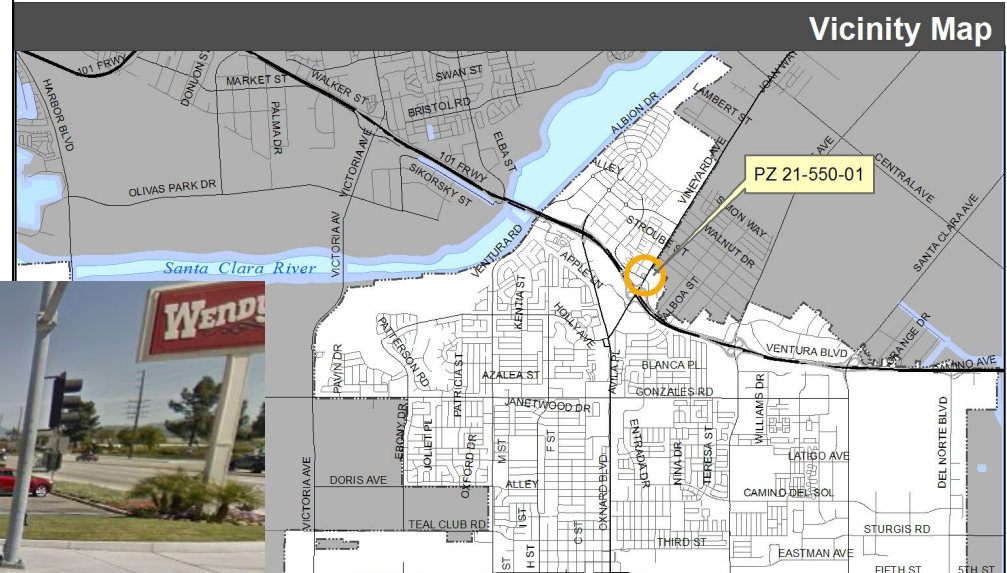
Project Description (SUP)

- A request for a Major Modification (MJMD) to Special Use Permit U-916 to allow for modifications to an existing 2,450 sq ft drive-through fast food restaurant building and to allow for a drive-through coffee shop on a 0.66 acre site:
 - 50 square foot addition.
 - Redesign of the drive-through lane to increase the queue length from 5 vehicles to 16 vehicles.
 - 20 parking spaces
 - Grant administrative parking relief to allow for a decrease in the number of parking spaces and to allow for up to 25 percent of the required parking spaces to be compact spaces.
 - Facade, landscaping, and infrastructure improvements
 - Revised Site and drive-through signage

Project Location

Subject Site: 2551 North Vineyard Avenue

Existing Wendy's Drive-through restaurant



Project Location



Project Location

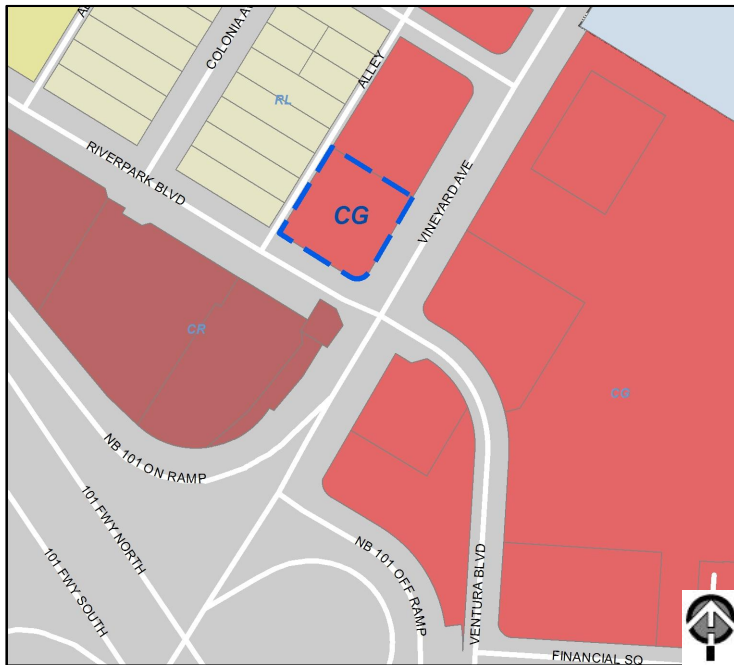
Aerial-View



LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General	General Commercial Planned Development (C-2-PD)	Fast Food Restaurant (Wendys)
North	Residential Low	Single-Family Planned Development (R-1-PD)	Single Family
South	Commercial General	C-2-PD	Shopping Center
East	Commercial General	C-2-PD	Shopping Center
West	Commercial Regional	Specific Plan (RiverPark)	Fast Food Restaurant (McDonalds)

General Plan & Zoning Maps

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



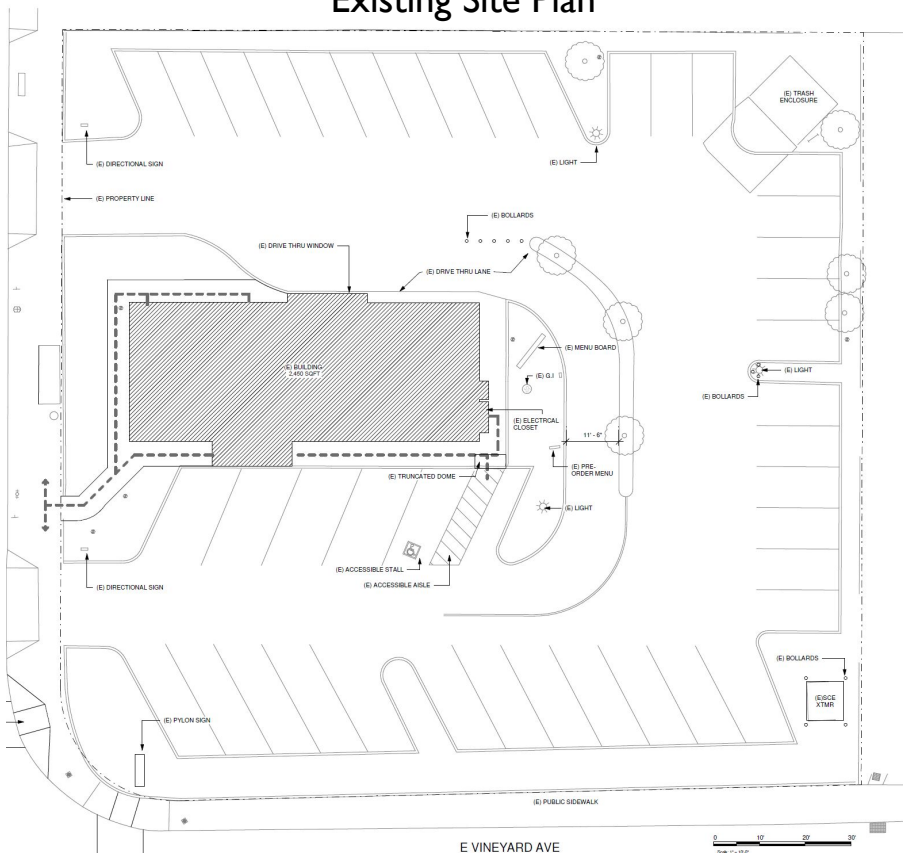
General Commercial-Planned Development
(C-2-PD)

Background - Existing Restaurant

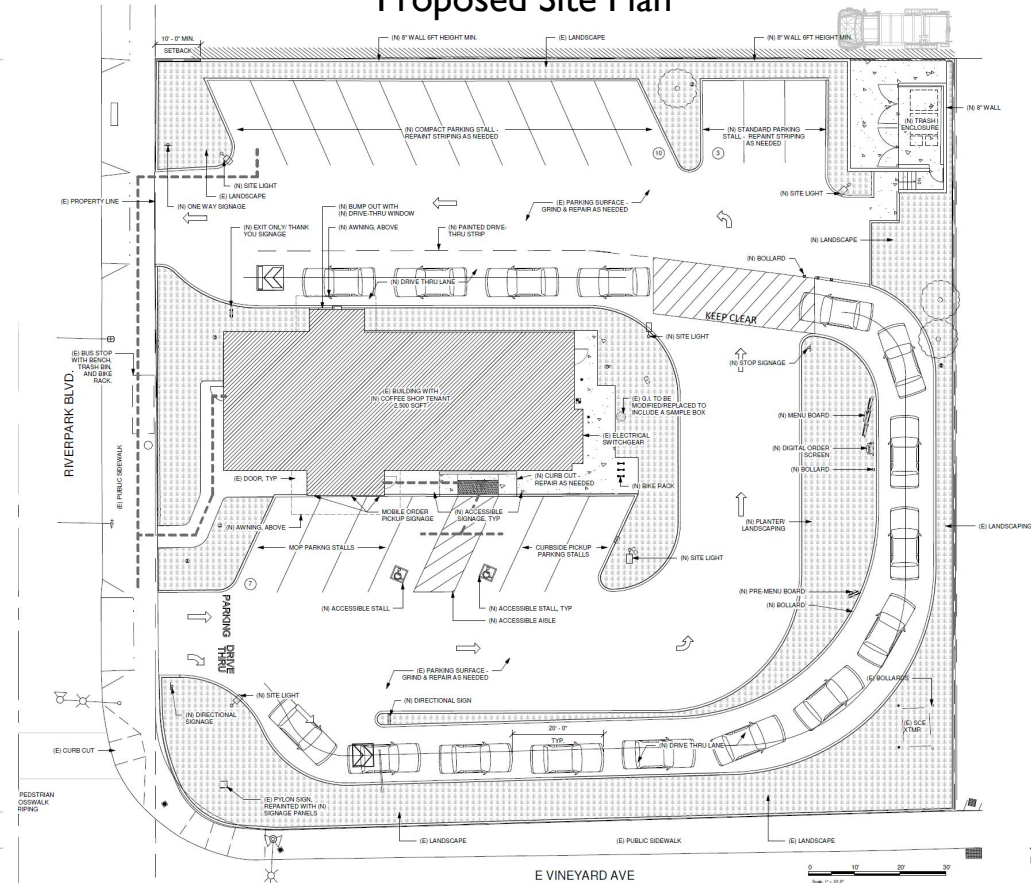
- The existing drive-through restaurant and signage were approved in 1980, through a Special Use Permit. Since that time the site has generally remained unchanged, with only minor facade and landscape changes taking place.

Existing vs. Proposed Site Plan

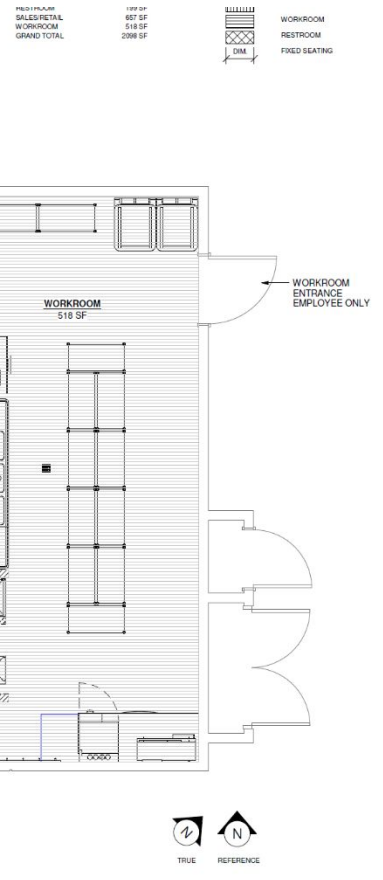
Existing Site Plan



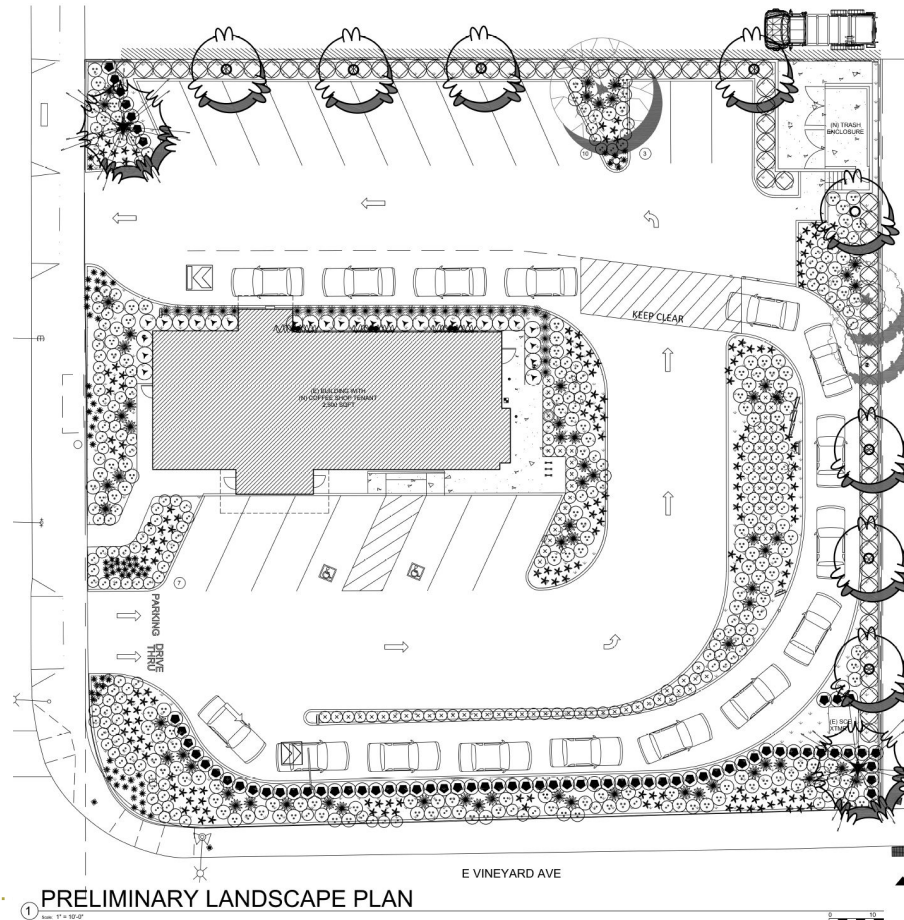
Proposed Site Plan



Floor Plan



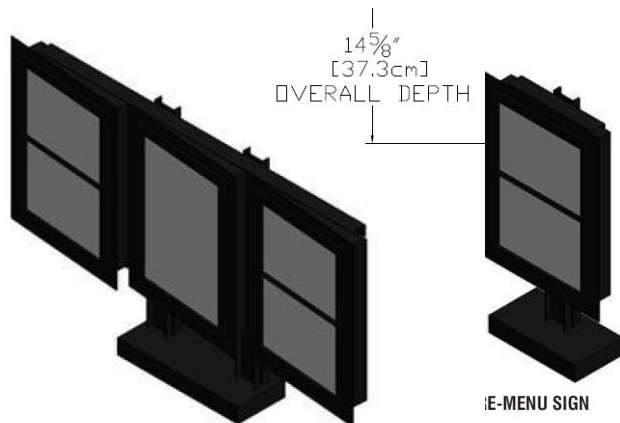
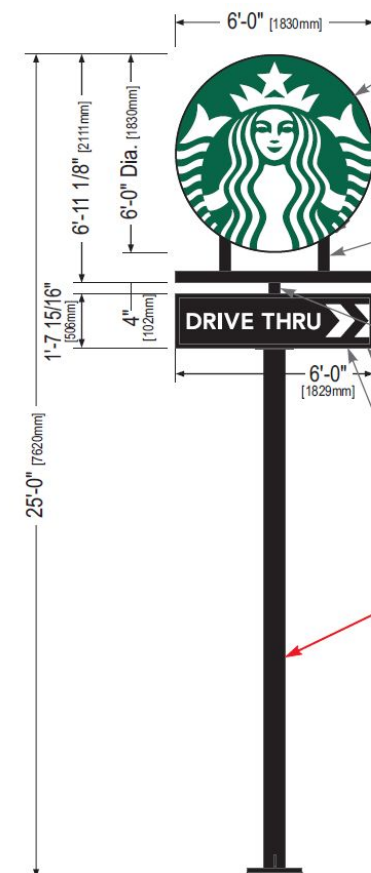
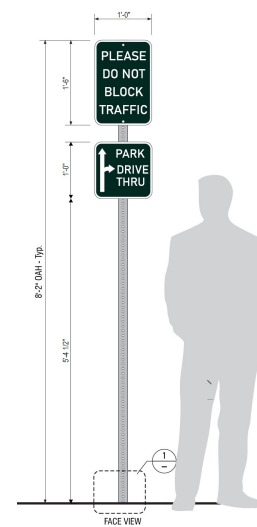
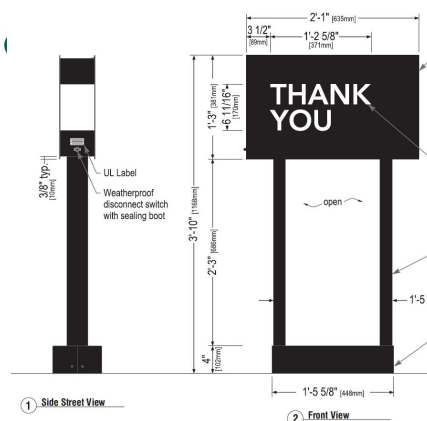
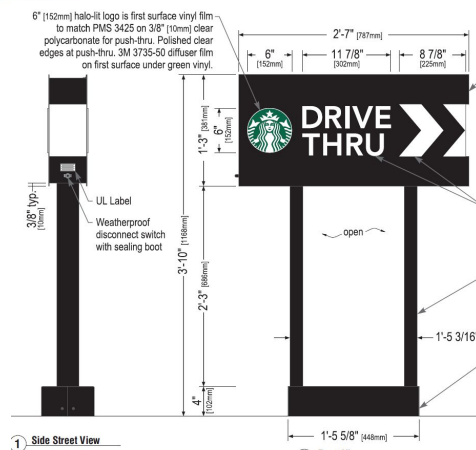
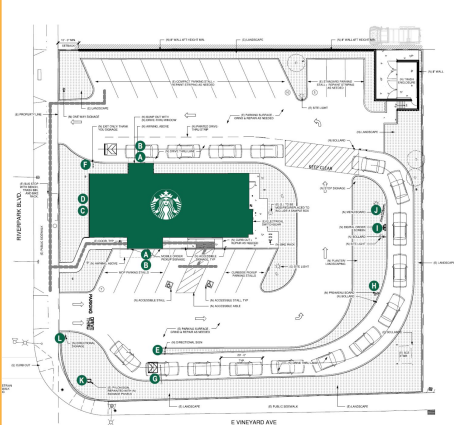
Landscape Plan



Elevations - Rendered



Drive-Thru and Freestanding Signage



5- PANEL MENU SIGN-

F D/F EXIT DIRECTIONAL SIGNS~ Qty (1)

Scale: 1" = 1'

General Plan Consistency

- The development of the proposed Project furthers many of the policies identified in the 2030 General Plan, as identified in the staff report. Some of the key policies are:
 - Community Development Policy 1.2 - Infill Development
 - Community Development Policy 4.2 - Commercial Revitalization and Redevelopment
 - Community Development Policy 9.2 - Revitalization and Redevelopment
 - Community Development Policy 9.4 - View Corridor Preservation
 - Community Development Policy 18.1 - Attract new Business

Zoning Code Compliance

- The Project is subject to the “General Commercial-Planned Development” (C-2-PD) zone district.
- Two variations from the standards are being requested:
 - A reduction in the required parking from 50 to 35 pursuant to the approval of a administrative parking relief under OMC 16-651(B)(4)
 - Allow for up to 25 percent of the required parking to be compact spaces pursuant to the approval of a administrative parking relief under OMC 16-651(B)(3)

Zoning Code Compliance

DEVELOPMENT	PARKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-622(F)	STACKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-647(D)	PARKING + STACKING PROVIDED	TOTAL PROVIDED
Existing Wendy's	Fast Food: 1 space per 50 gsf. 2450 gsf =49 spaces	8 Spaces	41 parking spaces + 5 stacking spaces	46 spaces
Proposed Starbuck	Fast Food: 1 space per 50 gsf. 2500 gsf =50	8 Spaces	20 parking spaces + 16 stacking spaces	35 spaces (Maximum of 15 spaces can count toward parking requirement)

Zoning Code Compliance

DEVELOPMENT	STANDARD PARKING DIMENSION REQUIREMENT PER OXNARD CITY CODE SECTION 16-639	COMPACT PARKING DIMENSION REQUIREMENT PER OXNARD CITY CODE SECTION 16-639	PROPOSED COMPACT PARKING DIMENSIONS	TOTAL PROVIDED
Proposed Starbuck	9 feet x 19 feet	8 feet x 16 feet	10 Spaces: 8 feet-7 inches x 19 feet 1 space: 9 feet x 18 feet-1 inch	11 Compact spaces (22 percent)

Environmental Review

Exempt for California Environmental Quality Act (CEQA):

1. Section 15301, “Existing Facilities”;
2. Project consists of existing facilities involving negligible or no expansion of capacity;
3. Any proposed additions represent less than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.
4. As proposed Project will not have significant environmental impacts;
5. No Exceptions to the Exemption apply.

Select Recommended Conditions of Approval

- COA# 3:
The permit is granted for 36 months.
- COA # 33:
Requires additional screening of the drive -through lane.
- COA #36:
Requires the drive-through speaker box use automatic volume control.
- COA #s 37, 38, 107, 109, 110, and 111:
Requires the applicant implement a Transportation Demand Management Plan (TDMP) and allows for re-evaluation by the City.

Public Comments

On July 19, 2021 a Community Workshop was held.

- Approximately 3,200 mailed notices were sent to owners within the El Rio, El Rio West, and RiverPark neighborhoods;
- On-site posted notice;
- Prior to the meeting three comments were received in response to the Community Workshop notices; and
- During the meeting one comment was received by a member of the public regarding the Project.

The primary concerns expressed in the comments were related to traffic and circulation. As discussed in the staff report, through the DAC process and subsequent reviews, City staff from Planning, Building and Engineering, Traffic, Fire and Police have reviewed both the site design and Traffic Management Plan to ensure the project will not impede traffic on the adjacent streets. Also, as conditioned if it is determined the Traffic Management Plan is not functioning as needed the City shall have the ability to re-evaluate and amend the plan as needed.

Public Notice

- Notice of PC hearing was provided:
 - Newspaper,
 - On-site posting; and
 - Mailed to property owners within 300 feet.
- To date, no public comment has been submitted in support of the project.

Staff Recommendation

Recommendation: That the Planning Commission:

- a) Find the Project to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities); and
- b) Adopt Resolution 2021-XX approving Planning and Zoning Permit No. 21-550-01 (Major Modification to U-916 (Special Use Permit)), subject to certain findings and conditions.



Questions