CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commision

FROM: Jose Coyotl, Associate Planner

DATE: January 20, 2021

SUBJECT: **Project Name: Kind Lifestyle Market LLC dba Kind Lifestyle Market - Commercial Cannabis Business Retail (SUP)**; Planning and Zoning Permit No. 21-516-11 (Retail); Located at 911 South Oxnard Boulevard (APN: 202-0-192-010).

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 2022-XX approving Planning and Zoning Permit No. 21-516-11 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

2) **Project Description and Applicant:** A request to permit the operation of a 3,978 square-foot commercial cannabis retail facility within an existing 4,100 square-foot commercial building on a 0.27-acre site located at 911 South Oxnard Boulevard (APN: 202-0-192-010) within the Downtown General (DT-G) 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 (resulting in a 122 square-foot net reduction to the building), and providing exterior facade improvements, (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 Kristine Byers ("**Applicant**"), 2801 B Street, #161, San Diego, CA 92101, on behalf of Kind Lifestyle Market LLC dba Kind Lifestyle Market.

3) **Existing & Surrounding Land Uses:** The 0.27-acre property is developed with a 4,100 square-foot commercial building, 336 square-foot secondary building, and a parking and loading area. The project will be located within a 3,978 square-foot commercial building located at 911 South Oxnard Boulevard. The nearest established sensitive use is Driffill Elementary School (Public School), located approximately 998 feet east 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	Downtown (DTN)	Downtown General (DT-G)	Automotive tire and car maintenance facility.
North	DTN	DT-G	Commercial buildings.
South	DTN	DT-G	Commercial building.
East	DTN	DT-G	Vacant automotive commercial development.
West	DTN	DT-G	Multi-tenant commercial buildings.

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
The site was originally developed in 1948. Since the initial construction to present day, permits for various tenant improvements have been approved to accommodate the turnover of automotive related commercial establishments.

Commercial Cannabis Retail License Selection
On January 4, 2021, Kind Lifestyle Market LLC dba Kind Lifestyle Market filed for a request to obtain a Commercial Cannabis Business Permit for a 3,616 square-foot cannabis retail facility.

On March 1, 2021, Kind Lifestyle Market LLC dba Kind Lifestyle Market 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, Kind Lifestyle Market LLC dba Kind Lifestyle Market is required to receive approval of a SUP as specified within OCC Section 11-457.

Downtown Design Review
The project was reviewed by the Downtown Design Review Committee (DDRC) on December 9, 2021. The DDRC provided recommendations to modify the Project's exterior facade and landscaping improvements. The applicant team subsequently modified the plans consistent with the DDRC's direction as described below in Section 8.

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 decrease but not increase the square footage of the existing building. None of the Exceptions to the Exemptions (Section 15300.2) apply to the Project to make the Exemption inapplicable. Therefore, Staff recommends that the Planning Commission find that the Project is Categorically 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, Downtown General zone, and the OCC.

In accordance with the adopted Oxnard Downtown Code Section 16-148, permitted uses within the Downtown General zone, includes cannabis retail, 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.

As part of the project request the storefront facade for the 911 South Oxnard Boulevard will be remodeled. The proposed remodel will include architectural style changes and the repainting of the building. The facade will be improved by the installation of an black anodized aluminum storefront glazing system, new cantilevered shade canopy, and CMU planters along the perimeter of the storefront area. Paint colors include "Pure White" (SW7005) for the CMU wall, "Gray Screen" (SW7071) for the smooth plaster architectural features, and "Web Gray" (SW7075) for canopies and building trim. Other improvements to the site include installation of a trash enclosure designed to match the architectural upgrades of the proposed project and installation of native drought tolerant landscaping throughout the property with a minimum of four (4) shade trees (Attachment B). The exterior improvements were reviewed by the DDRC.

In addition, the Applicant is requesting a 10% increase in the gross floor area of the cannabis retail facility from what was identified as the proposed location square footage in their conditional Commercial Cannabis Business Permit for cannabis retail. The result of the increase allows the retailer to increase the size of the facility from 3,616 square feet to 3,978 square feet; however, the actual size of the existing building is 4,100 square feet, and the project will reduce the size of the existing building to 3,978 square feet. In accordance with the City of Oxnard's Planning Divisions established Policies & Procedures Item 2.7 - Minor Modifications (Attachment F) the Community Development Director may approve increases or decreases of no more than 10% for use of an area for projects approved by the Planning Commission. The Applicant's request to modify gross floor area of the cannabis retail use can be approved by the Planning Commission as part of this action as it falls below the 10% established maximum deviation as measured from the conditional Commercial Cannabis Business Permit for cannabis retail awarded to Kind Lifestyle Market LLC dba Kind Lifestyle Market on March 1, 2021.

b) ***General Plan, Local Coastal Program, and Zoning Consistency:***

General Plan Consistency:

The City's 2030 General Plan land use designation for the subject site is Downtown (DTN) uses which allows retail, commercial, government and residential uses in the urban context of the downtown area, regulated by form-based development and performance standards to encourage pedestrian-oriented design, diverse and high-quality

housing choices and transit utilization. The proposed Project is consistent with the 2030 General Plan and the property's land use designation (Attachment G).

Zoning Consistency:
The Project is within the Downtown General (DT-G) zone. The purpose of the DT-G zone is to allow a mix of non-residential ground floors frontages with shopfronts and residential ground floors set back behind pedestrian-oriented frontahes and resident/visitor access via dooryards, stoop, and specious lobbies. The DT-G zone provides a wide range of commercial opportunities for the residents of the city, including retail. As demonstrated within the table of Attachment H, the Project is in compliance with the DT-G zone.

***Location and Design of Cannabis Business Requirements*:**
In accordance with OCC Section 16-148 (Downtown Code Allowed Uses), 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 I, the Project has been found to be in compliance with Chapter 11, Article XVI.

As demonstrated within the referenced table attachments, this Project is consistent with the City's General Plan, Downtown General zone, and Chapter 11, Article XVI. Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) Circulation and Parking:
In order to minimize security issues during the delivery of cannabis products, the project will utilize a proposed loading area along the north side of the buildings accessed by a service door to the tenant space which directly connects to the parking lot. The project is required to provide 16 parking spaces. The onsite parking lot will provide 9 parking spaces including 1 accessible parking space and 8 standard parking spaces. In order to comply with the Downtown Code parking requirements for the proposed cannabis retail use, the remaining 7 required parking spaces will be provided by the Project being conditioned to pay an in-lieu fee for 100% of the seven required commercial spaces. In addition, the Project will provide five bicycle spaces. Required parking is provided as follows:

USE TYPE & SQUARE FOOTAGE	PARKING STANDARD	PARKING REQUIRED	PROPOSED	COMPLIES?
Retail Cannabis Use 3,978 square feet	1 per 250 square feet of area	16	16	Yes, as conditioned

Shopping Center	Five spaces at each mall entrance	5	5	Yes, as conditioned
	Total Provided Parking:	16 Parking Spaces 5 Bicycle Spaces	16 Parking 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. Furthermore, Port Hueneme Chief of Police Andrew Salina has made public comments during other cannabis public hearings outlining the reduction in crime Port Hueneme has experienced in areas adjacent to commercial cannabis retailers as a direct result of their operational characteristics including the use of upgraded security systems, private security, and other site-specific security plans. Several conditions of approval have been incorporated into the draft resolutions of approval (Attachments I) 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 July 13, 2021. Conditions of approval from CRC are included in the attached Resolution.

8) Downtown Design Review Committee: The Project was reviewed by Downtown Design Review Committee (DDRC) on December 9, 2021. DDRC issued the following review comment suggestions:
a) Project should have a licensed landscape architect on board.
b) Introduce regional natives into the plant palette.
c) Sign shall comply with the Signage requirements.

The applicant incorporated comments b and c by updating the project plans to comply with all three suggestions outlined by DDRC. The applicant team has hired a licensed landscape architect to draft a new landscaping plan to comply with suggested DDRC comment a. In order to comply with the cannabis retail timeline, the Project plans will be evaluated by staff as part of the plan check review process.

9) Community Workshop and Public Input:

1. The project site is located within the Hobson Park East. On October 7 2021, the site was posted with Project details and Community Workshop information, and the Developer mailed out 843 meeting agenda notices to the residents of the Hobson Park East and Five Points Northeast Neighborhoods. On October 18, 2021, the project was presented to the public during a Community Workshop meeting. There were 6 members that participated at the Community Workshop for

this item, but no public comments were provided on this item. Staff received 3 email comments before the meeting regarding the cannabis retail facility which are attached to this staff report (Attachment K).

To date, staff has not received any additional public comments regarding this Project.

10) Appeal Procedure:

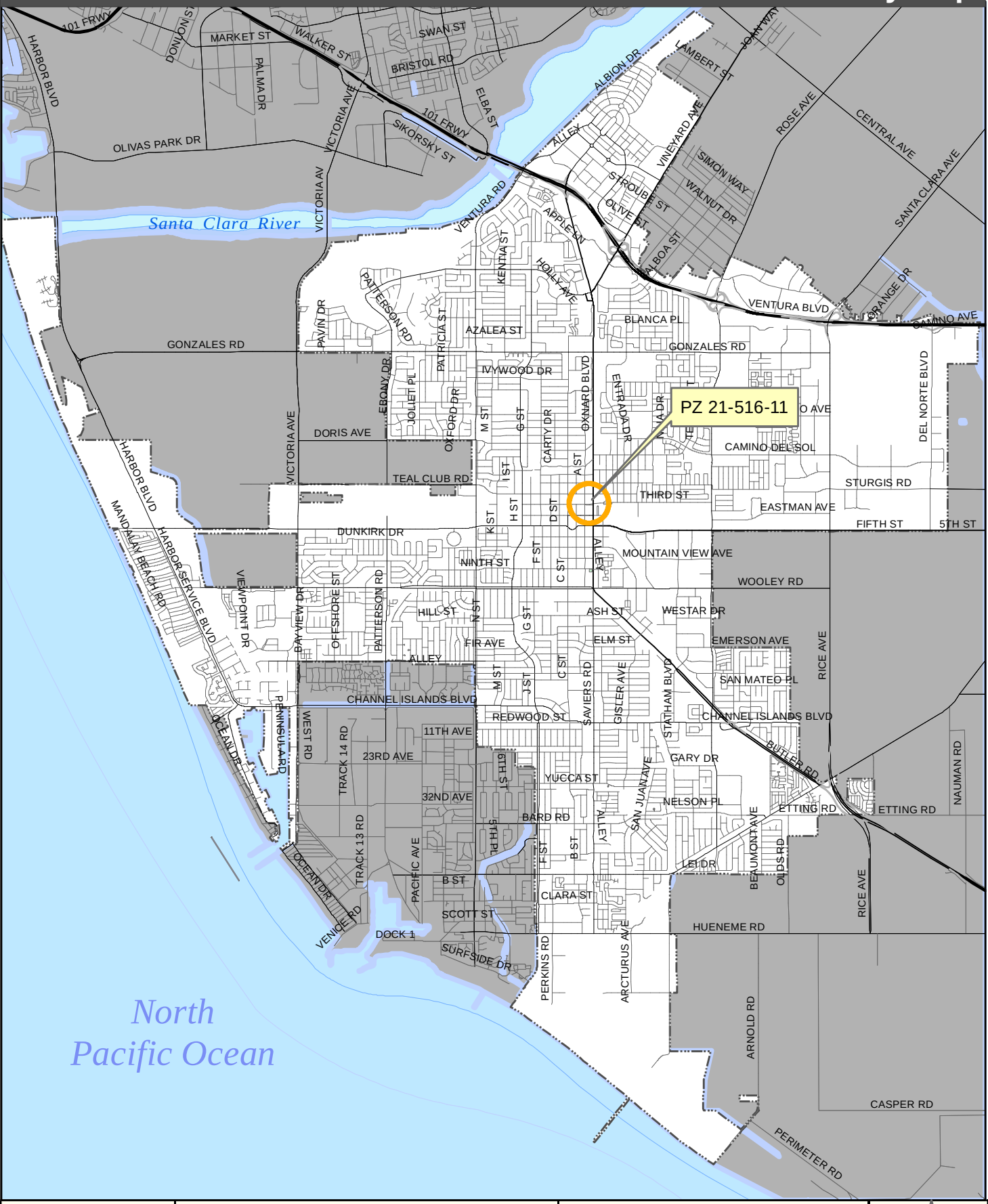
In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 21-516-12 (Commercial Cannabis Retail- Special Use permit) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk's Office and 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 and Downtown Code Section 16-148
D. Kind Lifestyle Market LLC dba Kind Lifestyle Market Conditional Commercial Cannabis Business Permit
E. Notice of Exemption
F. City of Oxnard's Planning Divisions established Policies & Procedures Item 2.7 - Minor Modifications
G. 2030 General Plan Consistency Chart
H. Zoning Consistency Chart
I. Location and Design of Cannabis Business Consistency Chart
J. Draft Resolution of Approval for Commercial Cannabis Retail
K. Public Comment Letters
L. Staff Presentation

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

Vicinity Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

November 22, 2021

PZ 21-516-11
Location: 911 S Oxnard Blvd
APN: 2020192010
Kind Lifestyle Market

Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

November 22, 2021

PZ 21-516-11
Location: 911 S Oxnard Blvd
APN: 2020192010
Kind Lifestyle Market

Feet
0 50 100 200

2030 General Plan Land Use Map

N W E S

1:1,500

Zoning/Specific Plan Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

Novemebr 23, 2021

PZ 21-516-11
Location: 911 S Oxnard Blvd
APN: 2020192010
Kind Lifestyle Market

0 25 50 100 150 200 Feet

Zoning/Specific Plan Map

N W E S

1:1,500

Aerial Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

November 22, 2021

PZ 21-516-11
Location: 911 S Oxnard Blvd
APN: 2020192010
Kind Lifestyle Market

Feet
0 10 20 40 60 80

Aerial Map

N W E S

B.Reduced Project Plans

1. Sherwin Williams SW7005 Pure White Exterior Paint. To be applied to existing and new concrete masonry unit walls.
2. Sherwin Williams SW7071 Gray Screen Exterior Paint. To be applied to existing and new smooth, plaster finish areas.
3. Sherwin Williams SW7075 Web Gray. To be applied to canopies and trim.
4. Exterior Aluminum Storefront System. "Black Anodized".
5. High-Performance Glazing System: Basis-of-Design: Vitro, SOLARBAN 70 (2) Optigray + Clear Glass Insulating Glass.

**Note: These basis-of-design materials and colors are representational and meant to convey the project's design intent. Final manufacturers and products to be specified during building department submittal.*

1

2

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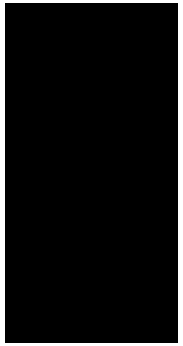


4

5

Proposed Materials

11.22.2021

Kind Lifestyle Market, 911 S Oxnard Boulevard, Oxnard, CA 93030

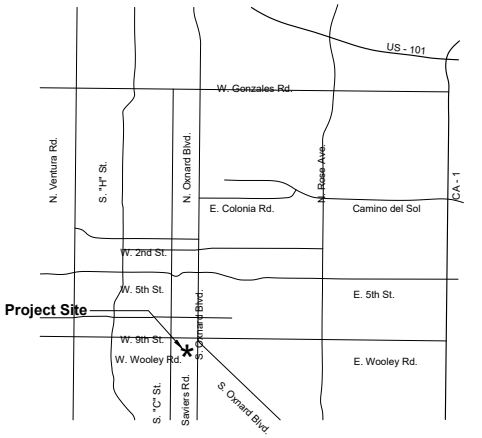
Kristi Byers, Architect
Architecture Design Sustainability

Development Summary

Project Narrative:	This project is an application for a Phase 4 SUP (Special Use Permit) for a Cannabis Retail Storefront to be located at 911 S. Oxnard Blvd. Oxnard, CA 93030. The scope of work will include: 1. An adaptive re-use conversion of an existing automotive repair shop into a Cannabis Retail Storefront. An additional, existing, detached secondary building on the same lot will serve as an art garage (gallery) for the community and will be approved under separate permit. 2. Proposed demolition work will include: finishes, partition walls, MEP infrastructure, restroom, fixtures and equipment, lighting, exterior storefront system, and equipment not compatible with proposed use. 3. Proposed spaces include: Waiting Lobby, Staff Break Room, Restrooms, Custodial Room, Customer Sales Area, Inventory Storage and Fulfillment, Manager's Office and Safe Room, Product Intake and Person Trap. 4. Proposed interior work includes: deferred maintenance, new non-bearing partitions, new electrical, HVAC and plumbing infrastructure, new lighting, new security system, new millwork and new finishes throughout. 5. Proposed exterior work includes: deferred maintenance, new storefront glazing system, re-striping of parking lot, new parking light lighting, new trash enclosure, new landscaping and paving, new facade treatments, new signage, new lighting, and new security system.
Project Team:	Client: Kind Lifestyle Market LLC 7520 Quinta Street Carlsbad, CA 92009 Contact: W. David Osborne davido@kindlifestylemarket.com 858.353.4874
	Architect: Kristi Byers, Architect A.P.C. 2801 B Street, #161 San Diego, CA 92102 Contact: Kristi Byers, AIA LEED AP BD&C kb@kristibyersaia.com 619.599.5984
	Landscape Architect: Pacific Coast Land Design, Inc. 461 East Main Street Ventura, CA 93001 Contact: Eric J.H. Berg, CA PLA #6047, LEED AP eric@pc-ld.com 805.715.4175
Project Address:	911 South Oxnard Boulevard Oxnard, CA 93030
Legal Description:	LOT 1, BLOCK 192, BOOK 202, PAGE 19, RANCHO EL RIO DE SANTA CLARA O'LA COLONIA, VENTURA COUNTY ASSESSOR'S MAP, REVISED APRIL 30, 2020.
APN:	202-0-192-010
Sheet Index:	T0.00 Development Summary & Vicinity Map A1.00 Site Plan & Parking Calculations A1.50 Landscape Plan A2.00 Proposed Floor Plans A3.00 Exterior Elevations
Type of Construction:	III-B
Occupancy Classification:	Existing: S-1 Motor vehicle repair shop; B - Office Proposed: M - Commercial Service; B - Office; S-1 Storage
Zoning & Overlays:	Base Zone: DT-G Overlay Zones: Shopfront Overlay FAA Airport Hazard Overlay Ventura County Heritage Board
Gross Area:	Site Area: 12,000 GSF Project Area: 3,978 GSF Existing main building (Proposed Cannabis Retail Storefront) Accessory Building: 336 GSF Existing Accessory "Art Garage" Building (To be approved under separate permit)
Existing & Proposed Use:	Existing Use: Motor vehicle repair shop; Office Proposed Use: Commercial Service; Office; Storage
Year Constructed:	1948
Landscape Area:	836 SF
Building Heights:	Building Height - Main building: 15'-6" Building Height - Secondary: 13'-0"
Applicable Codes:	City of Oxnard Municipal Code 2019 California Building Code 2019 California Green Building Code 2019 California Plumbing Code 2019 California Mechanical Code 2019 California Energy Code 2019 California Fire Code

Vicinity Map

Scale: Not to scale



Kristi Byers, Architect
Architecture Sustainability Strategies

LICENSED ARCHITECT
KRISTINE M. BYERS
No. C 21464
exp. 08.31.23
STATE OF CALIFORNIA

Project:

KIND Lifestyle Market
Special Use Permit
911 S. Oxnard Boulevard
Oxnard, California 93030

Drawing Preparation and Revision Dates

01	06.14.2021	SUP Submittal
02	09.15.2021	SUP Resubmittal
03	10.27.2021	SUP Resubmittal
04	11.05.2021	SUP Resubmittal
05	12.22.2021	DDRC Revisions

Drawing Name:
Development Summary & Vicinity Map

Drawing Number:
T0.00
(1 of 6)

Legend:

- Property Line
- (#) Off-Street Parking Space Count
- Accessible Path of Travel
- Accessible Entrance
- Exterior Security Lighting
- S — Sanitary Sewer
- W — Water Main
- GAS — Gas Line

Parking Analysis:

A total of 18 parking spaces have been deemed necessary for the site by the Planning Division. A total of 9 parking spaces will be provided onsite and the remainder of 9 spaces will be provided through the downtown in-lieu fee program.

Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City of Oxnard Planning Division.

Building Area	= 3,978 SF
Existing parking spaces	= 8
Proposed onsite parking spaces	= 9

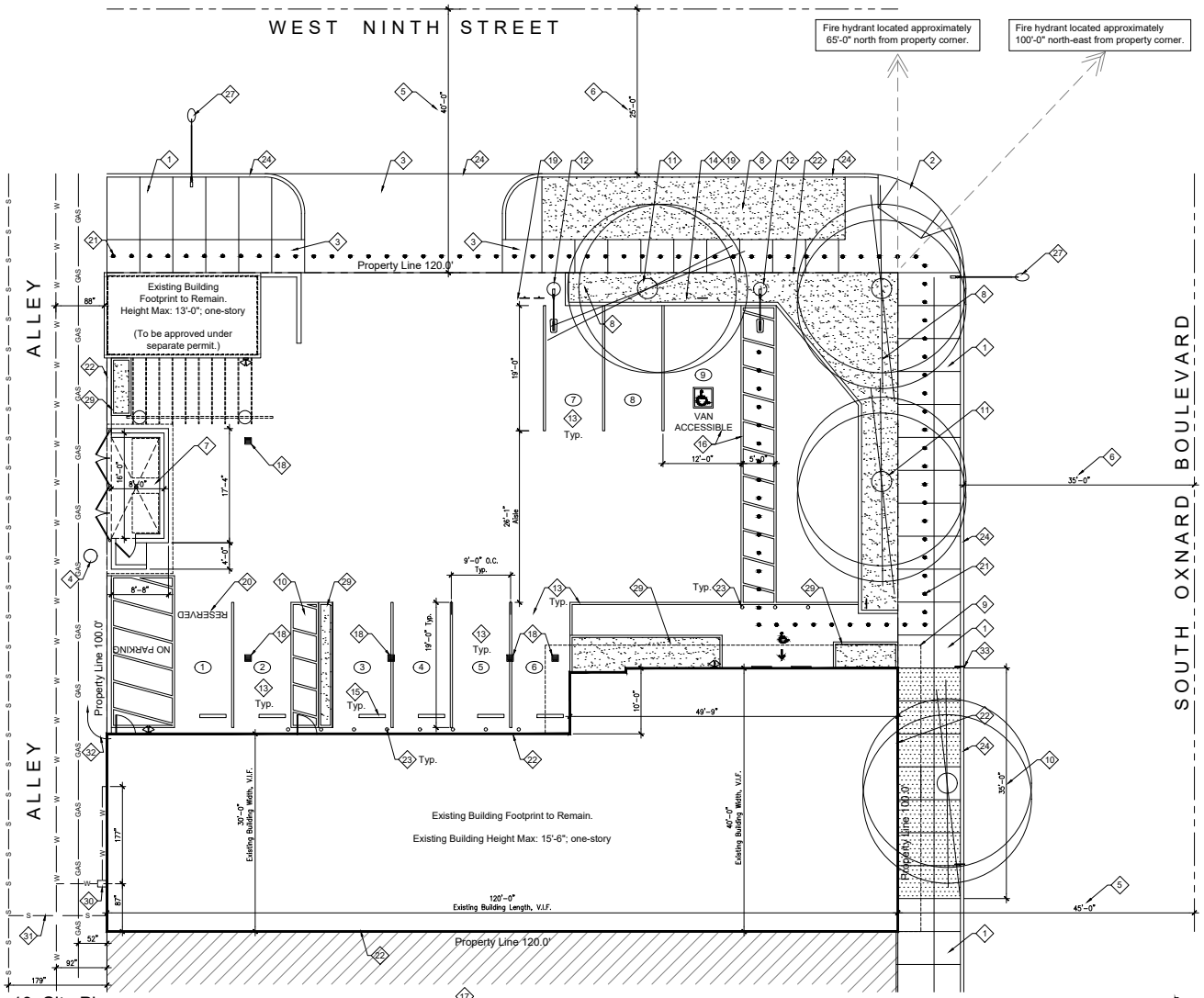
Note: 1 space of 9 will be a Van Accessible parking space

Site Plan General Notes:

A. Proposed work includes adaptive-reuse of existing building into a cannabis retail storefront. Work will occur within the existing building's footprint; no new area will be added. Site will be slightly modified to optimize parking count, provide new vegetation, trees, hardscape, parking lot lighting, security cameras, and signage.

Site Plan Key Notes: (#)

1. Existing sidewalk to remain.
2. Reconstruct the existing curb ramp at the corner at W 9th Street and Oxnard Blvd to ADA standards.
3. Existing driveway entrance will need to be brought to current standard per City Standard Plate 115 with ADA-compliant path of travel behind driveway apron.
4. Existing power pole in alley to remain.
5. Dimension from property line to centerline of street.
6. Dimension from curb to centerline of street.
7. New trash and recycling enclosure to include: new parallel refuse container enclosure with side entrance per Department of Public Works, Standard Plan 2002 Plate 604; new roof cover over refuse container; and new reinforced concrete apron along entire length of enclosure opening.
8. New vegetation per Landscape Plan.
9. Dashed line represents repaired canopy above.
10. New concrete side walk to replace in-kind original concrete sidewalk.
11. New shade tree per Landscape Plan.
12. New parking lot lighting.
13. New parking stall and striping.
14. New accessible parking sign.
15. New wheel stop.
16. New accessible parking stall and aisle striping.
17. Existing adjacent commercial property. Not part of this project.
18. Existing stormwater drain to remain.
19. New vehicular tow-away parking sign as required per City of Oxnard ordinances.
20. New reserved parking for product deliveries.
21. Existing accessible path of travel from nearest public transit bus stop located on the corner of W 9th St. and S. "C" St.
22. Premises Boundary.
23. Steel safety bollard.
24. Damaged sidewalk, curb, and gutter along the project frontage shall be reconstructed.
25. -not used-
26. -not used-
27. Replace existing high pressure sodium street light with LED.
28. New 4" diameter drain located at center of enclosure, and connected to sanitary sewer. Maximum slope to drain must not exceed 2%.
29. New removable vegetated planter boxes per Landscape plan.
30. Existing water meter location. Building is currently served with a 3/4" waterline. The project will minimally increase water loads with the addition of one faucet, therefore, it is anticipated that the existing water infrastructure will meet the needs of the proposed project. Contractor to field verify.
31. Existing building sewer line. The project will minimally increase sewer loads with the addition of one faucet, therefore, it is anticipated that the existing sewer infrastructure will meet the needs of the proposed project. Contractor to field verify.
32. Existing electrical service to building. It is anticipated that the electrical service will be upgraded to a 400A 120/240V service in order to meet the power requirements of the new project.
33. The project will install additional "No Parking Any Time" signs along Oxnard Boulevard. A final signage plan shall be submitted to the City Traffic Engineer for review and approval as part of the building plan set. All signs shall be installed prior to occupancy.



10. Site Plan

Scale: 1/8" = 1'-0"

Kristi Byers, Architect
Architecture
Sustainability Strategies

Project:

KIND Lifestyle Market
Special Use Permit

911 S. Oxnard Boulevard
Oxnard, California 93030

Drawing Preparation and Revision Dates

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05	12.22.2021	DDRC Revisions

Drawing Name:
Site Plan & Parking Calculations

Drawing Number:
A1.00

Landscape Plant List:

Parkinsonia Florida
(Blue Palo Verde Tree)

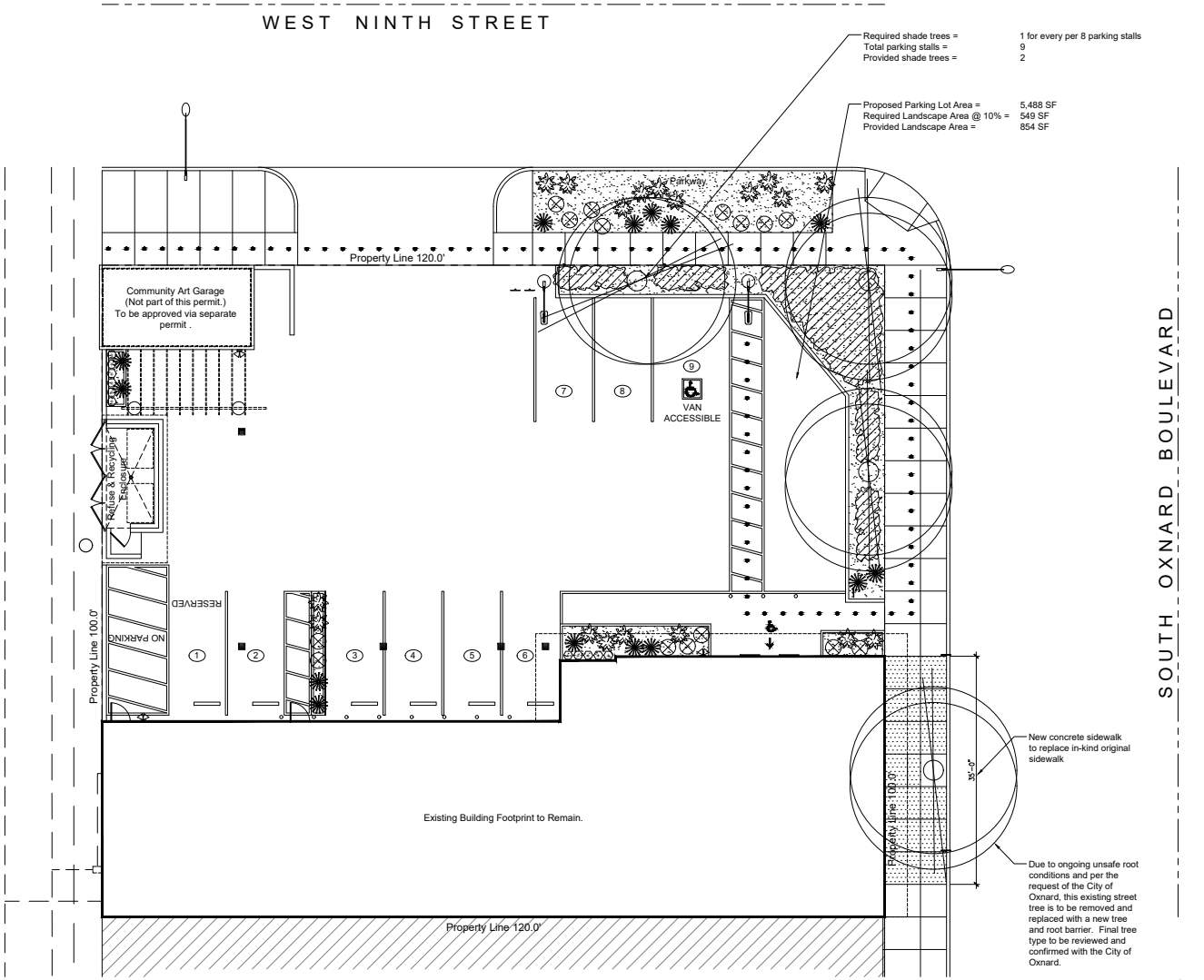
Agave Attenuata
(Foxtail Agave)

Calandria Spectabilis
(Rock Pursiane)

Rhaphiolepis indica *
(Indian Hawthorn)

Aeonium Undulatum
(Saucer Plant)

Pachycereus marginatus
(Fence Post Cactus)



10. Landscape Plan

Scale: 1/8" = 1'-0"

Landscape Plan General Notes:

A. Total area of proposed landscaping (includes Parkway): 1,162 SF.
B. All new landscaping will comply with State, City of Oxnard DT-G requirements.
C. Landscape shall not obstruct the view of any windows, doorways, security cameras, or lights.
D. Parking lot perimeter vegetation, including Parkway, shall be no taller than approximately 24" and have visibility breaks from the street into the parking.
E. Refer to architectural site plan and floor plans for all site and building dimensions.
F. All trees planted within 6'-0" of pavement or hardscape will use roof barriers.
G. All planting areas will receive a 3" layer of Decomposed Granite, as specified.

Landscape Legend: *(See Project notes below.)*

Symbol	Size	Botanical name	Common Name	Coverage
	24" box	Parkinsonia Florida U.N.O.	Blue Palo Verde Tree	25' Wide (at maturity)
	5 gal.	Agave Attenuata	Foxtail Agave	
	1 gal.	Aeonium Undulatum	Saucer Plant	
	1 gal.	Calandria Spectabilis	Rock Pursiane	
	3 per sym.	Pachycereus marginatus	Fence Post Cactus	
	15 gal.	Rhaphiolepis indica	Indian Hawthorn	Anticipated hedge maturity 2 - 3 years. *
	Per plans	Decomposed Granite		

Property Line

* Planting will be hedge like and maintained at a maximum height of 24" above grade.

Project notes:
1. Plant selections are preliminary. Final plant selections will be confirmed based upon specimen availability at time of project construction. Size and maturity of listed plants to be maintained.
2. A local, State of California licensed landscape architect has been engaged by the applicant. The landscape architect has cursorily reviewed the project, has made recommendations for native plant options, and will finalize the landscape plan and plant palette during the building permit phase of the project. See Sheet L-1 Native Plant Palette Options for additional information.

Kristi Byers, Architect
Architecture Sustainability Strategies

Project:

KIND Lifestyle Market
Special Use Permit
911 S. Oxnard Boulevard
Oxnard, California 93030

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05	12.22.2021	DDRC Revisions

Drawing Name:
Landscape Plan

Drawing Number:
A1.50
(3 of 6)

NATIVE PLANT PALETTE OPTIONS

TREES

Chilopsis linearis 'Monhews'
Timeless Beauty Desert Willow

Chilopsis linearis 'Monhews'
Timeless Beauty Desert Willow

SHRUBS, GRASSES & CACTI

Achillea millefolium 'Moonshine'
Moonshine Yarrow

Baccharis pilularis 'Pigeon Point'
Dwarf Coyote Brush

Bouteloua gracilis 'Blonde Ambition'
Blue Grama

Dudleya brittonii
Giant Chalk Dudleya

Heuchera maxima
Island Alum Root

Muhlenbergia rigens
Deer Grass

Penstemon heterophyllus 'Margarita Bop'
Margarita Bop Penstemon

Salvia clevelandii 'Winnifred Gilman'
Blue Sage

Kristi Byers, Architect
Architecture Sustainability Strategies

Pacific Coast Land Design, Inc.
Landscape Architecture • Urban Design • Environmental Planning
461 East Main Street, Ventura, CA 93001 805.644.7697 www.pcld.com

Project:

KIND Lifestyle Market
Special Use Permit
911 S. Oxnard Boulevard
Oxnard, California 93030

Drawing Preparation and Revision Dates

05	12.22.2021	DDRC Revisions

Drawing Name:
Native Plant Palette Options

Drawing Number:
L-1
(4 of 6)

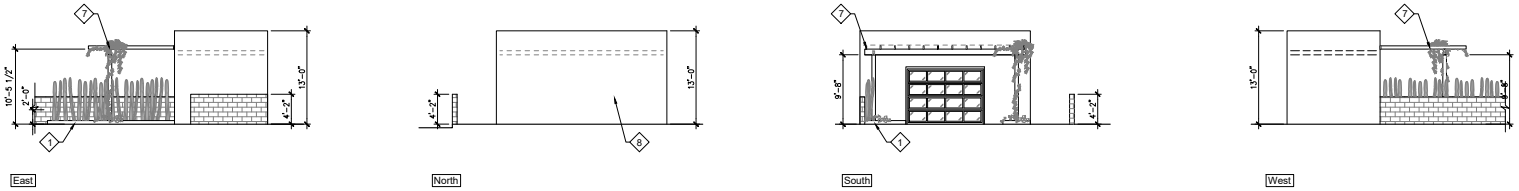
General Notes:

A. No new floor area will be added to either building. Exterior improvements will maintain the existing building footprints.

Note: No cannabis products or advertisements to be visible through glazing. Any glazing through which cannabis products or advertisements could be seen by passers-by will be treated with a frosted film which obscures the view to the interior. Final locations for clear and frosted glazing to be confirmed with the Oxnard Police Department.

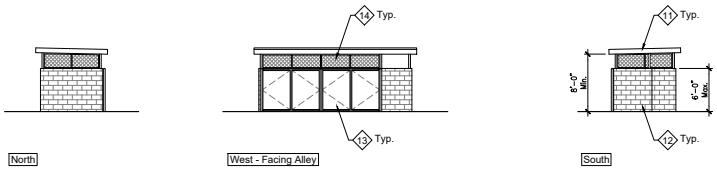
Site Plan Key Notes: (#)

1. New CMU vegetated planter.
2. Existing adjacent commercial property (not a part of this project.)
3. New main entry to cannabis retail shop lobby area.
4. New exit from cannabis retail shop (no entry allowed through this door.)
5. New dedicated secured product delivery door (restricted to delivery personnel and employees only.)
6. Replace existing cantilevered shade structure with new cantilevered shade structure.
7. New shade canopy. Wood posts shall be 6"x6" minimum and articulated.
8. Proposed area for community art.
9. New exterior aluminum storefront glazing system to replace existing glazing and/or doors.
10. Vehicular impact bollard rated ASTM C40 and as approved by the City of Oxnard Police Department.
11. New roof cover over refuse and recycling containers enclosure.
12. New 6' tall, steel reinforced, CMU refuse and recycling containers enclosure. Designed per Department of Public Works, Plate No. 604 and per Design Guidelines for Recycling and Waste Collection document issued by the Environmental Resources Division.
13. Steel framed gates hung on a 3" diameter concrete filled pipe. Gate panels to match architectural style of cannabis retail shop.
14. Security screen between top of CMU wall and bottom of Trash Enclosure roof.
15. 4" tubular vehicular barrier system.
16. Proposed location for Facade Sign. The sign will meet the requirements of Section 16-154 of the City of Oxnard Downtown Code and will be submitted and approved under separate permit.
17. Proposed location for Projecting (Blade) Sign. The sign will meet the requirements of Section 16-154 of the City of Oxnard Downtown Code and will be submitted and approved under separate permit.



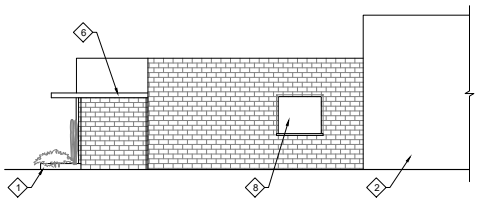
12. Community Art Garage - Exterior Elevations (Shown for reference only. To be approved as part of future permit.)

Scale: 1/8" = 1'-0"



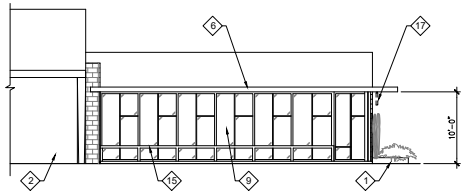
11. Refuse and Recycling Containers Enclosure - Exterior Elevations

Scale: 1/8" = 1'-0"



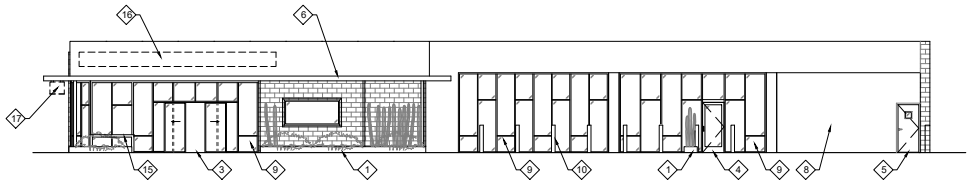
2. Cannabis Retail - West Elevation

Scale: 1/8" = 1'-0"



10. Cannabis Retail - East Elevation

Scale: 1/8" = 1'-0"



4. Cannabis Retail - North Elevation

Scale: 1/8" = 1'-0"

Kristi Byers, Architect
Architecture
Sustainability Strategies

Project:

KIND Lifestyle Market
Special Use Permit

911 S. Oxnard Boulevard
Oxnard, California 93030

Drawing Preparation and Revision Dates

01	06.14.2021	SUP Submittal
02	09.15.2021	SUP Resubmittal
03	10.27.2021	SUP Resubmittal
04	11.01.2021	SUP Resubmittal
05	12.22.2021	DDRC Revisions

Drawing Name:
Exterior Elevations

Drawing Number:
A3.00
(6 of 6)

C.Cannabis Ordinance No. 2994 and Downtown Code Section 16-148

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 (CO_2) 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 permitee 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-l), neighborhood shopping center planned development (C-l-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 CO_2 gas extraction system every vessel must be certified by the manufacturer for its safe use. The CO_2 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:

R. Chaparro 12/15/2020
City Clerk

APPROVED AS TO FORM:

12/8/2020
Stephen M. Fischer, City Attorney

Allowed Uses
Table 16-148

Uses[1]	Downtown Zones			
	DT E	DT E-O	DT G	DT C
Retail, Service, and Office				
Alcohol[2], beverage, with food sales (on-site consumption)	---	C	C	C
Artisanal Production	---	P	P	P
Bed and Breakfast Inn < 12 rooms	---	P	P	P
Brew Pub, Winery, Tasting Room	---	---	C	C
Cannabis Retail	---	---	C	C
Drive-through service	---	---	---	---
Grocery Store < 10,000 sq ft	---	P	P	P
Grocery Store > 10,000 sq ft	---	---	---	P
Health and exercise center / spa	---	P	P	P
Homeless shelter and resource center	---	---	C	---
Hotel	---	---	P	P
Mortuary, funeral home	---	---	P	---
Motor Vehicle sales, service	---	---	---	---
Museum, Art Gallery	---	P	P	P
Office: financial, professional, government, administrative	---	P	P	P
Office, medical	---	---	P	P3
Outdoor Dining / Sidewalk Cafe6 / Parklet6	---	P	P	P
Outdoor Display	---	P6	P6	P6
Multiplex Motion Picture Theater/Live Theater	---	---	---	C
Eating and Drinking Establishment < 5,000 sq ft[2]	---	P	P	P
Eating and Drinking Establishment > 5,000 sq ft[2]	---	---	---	P
Retail < 5,000 sq ft3	---	P	P	P
Retail > 5,000 sq ft3	---	---	---	P
Services, Administrative and Professional, Business Support	---	P	P	P
Services, Personal	---	P	P	P3
Social Services	---	---	---	---
Studio: art, music, dance	---	P	P	P
Thrift or secondhand store	---	---	---	---
Use involving sale of alcohol for off-site consumption	---	C	C	C
Utility, Transportation, Public Facility, and Communication				
Public parking lot/facility	---	---	P	C
Transit facility	---	---	---	C3
Wireless communications facility	P5	P5	P5	P5

Key

P use allowed by right, subject to identified standards

C use requires approval of Special Use Permit (SUP)

--- use not allowed

Notes

1 In compliance with frontage requirements in *16-150*.
2 Bar allowed if accessory to a restaurant; requires SUP
3 Not allowed on A Street between 3rd and 6th street
4 Pursuant to City Code Ch. 16, Article V, Division 6 (Home Occupation Permits)
5 Required stealth design; Pursuant to City Code Ch. 16, Article V., Division 16 (Wireless communication facilities)
6 Minimum 5ft clear path on sidewalk, and subject to issuance of an encroachment permit.

D. Kind Lifestyle Market LLC dba Kind Lifestyle Market 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

Kind Lifestyle Market, LLC dba Kind Lifestyle Market
7520 Quinta Street
Carlsbad, CA 92009
(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.

Kathleen Mallory

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

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

NOTICE OF EXEMPTION

Kind Lifestyle Market LLC dba Kind Lifestyle Market - Commercial Cannabis Business Retail Special Use Permit (SUP); PLANNING AND ZONING PERMIT NO. 21-516-11 (Retail): A request to permit the operation of a 3,978 square-foot commercial cannabis retail facility within an existing 4,100 square-foot commercial building on a 0.27-acre site within the Downtown General (DT-G) 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 (resulting in a 122 square-foot net reduction to the building), and providing exterior facade improvements. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. The proposed project is exempt from environmental review, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act. Filed by Kristine Byer on behalf of Kind Lifestyle Market LLC dba Kind Lifestyle Market.

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 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 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. City of Oxnard's Planning Divisions established Policies & Procedures Item 2.7 - Minor Modifications

CITY OF OXNARD
PLANNING DIVISION
POLICIES & PROCEDURES

SUBJECT: Minor Modifications
EFFECTIVE DATE: September 15, 1988
LAST REVISED: February 8, 2006 APPROVED BY: Susan L. Martin, AICP

The following are the guidelines for minor modification requests to projects approved by the City Council and/or the Planning Commission:

1. The Development Services Director does not have the authority to allow variances or deviations from City Code requirements, except as may be specifically allowed by the Code.

2. The Development Services Director may approve increase or decreases of the following elements on approved plans, by no more than 10 percent:
   - Building height
   - Setback distance
   - Landscape area
   - Building area

   In no case may the increase or decrease be below the minimum or exceed maximum standards established by the City Code.

3. Increases and decreases in building size may be permitted, provided that all Code requirements are met for parking, landscaping, and other development standards.

4. Modifications to building elevations may be considered, subject to the review and recommendation by the City's Development Advisory Committee. Changes to elevations must be in substantial compliance with the originally approved project.

5. The Development Services Director reserves the right to deny applications for minor modifications. Appeals of a denial by the Development Services Director may be made by filing a major modification application for consideration by the Planning Commission.

6. The Development Services Director may delegate the authority to approve or disapprove minor modifications to the Planning Manager, subject to the Planning Manager advising the Development Services Director of his/her actions.

G. 2030 General Plan Consistency Chart

Attachment G
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	***Mitigate Land Use Conflicts*** Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.	X		The Project proposes to locate within an existing commercial building which allows for retailing of cannabis products. The proposed site would operate within a commercial area 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	***Commercial Revitalization and Redevelopment*** Encourage upgrading, beautification, 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, cales and property valuation.	X		
Policy CD-4.4	***Commercial Area Aesthetics*** Require that older commercial development upgrade/improve landscaping and architecture, if warranted, during discretionary review opportunities.	X		
Policy CD-15.5	***Share of Regional Taxable Sales*** 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	***Retain Local Talent*** 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	***Attract New Businesses*** 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	***Industrial and Commercial Development Standards*** 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 Downtown General zone which includes architectural and landscape standards suitable for commercial development.
CD-19.1	***Unique Downtown Identity*** Ensure that downtown Oxnard occupies a niche in the marketplace as a civic center supported by businesses, retail, residential components, arts, and entertainment.	X		The project is consistent with Downtown Code by providing access to general commercial retail of cannabis products.
CD-19.2	***Complementary Development*** Seek a complementary rather than competitive role with other areas of the City for the continued economic development of the City's downtown.	X		The project will operate a cannabis retail establishment within an existing general commercial building further continuing the economic development of the City's downtown area.
CD-19.4	***Revitalization and Redevelopment*** As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that have deteriorated or detract from the visual quality of the City.	X		The project will revitalize the existing commercial building by providing upgrades to the storefront of the building, adding pedestrian amenities like upgraded lighting, bicycle storage, and upgraded landscaping.
CD-19.5	***Attract Downtown Investment*** Encourage investors to purchase downtown property and help property owners lease space.	X		The project once operating will attract downtown investment by providing more foot traffic to the downtown area.
Policy ICS-19.2	***Police Review of Development Projects***	X		The Project's security plan was reviewed and conditionally approved by the Oxnard Police

	Continue to require the Police Department to review proposed development project and provide recommendation that enhance public safety			Department to ensure crime prevention through preventive security measures and environmental design.
Policy ICS-19.4	***Crime Prevention Device Requirements*** Require crime prevention devices (e.g. deadbolt locks, peepholes, etc.) in all new development.	X		
Policy ICS-19.5	***Incorporating Security Design Principles*** Encourage crime prevention and defensible space through design principles such as those employed though 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	***Handling of Hazardous Materials*** 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.

H. Zoning Consistency Chart

ATTACHMENT H
Zoning Consistency with
Downtown Code Consistency Table

Oxnard Downtown Code – Downtown General Zone			
PZ-21-516-11: [911 S. Oxnard Blvd. Oxnard, CA. 93030] – [Kind Lifestyle Market]			
DT-G Zone	**Required/Allowed**		
Overlay Zone	NA	NA	NA

	Private and Public Frontages		
		Required/Allowed	**Proposed Project**
Table 16-150.H	**Shopfront**		
	Height to (clear)/top of shopfront	12 feet minimum and 18 feet maximum	11'-1 ½" at Retail Area (To match existing header height.)
	Height to bottom of awning/canopy (clear)	8 feet minimum and 10 feet maximum	10'-0" at Lobby (To match existing canopy location & ht.)
	Width of shopfront base	10 feet minimum and 20 feet maximum	36'-9" along west façade replaces existing storefront in-kind; 25'-2" along north façade at lobby replaces existing storefront in-kind; two (2) existing garage doors to be replaced with 20'-11" and 20'-6" storefront along North façade.
	Height of shopfront base	6 inch minimum and 3 feet maximum	The existing shopfront extends to slab. The intent is to replace the existing openings with in-kind glazing – no shopfront base.
	Glass area of ground floor wall area (each facade)	70 percent minimum	East facade: 58% North façade: 39% (Existing building openings and shopfront locations.)

	Width of Shopfront on second frontage (corner building)	20 feet minimum	Combined total: 66’-7” (This total reflects the existing garage door and storefront widths along the north façade.)
	Awning Depth	5 feet minimum up to within 2 feet of curb	Depth: 3’-6” (Existing canopy to be structurally repaired and/or replaced in-kind.)
	Awning Location	located over shopfront opening only	Existing canopy extends past storefront. Canopy to be structurally repaired and/or replaced in-kind.
	Awning Design	quarter sphere or quarter cylinder configurations not allowed	Existing linear canopy to replaced or repaired in same configuration.
	Distance between openings in wall	10 linear feet maximum (primary street frontage) 25 linear feet maximum (side street frontage)	The primary frontage is mostly storefront – no distance between openings. (Existing shopfront locations to remain.)
	Traditional Shopfront	header: 24 inches minimum and 36 inches maximum shopfront windows: recessed a minimum of 2 inches base panels/shopfront base: 36 inch in height maximum	New shopfront to meet the requirements listed.
	Shopfront Tint	10 percent maximum	New shopfront to meet both visibility and energy requirements – see materials board.
Section 16-151	**Public Frontage**		
Section 16.151.1.A	**Sidewalk Width**	5 feet minimum	Existing sidewalk to remain (10’-0”).
Table 16-151.C	**Commercial Parking lane trees, where provided**	located every 2 to 6 spaces	N/A

Table 16-151.C	**Commercial Parklets Buffers**	24 inch buffer from travel lane (recommended) 36 inch buffer from adjacent parking spaces (recommended) 15 feet from bus stop or shelter	N/A
Table 16-151.D	**Residential Parkways**	breaks every 50 feet (recommended)	N/A
Table 16-151.D	**Residential Parking lane trees, where provided**	should be located every 2 to 4 spaces	N/A

Architectural Guidelines			
Table 16-156.A.i	**Bay windows**	8 foot maximum width height equal or greater than width 3 feet minimum from corner 50 percent transparency or greater.	N/A
Table 16-156.A.j	**Door Glazing**	glazing must provide at least 90 percent visible light transmission	Door glazing will meet the requirement listed, unless dictated otherwise by City of Oxnard PD for security reasons.
Table 16-156.B.a	**Orientation to Public Space**	buildings must face open spaces and may not back on to open spaces.	Existing building to remain. N/A
Table 16-156.B.d	**Residential Entry**	access from the sidewalk is required if the unit is within 5 feet of grade.	N/A
Table 16-156.C.a	**Building Wall Materials**	walls must be finished in stone, brick, finished concrete block, poured in place or pre-cast concrete, smooth plaster or stucco, and wood. synthetic materials may be approved through design review	Existing building to remain; most existing finishes to be cleaned and resurfaced. The new wall materials include exterior plaster and painted CMU block.
Table 16-156.D.2.d	**Upward Acting Doors (Contemporary Building Only)**	maximum width: 16 feet maximum height: 10 feet minimum separation: 2 feet	N/A No upward acting doors on project.

		materials: clear, see-through glazing	
Table 16-156.E.1.a	**Window Materials**	wood, vinyl-clad wood, aluminum-clad wood or metal. pvc and vinyl windows require design review approval.	Windows will be aluminum framed storefront system.
Table 16-156.E.2.b	**Non Shopfront ground floor window**	window sills should be 4-8 feet from public sidewalks and open spaces	Existing glazing locations to remain.
Table 16-156.E.2.g	**Window Recesses**	minimum 2 inch recess from facade (Advisory)	Replacement storefront to meet this requirement.
Table 16-156.F.1.e	**Balconies**	minimum of 5 feet in depth (Advisory)	N/A
Table 16-156.F.2.e	**Planter Boxes**	should be between 18 to 42 inches tall (cannot block windows)	New planter heights vary but will be between 18 to 42 inches tall.
Table 16-156.F.3.a	**Masonry and Stucco Arches**	depth: 12 inches minimum piers/columns: 12 by 12 inches minimum	N/A
Table 16-156.F.3.b	**Wood Posts**	6-by-6 inches minimum and articulated	Wood posts at Art Gallery shade structure will be 6 x 6 min.
Table 16-156.G	**Building Colors**	coordinated and subdued colors typical of natural building materials, such as earth tone colors (recommended) exterior facade colors should be limited to two or three (recommended)	The proposed colors include white, light grey and dark grey.
Table 16-156.H.1.d	**Gutters and Downspouts**	should be made of: galvanized steel copper pre-finished aluminum	Building downspouts to be galvanized steel or pre-finished aluminum.
Table 16-156.H.2.a	**Traditional Building Shed Roof Slope**	minimum slope of two in twelve (2:12)	Existing building roof slope to remain for main building; trash enclosure roof will meet or exceed minimum 2:12 slope.
Table 16-156.H.2.e	**Service Equipment**	roof top equipment must be screened from public view	If existing building parapets do not screen the new HVAC equipment, screening

			will be added to protect from public view.
Table 16-156.H.2.f	**Skylights**	must be flat and not visible from the public areas	Existing building skylights to remain; not visible from public areas.
Table 16-156.H.2.g	**Gutters**	half-round or ogee (rectangular allowed on contemporary buildings only)	N/A
Table 16-156.H.3.b	**Exposed Rafter Tails**	minimum nominal dimension of 3 inches by 4 inches.	N/A
Table 16-156.H.3.c	**Supporting Brackets**	minimum dimension of 5 inches	N/A
Table 16-156.I.1	**Vents**	must be screened from public and semi-public areas	It is anticipated that the majority of the vents will be on the roof. Any wall vents to be placed outside of public view whenever feasible.
Table 16-156.I.3 and 4	**Service Entrances and Waste Disposal Areas, etc**	lots with alley access: must be adjacent to and accessed from alley lots without alley access: must be screened and far from public view	Trash enclosure to face and be accessed from alley.
Table 16-156.I.5	**Fire Sprinklers**	should be building mounted rather than freestanding	Project will comply.
Table 16-156.J.2.a	**Garden Walls**	6 inches wide minimum with cap	N/A
Table 16-156.J.2.b	**Fences**	wood fences: maximum of 3 inch gap between vertical lattices wrought iron, including steel bar: minimum of 4 inches between bars	N/A
Table 16-156.J.2.c	**Front Yard Wall Height (front or side street setback areas)**	must be between 30 inches to 42 inches	N/A
Table 16-156.J.2.d	**Side Yard Wall Height (at or behind building facade)**	8 feet maximum	Existing wall along alley is less than 8’-0” and will remain.
Table 16-156.J.2.e	**Wall Setbacks (Fences built parallel to frontage between houses or structures, unless integral part of architecture)**	should be setback 2 to 5 feet	N/A (none proposed)

Table 16-156.J.2.f	**Retaining Walls at Frontages**	5 feet maximum	N/A
Table 16-156.J.2.h	**Parking Wall Height**	must be between 36 inches and 48 inches	N/A (none proposed)
Table 16-156.J.3.e	**Wood Siding Patterns (recommendation)**	clapboard should not exceed 6 inches to the weather shingles should not exceed 8 inches to the weather dropsiding should not exceed 12 inches and 4 inches, alternatively	N/A

I. Location and Design of Cannabis Business Consistency Chart

Attachment I
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) & 16-148	Retail dispensaries are conceptually permitted in property zoned DT-C, DT-G, C-l, C-l-PD, C-2, C-2-PD, CNC, 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 the Downtown General (DT-G) zone.	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 DT-G zone (see Attachment H). 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 school (Driffill Elementary School) is approximately 998 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 DT-G zone (see Attachment G and H).	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 DT-G zone district and other pertinent sections of the OCC (see Attachment G and H).	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 H).	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. though 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

J. 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. 21-516-11 (COMMERCIAL CANNABIS RETAIL) TO ALLOW THE OPERATION OF A 3,978 SQUARE-FOOT COMMERCIAL CANNABIS RETAIL FACILITY WITHIN AN EXISTING 4,100 SQUARE-FOOT COMMERCIAL BUILDING, WHICH IS TO BE REDUCED BY 122 SQUARE FEET TO 3,978 SQUARE FEET, ON A 0.27-ACRE SITE LOCATED AT 911 SOUTH OXNARD BOULEVARD (APN:202-0-192-010), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS.

WHEREAS, on January 20, 2022, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing and considered an application for Planning and Zoning Permit No. 21-516-11 filed by Kristine Byer on behalf of Kind Lifestyle Market LLC dba Kind Lifestyle Market 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 Downtown (DTN) and a Zoning designation of Downtown General (DT-G). The Project is surrounded by commercial and office 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, 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 established commercial developments. 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 January 13, 2022.

(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 Downtown General (DT-G) zone, subject to approval of a Special Use Permit. As documented in the attachments to the staff report, the Project is in compliance with General Plan, zoning and cannabis regulations. This Resolution includes 191 conditions of approval which were crafted for compliance with the requirements set forth pursuant to OCC Article XVII (Commercial Cannabis Activity) to ensure operational standards were met. 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 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 such 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 building within an existing commercial corridor. General and retail uses, and other more intense uses such as restaurants, are allowed uses within the DT-G zone which do not require a Special Use Permit. The proposed retail cannabis use requires a Special Use Permit to ensure operational characteristics of the business will be both compatible with and not adversely affect or be materially detrimental to the other uses, buildings or structures within the shopping center.

   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. This Resolution includes 191 conditions of approval which were crafted for compliance with the requirements set forth pursuant to OCC Article XVII (Commercial Cannabis Activity) to ensure operational standards were met. After considering extensive testimony about the enhancements the proposal would bring to the tenant space, the Planning Commission finds the

increase is customers to the shopping center and the decrease in crime rates experienced at other cannabis facilities with enhanced security, the Planning Commission also finds 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, the Planning Commission finds this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. Conversely, the Planning Commission finds the proposed use would be a beneficial addition to the shopping center by bringing in new customers, making enhancements to the building and parking areas, and would introduce a private security component which would benefit all tenants within the commercial corridor. Furthermore, Port Hueneme Chief of Police Andrew Salina has made public comments outlining the reduction in crime Port Hueneme has experienced in areas adjacent to commercial cannabis retailers as a direct result of their operational characteristics including the use of upgraded security systems, private security, and other site specific security plans. As such, this Project meets this finding.

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 will be located within an existing development within the Downtown General (DT-G) 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 0.27-acre lot. Pursuant to the DT-G zone, the Project will be located within an existing building designed to be consistent with the development and design standards included within the DT-G zone, including, but not limited to, shopfront standards, architectural guidelines include, landscaping, and equipment screening standards. The existing development is not consistent with the City's parking standards for bicycle parking (5 required). The project is required to provide 16 parking spaces. The onsite parking lot will provide 9 parking spaces including 1 accessible parking space and 8 standard parking spaces. The remaining 7 required parking spaces will be provided by the Project being conditioned to pay an in-lieu fee for 100% of the seven required commercial spaces, and the project has been conditioned to provide a total of 5 bicycle spaces. 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 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 project is currently served by existing infrastructure and will continue to be accessed directly from West 9th Street, and a

public alleyway, 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 project is required to provide 16 parking spaces. The onsite parking lot will provide 9 parking spaces including 1 accessible parking space and 8 standard parking spaces. The remaining 7 required parking spaces will be provided by the Project being conditioned to pay an in-lieu fee for 100% of the seven required commercial spaces, and the project has been conditioned to provide a total of 5 bicycle spaces. Based on the configuration of the proposed cannabis retail facility the entire project site requires 1 loading space. The project will utilize a proposed loading area at the north side of the building accessed by a service door entrance to the tenant space which connects to the onsite parking lot. The project is consistent with City parking requirements. The project has been conditioned to include a total of 5 bicycle parking spaces, 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 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 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. 21-516-11 (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. 21-516-11 (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.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated January 20, 2022 ("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. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

7. 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*)

8. 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*)

9. Before placing or constructing any signs on the project property, Applicantshall 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*)

10. Applicant shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

11. 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.

12. 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*)

13. 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*)

14. 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

15. 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.

16. 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

17. 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*)

18. 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*)

19. 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 Planning Commission. The Applicant may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

20. 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*)

21. 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)

22. 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.

23. 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*)

24. 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*)

25. 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*)

26. 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*)

27. 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*).

28. 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

29. 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*)

30. 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*)

31. 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*)

32. Prior to issuance of a certificate of occupancy, Applicant shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

33. 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

34. Prior to occupancy, faded striping in parking areas directly in front of the building shall be repainted per City standards.

35. In accordance with the proposed plans, 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 main front entrance of the building located at 911 South Oxnard Boulevard . 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 Downtown Genersal 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.

38. Developer shall pay required in-lieu parking fee pursuant to the Downtown Code (Section 16-147.4.C.7.C). The in-lieu fee is required for a minimum of 50% of the required commercial parking spaces. The current in-lieu parking fee is $10,000 per mitigated space and is tied to the Engineering News-Record (ENR) Construction Cost Index (CCI) for Los Angeles. The in-lieu parking fee is subject to fee adjustments adopted by the City Council until such time that the Developer pays the fee in full.

PLANNING DIVISION CANNABIS CONDITIONS

<u>Automatic Expiration</u>

39. The Commercial Cannabis Business Permits shall expire, and be subject to the renewal process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the Certificate of Occupancy pursuant to the Oxnard City Code Section 11-459.

<u>Renewal</u>

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

Appeals

41. The permittee shall within eighteen (18) 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 permitee shall pay the designated appeal fee, established by Resolution of the City Council from time to time.

Revocations of Commercial Cannabis Business Permits

42. 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.

43. 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

44. 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.

45. 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 21-516-11. 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.

46. All operators are subject to all penalties as outlined in Oxnard City Code.

Property Owner Authorization

47. 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

48. 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

49. 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

50. 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

51. 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.

52. 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

53. 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.

54. 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

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

56. 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.

57. Cannabis shall not be consumed by any employee or patron on the premises of any commercial cannabis business.

58. No outdoor storage of cannabis or cannabis products is permitted at any time.

Operational Requirements for Retailers

59. Sales and service of cannabis or cannabis products is limited to only the customer service area, which consists of approximately 3,978 square feet inside the building as identified on PZ No. 21-516-11 floor plans presented at the Planning Commission public hearing on January 20, 2022 and incorporated herein.

60. 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.

61. 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

62. 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

63. 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

64. 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:

65. 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

66. 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.

67. The Applicant for a Commercial Cannabis Business shall secure from the Department of Billing and Licensing a commercial cannabis business tax certificate.

68. 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

69. The Commercial Cannabis Business tax shall be paid in arrears on a quarterly basis.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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)

<u>Employee Work Permit</u>

75. 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.

76. 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.

77. 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.

78. 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

79. 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

80. 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

81. 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

82. 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.

83. An alarm system shall include intrusion, fire, and panic button components. The system shall be remotely monitored by a licensed alarm service provider. The burglar alarm system shall utilize dual technology sensors and be able to differentiate between human and non-human motion. These sensors shall be mounted throughout the premises and specifically include: Secured Lobby, Retail Area, Service Counter, Secured Storage Vault, Intake Area, Employee Break Area, Manager's Office, Corridor and the Roof.

84. 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.

85. 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.

86. 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.

87. 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.

88. 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).

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

90. 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.

91. 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.

92. 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

93. 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.

94. 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.

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

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

97. 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.

98. 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.

99. 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.

100. 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.

101. 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.

102. 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.

103. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.

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 on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
    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 these conditions.

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. 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

132. 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.

133. 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

134. 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

135. 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

136. Intrusion/burglar alarms shall be "dual" technology and have the capability to differentiate between human and non-human motion. Sensor placement shall be in accordance with the business' approved Security Plan.

137. Panic alarms shall be installed at various sites within the business to be used in the event of a robbery. Alarm button placement shall be in accordance with the business' approved Security Plan.

Security Site Plan

138. 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.

139. 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.

140. 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.

141. 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

142. 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.

143. 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.

144. 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.

145. 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.

146. 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.

147. All signage for the site shall require joint approval from authorized designees of the Planning Division and the Police Department.

<u>Cannabis Deliveries</u>

148. 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

149. The unit's address "911" shall be painted on the exterior of each rear door of the business in numerals that are 3-inches in height.

150. The property shall have and maintain at each vehicle entrance signs posted pursuant to 22658(a) CVC to prohibit unauthorized parking on private property.

151. One parking stall shall be dedicated to applicant's use for delivery vehicle parking only. The stall shall be clearly marked with a sign. The sign shall be no less than 17-inches by 22-inches and the lettering shall be not less than one inch in height. The sign shall state: "Authorized Delivery Vehicle Parking Only All Others Subject To Tow Away. 22658(a) CVC.

152. Cannabis retailers shall participate in Police Department and Community drug awareness and educational programs. This participation may include but not be limited to the circulation of informational flyers, staff training opportunities, and DUI educational materials.

FIRE DEPARTMENT STANDARD CONDITIONS

153. 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)

154. 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)

155. 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)

156. 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)

157. 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)

158. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)

159. 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)

160. 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)

161. 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)

162. The applicant shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

163. 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)

164. 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)

165. 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)

166. 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)

167. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)

168. 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)

169. 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.

170. 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.

171. 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.

172. 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

173. 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.

174. 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

175. 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)

176. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

177. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer 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. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)

180. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

181. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

182. 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)

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 trash enclosure with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the 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-79)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

185. Developer shall verify 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. Show all applicable existing and proposed utilities (sewer, water, storm, gas, electrical) affected by the proposed improvement on the site engineering plan. (DS)

187. The project shall comply with the latest California Building Code disabled access requirements for Americans with Disabilities Act (ADA) requirements. (DS)

188. Onsite irrigation shall be fed by a dedicated irrigation meter with a backflow device. (DS)

189. Reconstruct the driveway entrance to City Standard Plate 115 and reconstruct the existing curb ramp at the southwest corner of West 9th Street and South Oxnard Boulevard to ADA standards. (DS)

190. The landscaping located in the public right-of-way shall be approved by the Public Works Department; a list of recommended trees will be made available to the Developer. If landscaping is permitted, the design must include a 24-inch deep root barrier system unless directed otherwise by the Public Works Department. Developer shall be responsible for providing irrigation to all proposed landscaping in the public right-of-way. (DS)

191. Developer shall coordinate and verify with the Environmental Resources Division for the sizing of the trash enclosure to store three (3) bins; trash, recycle, and organics. The trash enclosure shall be located with the doors facing the alley. When open, the doors shall not project into the alley. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 20th day of January 2022.

_____
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 20th day of January 2022, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

_____
Scott Kolwitz, Secretary

K. Public Comment Letters

Coyotl, Jose <jose.coyotl@oxnard.org>

Fwd: Item # 4 / Permit No. 21-516-11

Lai, Dee <dee.lai@oxnard.org> Mon, Oct 18, 2021 at 12:29 PM
To: Jose Coyotl <jose.coyotl@oxnard.org>, "Dobrowalski, Jay" <jay.dobrowalski@oxnard.org>, "Kolwitz, Scott" <scott.kolwitz@oxnard.org>

Jose,
Here's another email for 21-516-11.
Regards,

Dee Lai | Administrative Secretary III
Community Development Department
214 S C Street | Oxnard, CA 93030
O: 805.385.7878
www.oxnard.org

We welcome you back to the Service Center!

Our doors are opened to the public from 8:00 a.m. to NOON, Monday through Thursday and on our open Fridays. Online services remain available through our online portal at www.oxnard.org/planning

- General inquiries should be sent via email to Planning@oxnard.org.
- For new applications, email us at planning@oxnard.org. Large projects can be shipped with prior authorization. Smaller projects may be submitted via email.
- For existing applications, contact your assigned Case Planner by direct email.

When visiting the Service Center, please wear a mask and observe social distancing guidelines until further notice.

---------- Forwarded message ---------
From: **Seydoux, Simone** <simone.seydoux@oxnard.org>
Date: Mon, Oct 18, 2021 at 12:28 PM
Subject: Fwd: Item # 4 / Permit No. 21-516-11
To: Dee Lai <dee.lai@oxnard.org>
Cc: City Clerk <cityclerk@oxnard.org>

---------- Forwarded message ---------
From: **'maly rodriguez' via City Clerk** <cityclerk@oxnard.org>
Date: Mon, Oct 18, 2021 at 12:10 PM
Subject: Item # 4 / Permit No. 21-516-11
To: cityclerk@oxnard.org <cityclerk@oxnard.org>

To Planning Office Division,

My comment on Project #4 under Name: Kind Lifestyle Market LLC dba Kind Lifestyle Market
I don't think this project is for the well being of our kids and community that's why I oppose to it , we have schools around the area and we need something more productive for our kids and youth that equip them to succeed and not to get them addicted to and fail in their lives.
Thank you for taking your time and considering my comment.

Sincerely,
Alejandra Muñoz
Sent from Yahoo Mail on Android

Coyotl, Jose <jose.coyotl@oxnard.org>

Re: Ítem # 4/ Permit No. 21-516-11

Lai, Dee <dee.lai@oxnard.org> Mon, Oct 18, 2021 at 12:26 PM
To: "Seydoux, Simone" <simone.seydoux@oxnard.org>, Jose Coyotl <jose.coyotl@oxnard.org>, "Kolwitz, Scott" <scott.kolwitz@oxnard.org>, "Dobrowalski, Jay" <jay.dobrowalski@oxnard.org>

Hi Simone,Thank you.

Jose, Jay, and Scott,
See the public comment below for the CW item 21-516-11.

Regards,

Dee Lai | Administrative Secretary III
Community Development Department
214 S C Street | Oxnard, CA 93030
O: 805.385.7878
www.oxnard.org

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- For new applications, email us at planning@oxnard.org. Large projects can be shipped with prior authorization. Smaller projects may be submitted via email.
- For existing applications, contact your assigned Case Planner by direct email.

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On Mon, Oct 18, 2021 at 12:25 PM Seydoux, Simone <simone.seydoux@oxnard.org> wrote:

> Hi Dee -
> Here is something else for Planning.
>
> ---------- Forwarded message ---------
> From: **Mario Murillo** <viviendoporfe2020@gmail.com>
> Date: Mon, Oct 18, 2021 at 12:23 PM
> Subject: Ítem # 4/ Permit No. 21-516-11
> To: <cityclerk@oxnard.org>
>
> To Planning and Zone Division,

Comment: I totally disagree in this projects because we don't need a cannabis retail facility near our schools and our community.
We want our kids and yourh be successful in their academic lives and keep them out of trouble, and improve our community with something more beneficial and healthy for the families.

Sincerely,
Mario Moreno

Coyotl, Jose <jose.coyotl@oxnard.org>

Fwd: item #4/ Permit No. 21-516-11

Lai, Dee <dee.lai@oxnard.org> Mon, Oct 18, 2021 at 12:43 PM
To: Jose Coyotl <jose.coyotl@oxnard.org>, "Dobrowalski, Jay" <jay.dobrowalski@oxnard.org>, "Kolwitz, Scott" <scott.kolwitz@oxnard.org>

fyi...here's another one.
Regards,

Dee Lai | Administrative Secretary III
Community Development Department
214 S C Street | Oxnard, CA 93030
O: 805.385.7878
www.oxnard.org

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- For existing applications, contact your assigned Case Planner by direct email.

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---------- Forwarded message ---------
From: **Seydoux, Simone** <simone.seydoux@oxnard.org>
Date: Mon, Oct 18, 2021 at 12:40 PM
Subject: Fwd: item #4/ Permit No. 21-516-11
To: Dee Lai <dee.lai@oxnard.org>

This looks like a repeat.

---------- Forwarded message ---------
From: **Wilfrwdo Romero** <romwilfredo45@gmail.com>
Date: Mon, Oct 18, 2021 at 12:25 PM
Subject: item #4/ Permit No. 21-516-11
To: <cityclerk@oxnard.org>

I don't agree with opening a new dispensary, we have enough already and we need to protect our kids of our community

L. Staff Presentation

PZ 21-516-11
Kind Lifestyle Market LLC dba Kind Lifestyle Market
Commercial Cannabis Business Retail Special Use Permit (SUP)
911 South Oxnard Boulevard (APN: 202-0-192-010)

Planning Commission Hearing
By: Jose Coyotl, Associate Planner

January 20, 2022

CITY OF OXNARD CALIFORNIA

Project Description

- A request to permit the operation of a 3,978 square-foot commercial cannabis retail facility within an existing 4,100 square-foot commercial building on a 0.27-acre

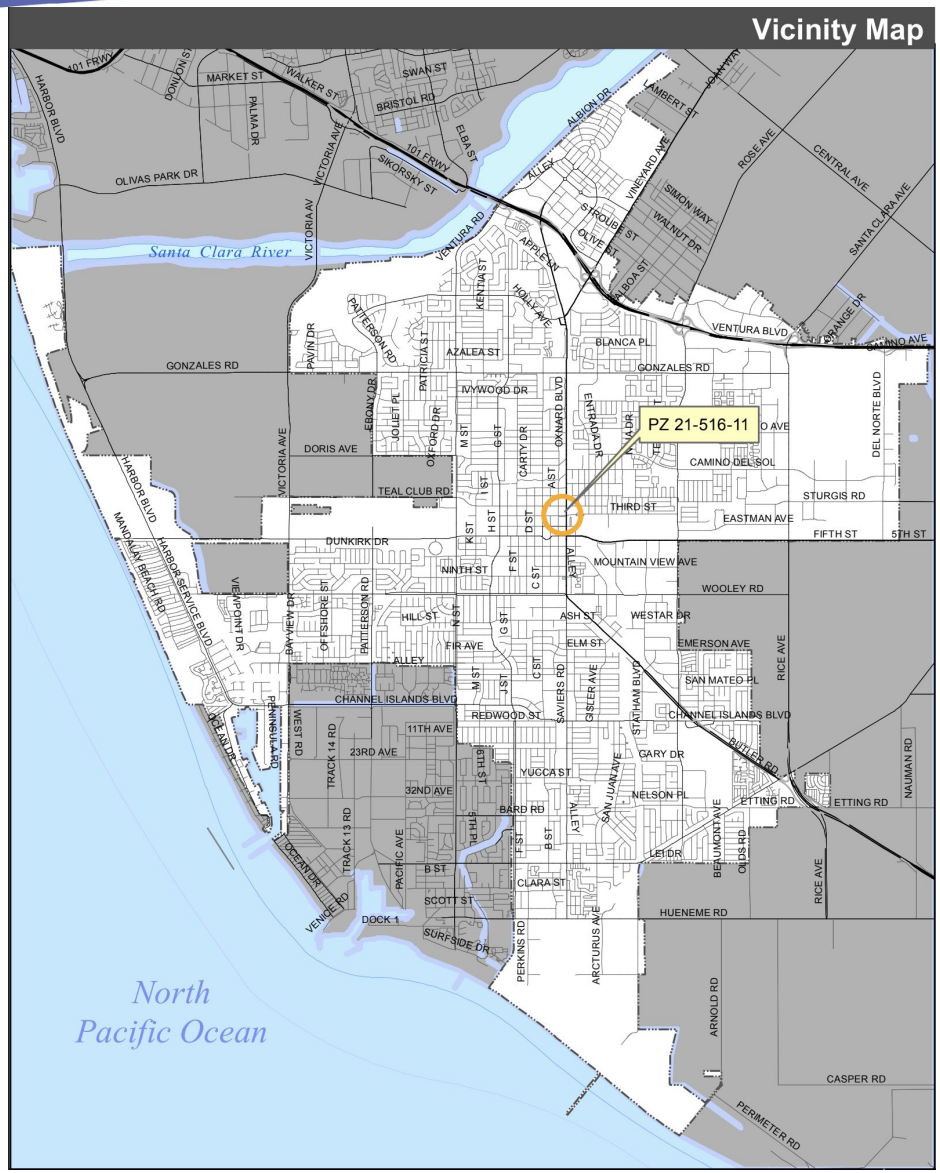
- As part of the project there will be a tenant improvement consisting of
  - the installation of new partition walls
  - security upgrades to the existing building
  - minor plumbing upgrades
  - upgrades to an existing fire alarm system
  - installation of secure doors/windows (resulting in a 122 square-foot net reduction to the building)
  - providing exterior facade, parking lot and landscaping improvements

- Cannabis retail operations will be conducted between 9:00 AM to 9:00 PM daily.

- Application filed by Kristine Byers

Project Location

Subject Site: 911 South Oxnard Boulevard

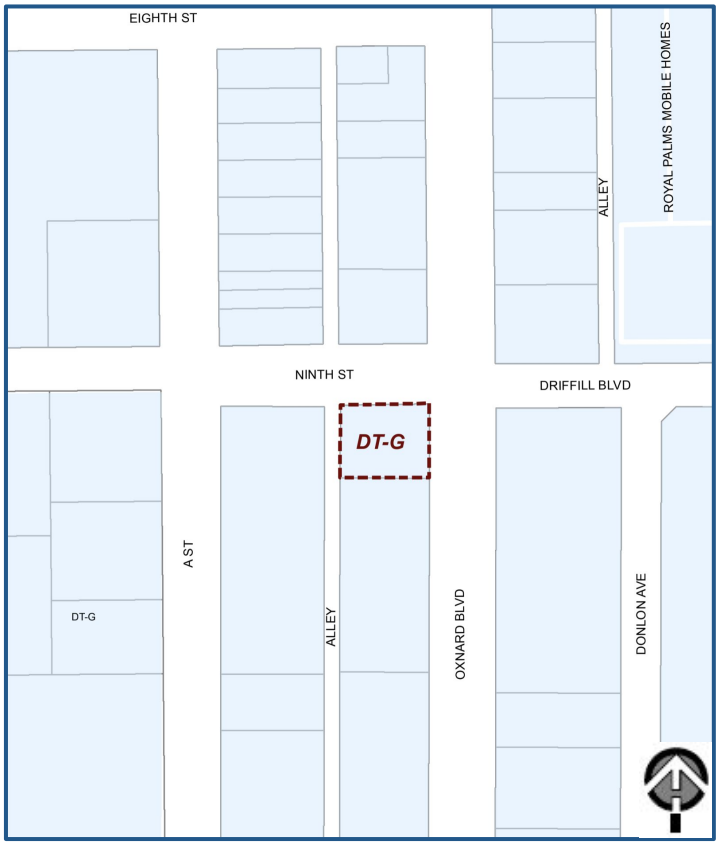


General Plan & Zoning Maps

General Plan Land Use Designation

Downtown
(DTN)

Zoning Designation



Downtown General (DT-G)

Existing Site

Subject Site: <u>911 South Oxnard Boulevard</u>
Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DTN)	Downtown General (DT-G)	Automotive tire and car maintenance facility
North	DTN	DT-G	Commercial buildings
South	DTN	DT-G	Commercial building.
East	DTN	DT-G	Vacant automotive commercial development
West	DTN	DT-G	Multi-tenant commercial office buildings.

Existing Conditions

Street view looking southwest.

Background: Development History

- Late-1940s: original site development.
- Late-1950s to current: various tenant improvements to accommodate automotive related commercial establishments.

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 4, 2021, Kind Lifestyle Market LLC dba Kind Lifestyle Market filed for a request to obtain a Commercial Cannabis Business Permit for a 3,616 square foot cannabis retail facility.

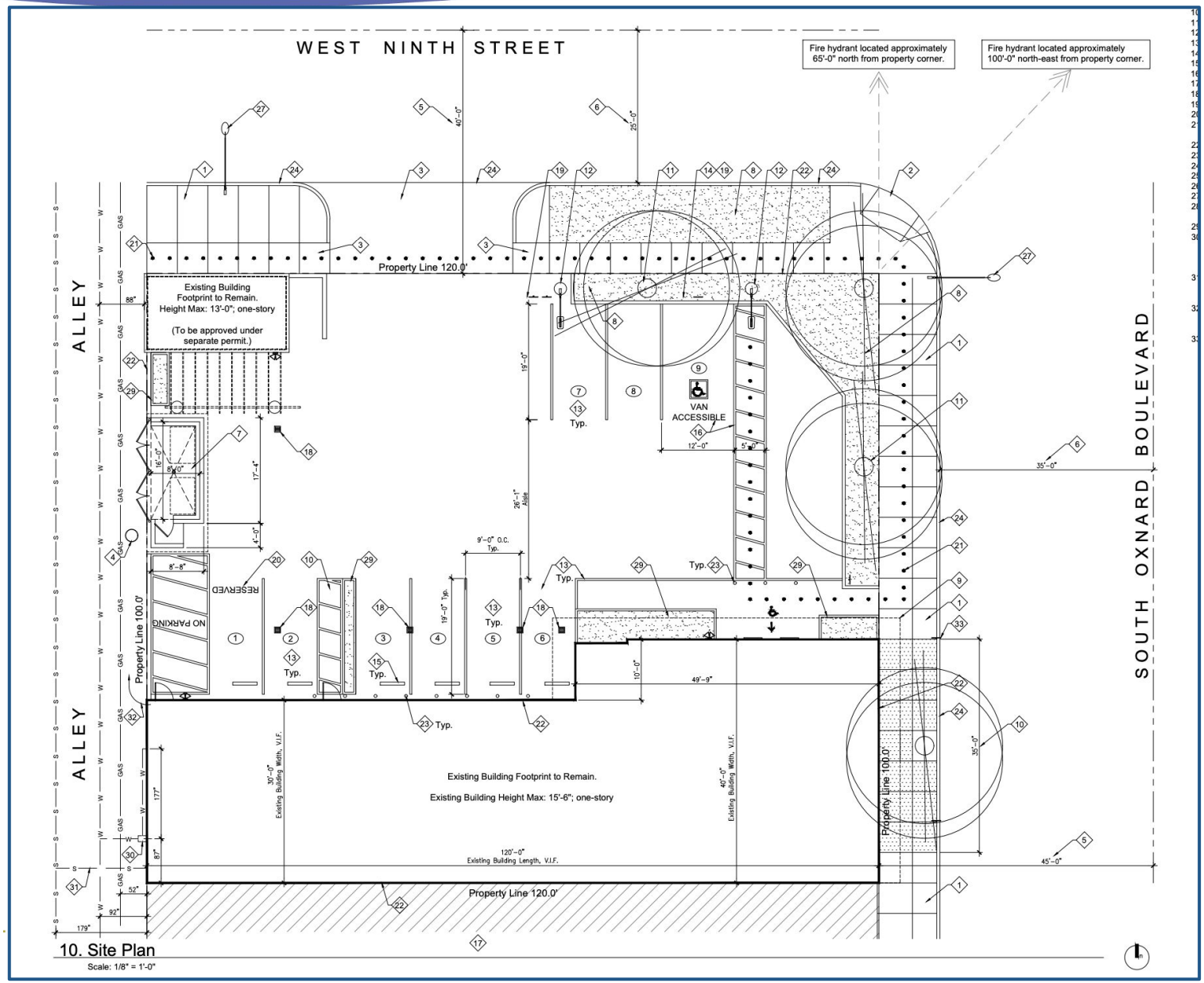
- On March 1, 2021, Kind Lifestyle Market LLC dba Kind Lifestyle Market was awarded a conditional Commercial Cannabis Business Permit for cannabis retail. In order to successfully commence and inaugurate the Commercial Cannabis Business Permit Kind Lifestyle Market LLC dba Kind Lifestyle Market is required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

Downtown Design Review

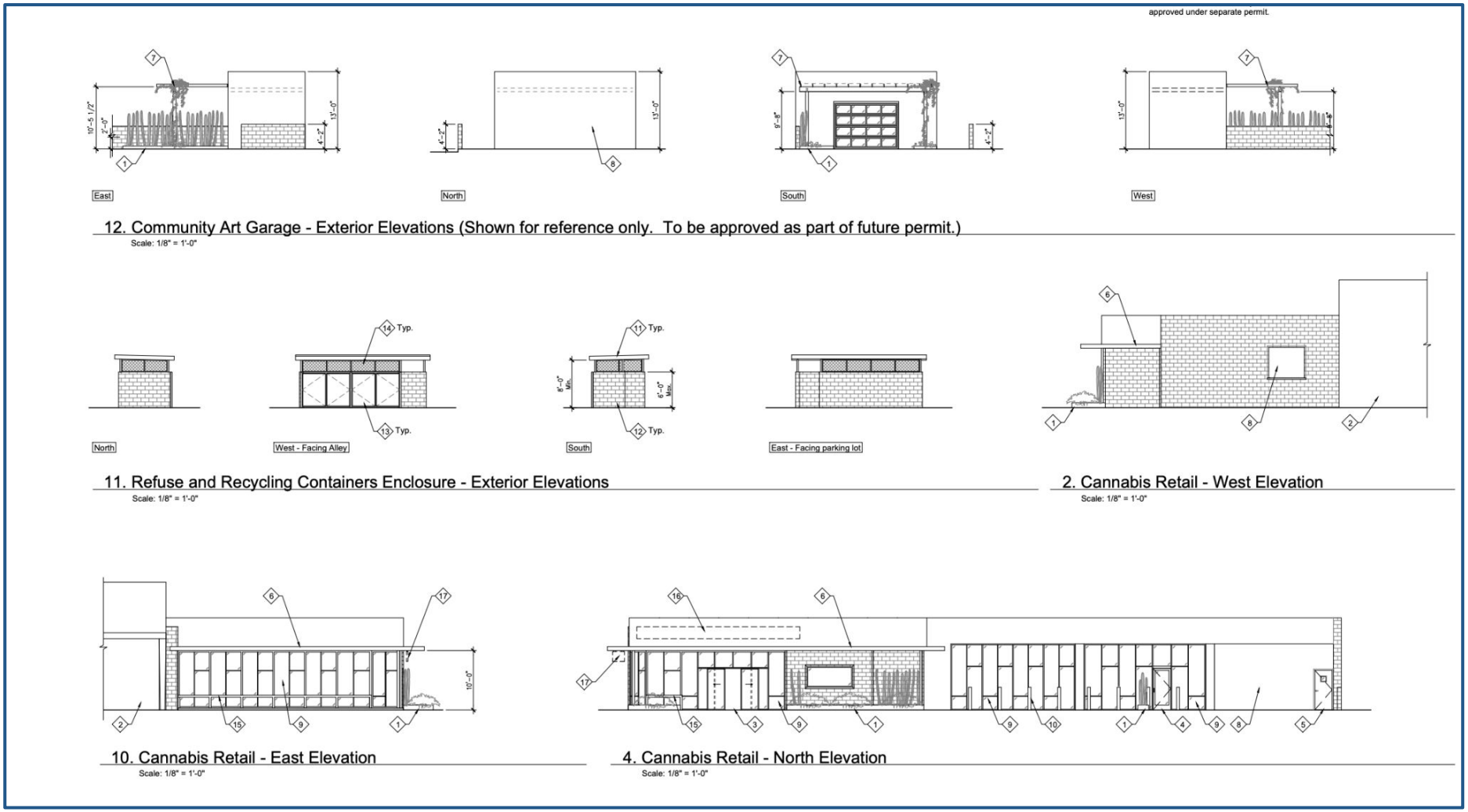
- December 9, 2021, the Downtown Design Review Committee (DDRC) reviewed the project and provided recommendations to modify the Project's exterior facade and landscaping improvements.

- Subsequently, the applicant team modified the plans to be consistent with the DDRC's direction.

Site Plan


WEST NINTH STREET
Fire hydrant located approximately 65'-0" north from property corner.
Fire hydrant located approximately 100'-0" north-east from property corner.
Property Line 120.0'
Existing Building Footprint to Remain. Height Max: 13'-0"; one-story
(To be approved under separate permit.)
ALLEY
ALLEY
SOUTH OXNARD BOULEVARD
VAN ACCESSIBLE
RESERVED
NO PARKING
Property Line 100.0'
Existing Building Footprint to Remain.
Existing Building Height Max: 15'-6"; one-story
Existing Building Width, V.I.F.
Existing Building Length, V.I.F.
Property Line 120.0'
10. Site Plan
Scale: 1/8" = 1'-0"

Elevations


approved under separate permit.
East
North
South
West
12. Community Art Garage - Exterior Elevations (Shown for reference only. To be approved as part of future permit.)
Scale: 1/8" = 1'-0"
North
West - Facing Alley
South
East - Facing parking lot
11. Refuse and Recycling Containers Enclosure - Exterior Elevations
Scale: 1/8" = 1'-0"
2. Cannabis Retail - West Elevation
Scale: 1/8" = 1'-0"
10. Cannabis Retail - East Elevation
Scale: 1/8" = 1'-0"
4. Cannabis Retail - North Elevation
Scale: 1/8" = 1'-0"

Landscaping Plans

Landscape Plant List:

Parkinsonia Florida
(Blue Palo Verde Tree)

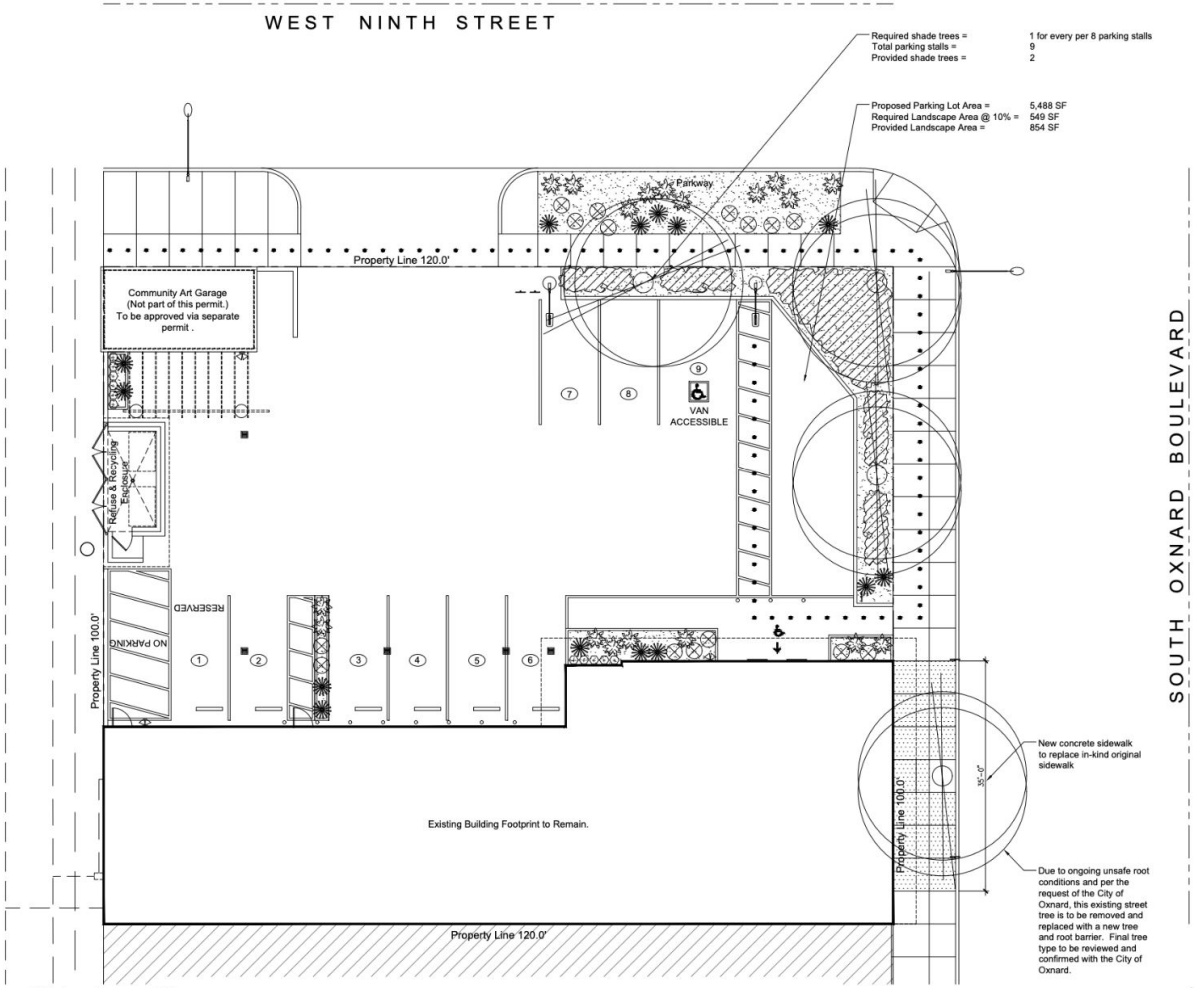
Agave Attenuata
(Foxtail Agave)

Calandria Spectabilis
(Rock Pursiane)

Rhaphiolepis indica ✱
(Indian Hawthorn)

Aeonium Undulatum
(Saucer Plant)

Pachycereus marginatus
(Fence Post Cactus)



10. Landscape Plan

Landscape Plan General Notes:

A. Total area of proposed landscaping (includes Parkway): 1,162 SF.
B. All new landscaping will comply with State, City of Oxnard DT-G requirements.
C. Landscape shall not obstruct the view of any windows, doorways, security cameras, or lights.
D. Parking lot perimeter vegetation, including Parkway, shall be no taller than approximately 24" and have visibility breaks from the street into the parking.
E. Refer to architectural site plan and floor plans for all site and building dimensions.
F. All trees planted within 6'-0" of pavement or hardscape will use roof barriers.
G. All planting areas will receive a 3" layer of Decomposed Granite, as specified.

Landscape Legend: *(See Project notes below.)*

Symbol	Size	Botanical name	Common Name	Coverage
	24" box	Parkinsonia Florida U.N.O.	Blue Palo Verde Tree	25' Wide (at maturity)
	5 gal.	Agave Attenuata	Foxtail Agave	
	1 gal.	Aeonium Undulatum	Saucer Plant	
	1 gal.	Calandria Spectabilis	Rock Pursiane	
	3 per sym.	Pachycereus marginatus	Fence Post Cactus	
	15 gal.	Rhaphiolepis indica	Indian Hawthorn	Anticipated hedge maturit 2 - 3 years. ✱
	Per plans	Decomposed Granite		

Property Line

✱ Planting will be hedge like and maintained at a maximum height of 24" above grade.

Project notes:
1. Plant selections are preliminary. Final plant selections will be confirmed based upon specimen availability at time of project construction. Size and maturity of listed plants to be maintained.
2. A local, State of California licensed landscape architect has been engaged by the applicant. The landscape architect has cursorily reviewed the project, has made recommendations for native plant options, and will finalize the landscape plan and plant palette during the building permit phase of the project. See Sheet L-1 Native Plant Palette Options for additional information.

Landscaping Plans Cont.

NATIVE PLANT PALETTE OPTIONS

TREES

Chilopsis linearis 'Monhews'
Timeless Beauty Desert Willow

Chilopsis linearis 'Monhews'
Timeless Beauty Desert Willow

SHRUBS, GRASSES & CACTI

Achillea millefolium 'Moonshine'
Moonshine Yarrow

Baccharis pilularis 'Pigeon Point'
Dwarf Coyote Brush

Bouteloua gracilis 'Blonde Ambition'
Blue Grama

Dudleya brittonii
Giant Chalk Dudleya

Heuchera maxima
Island Alum Root

Muhlenbergia rigens
Deer Grass

Penstemon heterophyllus 'Margarita Bop'
Margarita Bop Penstemon

Salvia clevelandii 'Winnifred Gilman'
Blue Sage

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 Hobson Park East.
- On October 7, 2021, the site was posted with Project details and Community Workshop information and the Developer mailed out 843 meeting agenda notices to the residents of the Hobson Park East and Five Points Northeast Neighborhood.
- On October 18, 2021, the project was presented to the public during a Community Workshop meeting.
- The meeting was attended by approximately 6 members of the public and persons had an opportunity to ask questions.

Public Comments

- No public comments were received at the meeting.
- Staff received written comments before the Community Workshop, which are summarized as follows:
  - This is an inappropriate location for this use due to proximity to school facilities.
  - No additional dispensaries are needed for our community.
  - Protect our children.

Public Comments

- To date, staff has not received any public comments regarding this Project.

Key Conditions of Approval

- **Conditions # 15, 42, 43:** Abide by City of Oxnard and State of California rules and regulations related to this business.

- **Conditions # 39:** 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.

<u>Retail Operating Conditions</u>

- **Conditions # 59-61, 132-133:** 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.

<u>Police Conditions</u>

- **Conditions # 82-152:** Security features will be implemented as required by adopted cannabis Ordinance.

Key Conditions of Approval (Cont.)

Fire Department Conditions

- **Conditions #153-172:** This broad range of numbers indicates that the system is to be designed to be a safe facility.

Community Benefits / Community Relations

- **Condition #49-52, 64-65:** The project is conditioned to be a good neighbor / member of the community.

Taxes and Inventory Tracking

- **Condition #53-54, 66-74:** 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 2022-XX approving Planning and Zoning Permit No. 21-516-11 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

End of Presentation

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commision

FROM: Jose Coyotl, Associate Planner

DATE: January 13, 2021

SUBJECT: **Project Name: Blooming Organics LLC dba Elevate Downtown Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP)**; Planning and Zoning Permit No. 21-516-12 (Retail); Located at 156 South A Street (APN: 202-0-056-060).

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 2022-XX approving Planning and Zoning Permit No. 21-516-12 (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 2,550 square-foot commercial building on a 0.08-acre site located at 156 South A Street (APN: 202-0-056-060) within the Downtown General (DT-G) 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, and providing exterior facade improvements (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 Mario Rios ("**Applicant**"), 15431 San Jose Street, Mission Hills, CA 91345, on behalf of Blooming Organics LLC dba Elevate Downtown Oxnard.

3) **Existing & Surrounding Land Uses:** The 0.08-acre property is developed with a 2,250 square-foot commercial building, and a loading area. The project will be located within the 2,550 square-foot commercial building located at 156 South A Street. The nearest established sensitive use is Vista Real Charter High (Charter School), located approximately 1,099 feet southwest 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	Downtown (DTN)	Downtown General (DT-G)	Commercial building
North	DTN	DT-G	Commercial buildings and a private parking lot.
South	DTN	DT-G	Commercial building.
East	DTN	DT-G	Commercial fast food restaurant and automotive repair building.
West	DTN	DT-G	Multi-tenant commercial office buildings.

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
The site was originally developed in 1955. Since the initial construction to present day, permits for various tenant improvements have been approved to accommodate the turnover of general commercial establishments.

Commercial Cannabis Retail License Selection
On January 7, 2021, Blooming Organics LLC dba Elevate Downtown Oxnard filed for a request to obtain a Commercial Cannabis Business Permit for a 2,550 square-foot cannabis retail facility.

On March 1, 2021, Blooming Organics LLC dba Elevate Downtown 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, TBlooming Organics LLC dba Elevate Downtown Oxnard is required to receive approval of a SUP as specified within OCC Section 11-457.

Downtown Design Review
The project was reviewed by the Downtown Design Review Committee (DDRC) on October 14, 2021. The DDRC provided recommendations to modify the Project's exterior facade and landscaping improvements. The applicant team subsequently modified the plans consistent with the DDRC's direction as described below in Section 8.

Downtown Design Review
The project was reviewed by the Downtown Design Review Committee (DDRC) on October 14, 2021. The DDRC provided recommendations to modify the Project's exterior facade and landscaping improvements. The applicant team subsequently modified the plans consistent with the DDRC's direction as described below in Section 8.

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. None of the Exceptions to the Exemptions (Section 15300.2) apply to the Project to make the Exemption inapplicable. Therefore, Staff recommends that the Planning Commission find that the Project is Categorically 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, Downtown General zone, and the OCC.

In accordance with the adopted Oxnard Downtown Code Section 16-148, permitted uses within the Downtown General zone, includes cannabis retail, 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.

As part of the project request the storefront facade for the 156 South A Street will be remodeled. The proposed remodel will include architrual style change and the repainting of the building. The facade will be improved by the installation of a black anodized aluminium mullions storefront. Other improvements to the site include installation of two london plane trees with two decorative tree grates to match the existing design of the downtown area (Attachment B). The exterior improvements were reviewed by the DDRC.

b) *General Plan, Local Coastal Program, and Zoning Consistency:*

General Plan Consistency:

The City's 2030 General Plan land use designation for the subject site is Downtown (DTN) uses which allows retail, commercial, government and residential uses in the urban context of the downtown area, regulated by form-based development and performance standards to encourage pedestrian-oriented design, diverse and high-quality housing choices and transit utilization. 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 Downtown General (DT-G) zone. The purpose of the DT-G zone is to allow a mix of non-residential ground floors frontages with shopfronts and residential ground floors set back behind pedestrian-oriented frontahes and resident/visitor access via dooryards, stoop, and specious lobbies. The DT-G zone provides a wide range of commercial opportunities for the residents of the city, including retail. As demonstrated within the table of Attachment G, the Project is in compliance with the DT-G zone.

Location and Design of Cannabis Business Requirements:

In accordance with OCC Section 16-148 (Downtown Code Allowed Uses), 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 Chapter 11, Article XVI.

As demonstrated within the referenced table attachments, this Project is consistent with the City's General Plan, Downtown General zone, and Chapter 11, Article XVI. Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) *Circulation and Parking:*

In order to minimize security issues during the delivery of cannabis products, the project will utilize a proposed loading zone along the east side of the buildings accessed by a service door to the tenant space which directly connects to a public alleyway. In order to comply with the Downtown Code parking requirements for the proposed cannabis retail use, the applicant must include payment of an in-lieu fee for a minimum of 50% of the required commercial parking spaces. There are no commercial spaces being provided on site, so the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces. In addition, the Project will provide five bicycle spaces. Required parking is provided as follows:

USE TYPE & SQUARE FOOTAGE	PARKING STANDARD	PARKING REQUIRED	PROPOSED	COMPLIES?
Retail Cannabis Use 2,550 square feet	1 per 250 square feet of area	10	10	Yes, as conditioned
Shopping Center	Five spaces at each mall entrance	5	5	Yes, as conditioned
	Total Provided Parking:	10 Parking Spaces 5 Bicycle Spaces	10 Parking 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. Furthermore, Port Hueneme Chief of Police Andrew Salina has made public comments during other cannabis public hearings outlining the reduction in crime Port Hueneme has experienced in areas adjacent to commercial cannabis retailers as a direct result of their operational characteristics including the use of upgraded security systems, private security, and other site-specific security plans. Several conditions of approval have been incorporated into the draft resolutions of approval (Attachments I) 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 May 4, 2021. Conditions of approval from CRC are included in the attached Resolution.

8) **Downtown Design Review Committee**: The Project was reviewed by Downtown Design Review Committee (DDRC) on October 14, 2021. DDRC issued the following review comment suggestions:
   a) The project shall accommodate the grade change inside of the building frontage, and remove the exterior ramp.
   b) That the applicant coordinates with City staff, to install appropriate street trees and landscaping in the street planters along the project frontage.
   c) Plans should be revised to specify all the materials that are to be used, including a clear glass storefront system and the bronze anodized finish on the frame.

   The applicant incorporated both comments by updating the project plans to comply with all three suggestions outlined by DDRC.

9) **Community Workshop and Public Input:**
   The project site is located within the Wilson Neighborhood. On August 5, 2021, the site was posted with Project details and Community Workshop information, and the Developer mailed out 688 meeting agenda notices to the residents of the Wilson Neighborhood. On August 16, 2021, the project was presented to the public during a Community Workshop meeting. There were 22 members that participated at the Community Workshop for this item. Staff received 2 comments during the meeting regarding the cannabis retail facility which are summarized below.
      1. A property owner representing 5 properties in downtown Oxnard expressed that cannabis retail use would hinder the ongoing City of Oxnard's downtown rehabilitation,
      2. A religious place of worship operates next to the project site at 150 South A Street. A member of the public opined that cannabis use is not compatible for the youth and adults and deters from the religious establishment.

Following the Community Workshop Staff has received three (3) additional comment letters from the general public (Attachment J).

10) **Appeal Procedure:**
   In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 21-516-12 (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 and Downtown Code Section 16-148
D. Blooming Organics LLC dba Elevate Downtown 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. Public Comment Letter
K. Staff Presentation

Attachment

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

Vicinity Map

OXNARD

Oxnard Planning

October 4, 2021

PZ 21-516-12
Location: 156 S A St
APN: 2020056060
Blooming Organics LLC

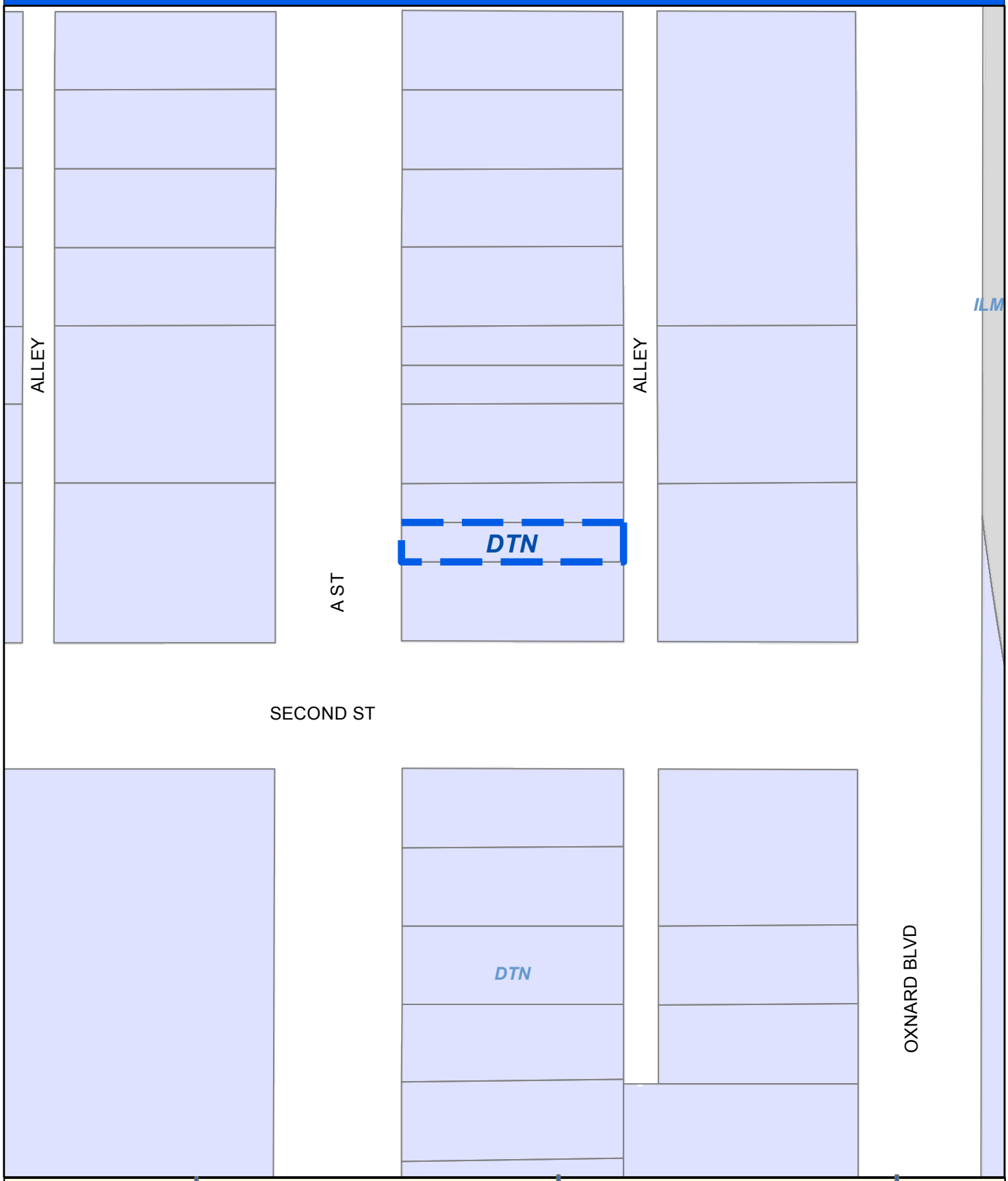
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map



Oxnard Planning
October 4, 2021

PZ 21-516-12
Location: 156 S A St
APN: 2020056060
Blooming Organics LLC

0 25 50 100 Feet

2030 General Plan Land Use Map

1:1,000

Zoning/Specific Plan Map

Oxnard Planning

October 4, 2021

PZ 21-516-12
Location: 156 S A St
APN: 2020056060
Blooming Organics LLC

0 12.5 25 50 75 100 Feet

Zoning/Specific Plan Map

N W E S

1:1,000

Aerial Map

OXNARD CALIFORNIA

Oxnard Planning

October 4, 2021

PZ 21-516-12
Location: 156 S A St
APN: 2020056060
Blooming Organics LLC

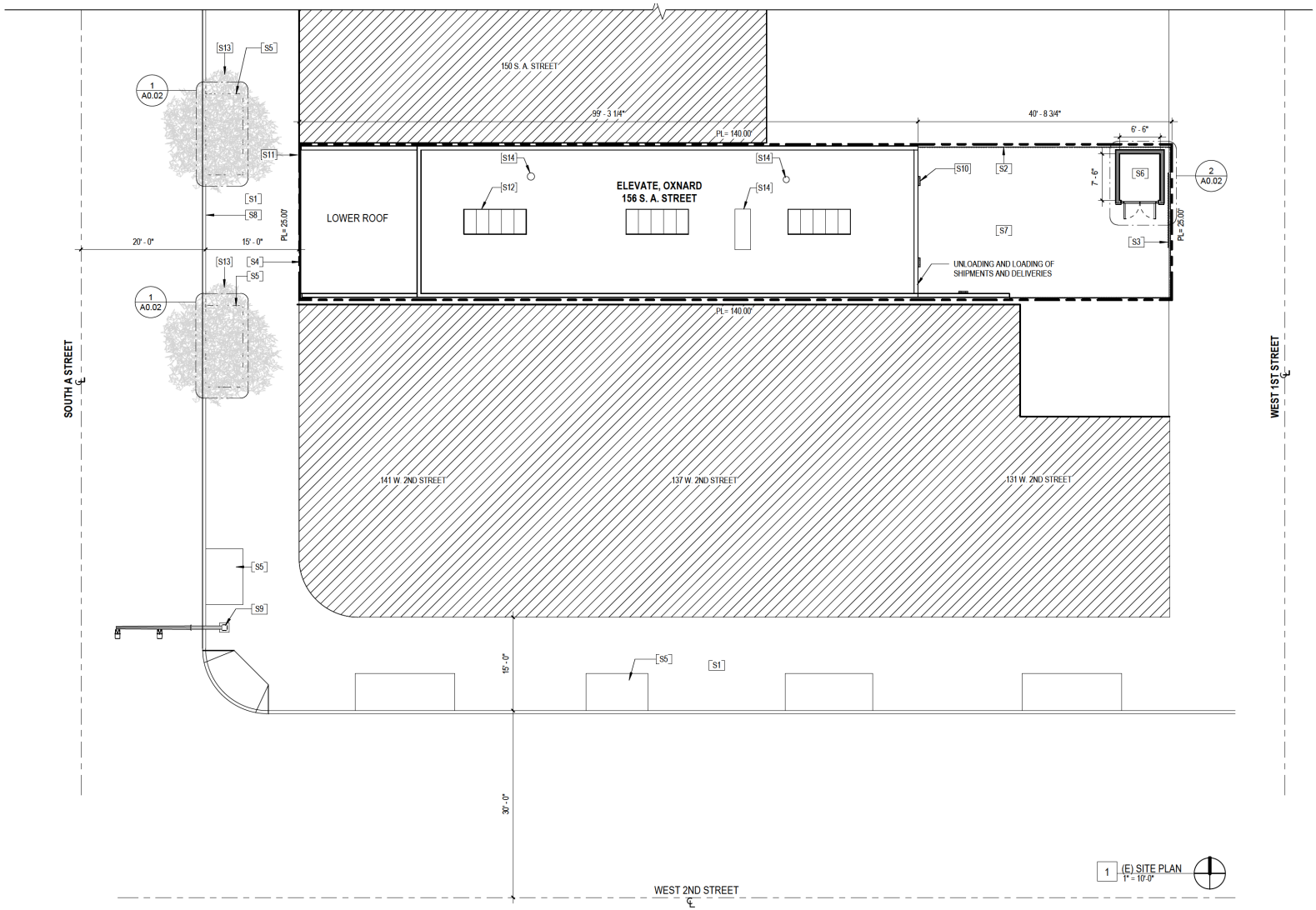
0 10 20 40 60 80 Feet

Aerial Map

N W E S

Attachment

B. Reduced Project Plans



1 (E) SITE PLAN
1" = 10'-0"

2 EXTERIOR - CONCEPT RENDERING
12" = 1'-0"

KEYNOTE - SITE PLAN

S1	(E) SIDEWALK
S2	SECURE IRON FENCE
S3	SECURE IRON SLIDING GATE
S4	PROPERTY LINE
S5	(E) PLANTER
S6	(N) CMU BLOCK TRASH ENCLOSURE PER PLATE 606, CITY OF OXNARD, SEE DETAIL
S7	(E) ASPHALT PAVING
S8	(E) CURB
S9	(E) STREET LIGHT
S10	(N) EXTERIOR LED WALL PACK
S11	ENTRY
S12	(E) SKYLIGHT TO REMAIN
S13	*(N) PLATANUS ACERIFOLIA 'BLOODGOOD' LONDON PLANE TREE, SEE GRATE DETAIL
S14	(N) ROOF MECHINICAL, S.M.D. FOR DETAILS

SHEET NOTES:

1. HOURS OF OPERATION ARE TO BE LISTED AS 7AM TO 10PM DAILY.
2. NOTE RENDERINGS ARE FOR REFERENCE ONLY. RAMP IS LOCATED ON INTERIOR OF STORE.

LEGEND

— — —	PROPERTY LINE
—o—o—o—	(E) CHAINLINK FENCE
▨	NOT INCLUDED

Attachment

C. Cannabis Ordinance No. 2994 and Downtown Code Section 16-148

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 (CO_2) 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 permitee 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-l), neighborhood shopping center planned development (C-l-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 CO_2 gas extraction system every vessel must be certified by the manufacturer for its safe use. The CO_2 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:

R. Chaparro 12/15/2020
City Clerk

APPROVED AS TO FORM:

12/8/2020
Stephen M. Fischer, City Attorney

Allowed Uses
Table 16-148

Uses[1]	Downtown Zones			
	DT E	DT E-O	DT G	DT C
Retail, Service, and Office				
Alcohol[2], beverage, with food sales (on-site consumption)	---	C	C	C
Artisanal Production	---	P	P	P
Bed and Breakfast Inn < 12 rooms	---	P	P	P
Brew Pub, Winery, Tasting Room	---	---	C	C
Cannabis Retail	---	---	C	C
Drive-through service	---	---	---	---
Grocery Store < 10,000 sq ft	---	P	P	P
Grocery Store > 10,000 sq ft	---	---	---	P
Health and exercise center / spa	---	P	P	P
Homeless shelter and resource center	---	---	C	---
Hotel	---	---	P	P
Mortuary, funeral home	---	---	P	---
Motor Vehicle sales, service	---	---	---	---
Museum, Art Gallery	---	P	P	P
Office: financial, professional, government, administrative	---	P	P	P
Office, medical	---	---	P	P3
Outdoor Dining / Sidewalk Cafe6 / Parklet6	---	P	P	P
Outdoor Display	---	P6	P6	P6
Multiplex Motion Picture Theater/Live Theater	---	---	---	C
Eating and Drinking Establishment < 5,000 sq ft[2]	---	P	P	P
Eating and Drinking Establishment > 5,000 sq ft[2]	---	---	---	P
Retail < 5,000 sq ft3	---	P	P	P
Retail > 5,000 sq ft3	---	---	---	P
Services, Administrative and Professional, Business Support	---	P	P	P
Services, Personal	---	P	P	P3
Social Services	---	---	---	---
Studio: art, music, dance	---	P	P	P
Thrift or secondhand store	---	---	---	---
Use involving sale of alcohol for off-site consumption	---	C	C	C
Utility, Transportation, Public Facility, and Communication				
Public parking lot/facility	---	---	P	C
Transit facility	---	---	---	C3
Wireless communications facility	P5	P5	P5	P5

Key

P use allowed by right, subject to identified standards

C use requires approval of Special Use Permit (SUP)

--- use not allowed

Notes

1 In compliance with frontage requirements in *16-150*.
2 Bar allowed if accessory to a restaurant; requires SUP
3 Not allowed on A Street between 3rd and 6th street
4 Pursuant to City Code Ch. 16, Article V, Division 6 (Home Occupation Permits)
5 Required stealth design; Pursuant to City Code Ch. 16, Article V., Division 16 (Wireless communication facilities)
6 Minimum 5ft clear path on sidewalk, and subject to issuance of an encroachment permit.

Attachment

D. Blooming Organics LLC dba Elevate Downtown 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

Blooming Organics, LLC. dba Elevate Downtown Oxnard
Kevin Krivitsky
20010 Ventura Blvd.
Woodland Hills, CA 91364
(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.

Kathleen Mallory

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

Attachment

E. Notice of Exemption

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

NOTICE OF EXEMPTION

Blooming Organics LLC dba Elevate Downtown Oxnard - Commercial Cannabis Business Retail Special Use Permit (SUP); PLANNING AND ZONING PERMIT NO. 21-516-12 (Retail): A request to permit the operation of a commercial cannabis retail facility within an existing 2,550 square-foot commercial building on a 0.08-acre site within the Downtown General (DT-G) 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, and providing exterior facade improvements. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. The proposed project is exempt from environmental review, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act. Filed by Mario Rios on behalf of Blooming Organics LLC dba Elevate Downtown 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

Attachment

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	***Mitigate Land Use Conflicts*** Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.	X		The Project proposes to locate within an existing commercial building which allows for retailing of cannabis products. The proposed site would operate within a commercial area 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	***Commercial Revitalization and Redevelopment*** Encourage upgrading, beautification, 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, cales and property valuation.	X		
Policy CD-4.4	***Commercial Area Aesthetics*** Require that older commercial development upgrade/improve landscaping and architecture, if warranted, during discretionary review opportunities.	X		
Policy CD-15.5	***Share of Regional Taxable Sales*** 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	***Retain Local Talent*** 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	***Attract New Businesses*** 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	***Industrial and Commercial Development Standards*** 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 Downtown General zone which includes architectural and landscape standards suitable for commercial development.
CD-19.1	***Unique Downtown Identity*** Ensure that downtown Oxnard occupies a niche in the marketplace as a civic center supported by businesses, retail, residential components, arts, and entertainment.	X		The project is consistent with Downtown Code by providing access to general commercial retail of cannabis products.
CD-19.2	***Complementary Development*** Seek a complementary rather than competitive role with other areas of the City for the continued economic development of the City's downtown.	X		The project will operate a cannabis retail establishment within an existing general commercial building further continuing the economic development of the City's downtown area.
CD-19.4	***Revitalization and Redevelopment*** As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that have deteriorated or detract from the visual quality of the City.	X		The project will revitalize the existing commercial building by providing upgrades to the storefront of the building, adding pedestrian amenities like upgraded lighting, bicycle storage, and upgraded landscaping.
CD-19.5	***Attract Downtown Investment*** Encourage investors to purchase downtown property and help property owners lease space.	X		The project once operating will attract downtown investment by providing more foot traffic to the downtown area.
Policy ICS-19.2	***Police Review of Development Projects***	X		The Project's security plan was reviewed and conditionally approved by the Oxnard Police

	Continue to require the Police Department to review proposed development project and provide recommendation that enhance public safety			Department to ensure crime prevention through preventive security measures and environmental design.
Policy ICS-19.4	***Crime Prevention Device Requirements*** Require crime prevention devices (e.g. deadbolt locks, peepholes, etc.) in all new development.	X		
Policy ICS-19.5	***Incorporating Security Design Principles*** Encourage crime prevention and defensible space through design principles such as those employed though 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	***Handling of Hazardous Materials*** 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.

Attachment

G. Zoning Consistency Chart

ATTACHMENT G
Zoning Consistency with
Downtown Code Consistency Table

Oxnard Downtown Code – Downtown General Zone			
PZ-21-156-12: 156 S A St. – Blooming Organics LLC dba Elevate Downtown Oxnard			
DT-G Zone	**Required/Allowed**		
Overlay Zone	Choose All Applicable: NA	--	--

	Private and Public Frontages		
		Required/Allowed	**Proposed Project**
Table 16-150.H	**Shopfront**		
	Height to (clear)/top of shopfront	12 feet minimum and 18 feet maximum	Existing to remain @ 13’-10”
	Height to bottom of awning/canopy (clear)	8 feet minimum and 10 feet maximum	NA
	Width of shopfront base	10 feet minimum and 20 feet maximum	Existing to remain @ 23’-0”
	Height of shopfront base	6 inch minimum and 3 feet maximum	6”
	Glass area of ground floor wall area (each facade)	70 percent minimum	79%
	Width of Shopfront on second frontage (corner building)	20 feet minimum	NA
	Awning Depth	5 feet minimum up to within 2 feet of curb	NA
	Awning Location	located over shopfront opening only	NA
	Awning Design	quarter sphere or quarter cylinder configurations not allowed	NA
	Distance between openings in wall	10 linear feet maximum(primary street frontage)	NA

		25 linear feet maximum (side street frontage)	
	Traditional Shopfront	header: 24 inches minimum and 36 inches maximum shopfront windows: recessed a minimum of 2 inches base panels/shopfront base: 36 inch in height maximum	Existing header @ 18" to remain New recess @ 4'-0" to accommodate accessible entry ramp 6" base panels
	Shopfront Tint	10 percent maximum	NA
Section 16-151	**Public Frontage**		
Section 16.151.1.A	**Sidewalk Width**	5 feet minimum	Existing sidewalk to remain
Table 16-151.C	**Commercial Parking lane trees, where provided**	located every 2 to 6 spaces	NA
Table 16-151.C	**Commercial Parklets Buffers**	24 inch buffer from travel lane (recommended) 36 inch buffer from adjacent parking spaces (recommended) 15 feet from bus stop or shelter	NA
Table 16-151.D	**Residential Parkways**	breaks every 50 feet (recommended)	NA
Table 16-151.D	**Residential Parking lane trees, where provided**	should be located every 2 to 4 spaces	NA

Architectural Guidelines			
Table 16-156.A.i	**Bay windows**	8 foot maximum width height equal or greater than width 3 feet minimum from corner 50 percent transparency or greater.	NA
Table 16-156.A.j	**Door Glazing**	glazing must provide at least 90 percent visible light transmission	Will Comply @ >90%
Table 16-156.B.a	**Orientation to Public Space**	buildings must face open spaces and may not back on to open spaces.	NA (existing building)

Table 16-156.B.d	**Residential Entry**	access from the sidewalk is required if the unit is within 5 feet of grade.	NA
Table 16-156.C.a	**Building Wall Materials**	walls must be finished in stone, brick, finished concrete block, poured in place or pre-cast concrete, smooth plaster or stucco, and wood. synthetic materials may be approved through design review	Existing concrete block to be cleaned and repainted
Table 16-156.D.2.d	**Upward Acting Doors (Contemporary Building Only)**	maximum width: 16 feet maximum height: 10 feet minimum separation: 2 feet materials: clear, see-through glazing	NA
Table 16-156.E.1.a	**Window Materials**	wood, vinyl-clad wood, aluminum-clad wood or metal. pvc and vinyl windows require design review approval.	Aluminum storefront system in dark bronze anodized.
Table 16-156.E.2.b	**Non Shopfront ground floor window**	window sills should be 4-8 feet from public sidewalks and open spaces	NA
Table 16-156.E.2.g	**Window Recesses**	minimum 2 inch recess from facade (Advisory)	NA
Table 16-156.F.1.e	**Balconies**	minimum of 5 feet in depth (Advisory)	NA
Table 16-156.F.2.e	**Planter Boxes**	should be between 18 to 42 inches tall (cannot block windows)	NA
Table 16-156.F.3.a	**Masonry and Stucco Arches**	depth: 12 inches minimum piers/columns: 12 by 12 inches minimum	NA
Table 16-156.F.3.b	**Wood Posts**	6-by-6 inches minimum and articulated	NA
Table 16-156.G	**Building Colors**	coordinated and subdued colors typical of natural building materials, such as earth tone colors (recommended) exterior facade colors should be limited to two or three (recommended)	Color to be an off white: SW62552 Ice Cube
Table 16-156.H.1.d	**Gutters and Downspouts**	should be made of: galvanized steel copper pre-finished aluminum	Existing internal roof drains to remain

Table 16-156.H.2.a	**Traditional Building Shed Roof Slope**	minimum slope of two in twelve (2:12)	NA
Table 16-156.H.2.e	**Service Equipment**	roof top equipment must be screened from public view	Existing units screened by parapet
Table 16-156.H.2.f	**Skylights**	must be flat and not visible from the public areas	Existing not visible
Table 16-156.H.2.g	**Gutters**	half-round or ogee (rectangular allowed on contemporary buildings only)	Existing internal roof drains to remain
Table 16-156.H.3.b	**Exposed Rafter Tails**	minimum nominal dimension of 3 inches by 4 inches.	NA
Table 16-156.H.3.c	**Supporting Brackets**	minimum dimension of 5 inches	NA
Table 16-156.I.1	**Vents**	must be screened from public and semi-public areas	Will comply
Table 16-156.I.3 and 4	**Service Entrances and Waste Disposal Areas, etc**	lots with alley access: must be adjacent to and accessed from alley lots without alley access: must be screened and far from public view	Existing lot has alley access. New trash enclosure proposed per City of Oxnard Guidelines
Table 16-156.I.5	**Fire Sprinklers**	should be building mounted rather than freestanding	NA
Table 16-156.J.2.a	**Garden Walls**	6 inches wide minimum with cap	NA
Table 16-156.J.2.b	**Fences**	wood fences: maximum of 3 inch gap between vertical lattices wrought iron, including steel bar: minimum of 4 inches between bars	New wrought iron fence proposed @ rear alley access with min. 4 inches between bars
Table 16-156.J.2.c	**Front Yard Wall Height (front or side street setback areas)**	must be between 30 inches to 42 inches	NA
Table 16-156.J.2.d	**Side Yard Wall Height (at or behind building facade)**	8 feet maximum	NA
Table 16-156.J.2.e	**Wall Setbacks (Fences built parallel to frontage between houses or structures, unless integral part of architecture)**	should be setback 2 to 5 feet	NA
Table 16-156.J.2.f	**Retaining Walls at Frontages**	5 feet maximum	NA
Table 16-156.J.2.h	**Parking Wall Height**	must be between 36 inches and 48 inches	NA
Table 16-156.J.3.e	**Wood Siding Patterns (recommendation)**	clapboard should not exceed 6 inches to the weather	NA

		shingles should not exceed 8 inches to the weather dropsiding should not exceed 12 inches and 4 inches, alternatively	

Attachment

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) & 16-148	Retail dispensaries are conceptually permitted in property zoned DT-C, DT-G, C-l, C-l-PD, C-2, C-2-PD, CNC, 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 the Downtown General (DT-G) zone.	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 DT-G 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 youth center (Vista Real Charter High) is approximately 1099 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, Local Coastal Plan, and DT-G 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 DT-G 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	The project includes Odor Control devices	YES, AS CONDITIONED

	consistency with the surrounding properties.		
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. though 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 square feet or as stipulated in a city traffic engineer approved sparking study.	The project meets the parking requirements.	YES, AS CONDITIONED
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

Attachment

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. 21-516-12 (COMMERCIAL CANNABIS RETAIL) TO ALLOW A COMMERCIAL CANNABIS RETAIL FACILITY WITHIN AN EXISTING 2,550 SQUARE-FOOT COMMERCIAL BUILDING ON A 0.08-ACRE SITE LOCATED AT 156 SOUTH A STREET (APN: 202-0-056-060), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS.

WHEREAS, on January 20, 2022, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing and considered an application for Planning and Zoning Permit No. 21-516-12 filed by Mario Rios on behalf of Blooming Organics LLC dba Elevate Downtown Oxnard 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 Downtown (DTN) and a Zoning designation of Downtown General (DT-G). The Project is surrounded by commercial and office 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, 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 and office 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 December 22, 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 Downtown General (DT-G) zone, subject to approval of a Special Use Permit. As documented in the attachments to the staff report, the Project is in compliance with General Plan, zoning and cannabis regulations. This Resolution includes 191 conditions of approval which were crafted for compliance with the requirements set forth pursuant to OCC Article XVII (Commercial Cannabis Activity) to ensure operational standards were met. 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 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 such 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 building within an existing commercial corridor. General and retail uses, and other more intense uses such as restaurants, are allowed uses within the DT-G zone which do not require a Special Use Permit. The proposed retail cannabis use requires a Special Use Permit to ensure operational characteristics of the business will be both compatible with and not adversely affect or be materially detrimental to the other uses, buildings or structures within the shopping center.

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. This Resolution includes 191 conditions of approval which were crafted for compliance with the requirements set forth pursuant to OCC Article XVII (Commercial Cannabis Activity) to ensure operational standards were met. After considering extensive testimony about the enhancements the proposal would bring to the tenant space, the Planning Commission finds the increase is customers to the shopping center and the decrease in crime rates

experienced at other cannabis facilities with enhanced security, the Planning Commission also finds 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, the Planning Commission finds this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. Conversely, the Planning Commission finds the proposed use would be a beneficial addition to the shopping center by bringing in new customers, making enhancements to the building and parking areas, and would introduce a private security component which would benefit all tenants within the commercial corridor. Furthermore, Port Hueneme Chief of Police Andrew Salina has made public comments outlining the reduction in crime Port Hueneme has experienced in areas adjacent to commercial cannabis retailers as a direct result of their operational characteristics including the use of upgraded security systems, private security, and other site specific security plans. As such, this Project meets this finding.

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 will be located within an existing development within the Downtown General (DT-G) 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 0.08-acre lot. Pursuant to the DT-G zone, the Project will be located within an existing building designed to be consistent with the development and design standards included within the DT-G zone, including, but not limited to, shopfront standards, architectural guidelines include, landscaping, and equipment screening standards. The existing development is not consistent with the City's parking standards for bicycle parking (5 required). Because no commercial parking spaces are being provided on site, the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces, and the project has been conditioned to provide a total of 5 bicycle spaces. 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 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 project is currently served by existing infrastructure and will continue to be accessed directly from South A Street, and a public alleyway, 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). Because no commercial parking spaces are being provided on site, the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces, and the project has been conditioned to provide a total of 5 bicycle spaces. Because no commercial parking spaces are being provided on site, the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces. Based on the configuration of the proposed cannabis retail facility the entire project site requires 1 loading space. The project will utilize a proposed loading area at the east side of the building accessed by a service door entrance to the tenant space which connects to a public alleyway. The project is consistent with City parking requirements. The project has been conditioned to include a total of 5 bicycle parking spaces, 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 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 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. 21-516-12 (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. 21-516-12 (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.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated January 20, 2022 ("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. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

7. 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*)

8. 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*)

9. Before placing or constructing any signs on the project property, Applicantshall 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*)

10. Applicant shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

11. 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.

12. 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*)

13. 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*)

14. 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

15. 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.

16. 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

17. 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*)

18. 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*)

19. 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 Planning Commission. The Applicant may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

20. 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*)

21. 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)

22. 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.

23. 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*)

24. 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*)

25. 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*)

26. 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*)

27. 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*).

28. 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

29. 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*)

30. 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*)

31. 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*)

32. Prior to issuance of a certificate of occupancy, Applicant shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

33. 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

34. Prior to occupancy, faded striping in parking areas directly in front of the building shall be repainted per City standards.

35. In accordance with the proposed plans, 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 main front entrance of the building located at 156 South A Street. 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 Downtown Genersal 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.

38. Developer shall pay required in-lieu parking fee pursuant to the Downtown Code (Section 16-147.4.C.7.C). The in-lieu fee is required for a minimum of 50% of the required commercial parking spaces. The current in-lieu parking fee is $10,000 per mitigated space and is tied to the Engineering News-Record (ENR) Construction Cost Index (CCI) for Los Angeles. The in-lieu parking fee is subject to fee adjustments adopted by the City Council until such time that the Developer pays the fee in full.

PLANNING DIVISION CANNABIS CONDITIONS

Automatic Expiration

39. The Commercial Cannabis Business Permits shall expire, and be subject to the renewal process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the Certificate of Occupancy pursuant to the Oxnard City Code Section 11-459.

Renewal

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

Appeals

41. 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 permitee shall pay the designated appeal fee, established by Resolution of the City Council from time to time.

Revocations of Commercial Cannabis Business Permits

42. 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.

43. 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

44. 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.

45. 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 21-516-12. 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.

46. All operators are subject to all penalties as outlined in Oxnard City Code.

Property Owner Authorization

47. 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

48. 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

49. 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

50. 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

51. 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.

52. 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

53. 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.

54. 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

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

56. 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.

57. Cannabis shall not be consumed by any employee or patron on the premises of any commercial cannabis business.

58. No outdoor storage of cannabis or cannabis products is permitted at any time.

Operational Requirements for Retailers

59. Sales and service of cannabis or cannabis products is limited to only the customer service area, which consists of approximately 2,550 square feet inside the building as identified on PZ No. 21-516-12 floor plans presented at the Planning Commission public hearing on January 20, 2022 and incorporated herein.

60. 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.

61. 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

62. 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

63. 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

64. 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:

65. 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

66. 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.

67. The Applicant for a Commercial Cannabis Business shall secure from the Department of Billing and Licensing a commercial cannabis business tax certificate.

68. 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.

<u>Reporting and remittance of quarterly tax payments</u>

69. The Commercial Cannabis Business tax shall be paid in arrears on a quarterly basis.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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

75. 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.

76. 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.

77. 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.

78. 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

79. 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

80. 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

81. 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

82. 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.

83. An alarm system shall include intrusion, fire, and panic button components. The system shall be remotely monitored by a licensed alarm service provider. The burglar alarm system shall utilize dual technology sensors and be able to differentiate between human and non-human motion. These sensors shall be mounted throughout the premises and specifically include: Secured Lobby, Retail Area, Service Counter, Secured Storage Vault, Intake Area, Employee Break Area, Manager's Office, Corridor and the Roof.

84. 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.

85. 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.

86. 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.

87. 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.

88. 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).

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

90. 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.

91. 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.

92. 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

93. 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.

94. 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.

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

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

97. 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.

98. 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.

99. 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.

100. 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.

101. 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.

102. 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.

103. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.

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 on 60-watt incandescent light) may be partially

shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.

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 these conditions.

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. 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

132. 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.

133. 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

134. 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.

<u>Access Control Systems</u>

135. 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

136. Intrusion/burglar alarms shall be "dual" technology and have the capability to differentiate between human and non-human motion. Sensor placement shall be in accordance with the business' approved Security Plan.

137. Panic alarms shall be installed at various sites within the business to be used in the event of a robbery. Alarm button placement shall be in accordance with the business' approved Security Plan.

Security Site Plan

138. 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.

139. 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.

140. 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.

141. 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

142. 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.

143. 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.

144. 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.

145. 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.

146. 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.

147. All signage for the site shall require joint approval from authorized designees of the Planning Division and the Police Department.

Cannabis Deliveries

148. 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

149. The unit's address "156" shall be painted on the exterior of each rear door of the business in numerals that are 3-inches in height.

150. The unit's address "156" Shall be painted on the roof of the business in numerals that are 3-feet in height.

151. The property shall have and maintain at each vehicle entrance signs posted pursuant to 22658(a) CVC to prohibit unauthorized parking on private property.

152. One parking stall at the rear of the business shall be dedicated to applicant's use for delivery vehicle parking only. The stall shall be in close proximity to the rear door of the business and shall be clearly marked with a sign posted on the wall. The sign shall be no less than 17-inches by 22-inches and the lettering shall be not less than one inch in height. The sign shall state: "Authorized Delivery Vehicle Parking Only All Others Subject To Tow Away. 22658(a) CVC.

153. Cannabis retailers shall participate in Police Department and Community drug awareness and educational programs. This participation may include but not be limited to the circulation of informational flyers, staff training opportunities, and DUI educational materials.

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. 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)

177. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

178. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer 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. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)

181. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

182. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

183. 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)

184. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

185. Developer shall construct a trash enclosure with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the 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-79)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

186. 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)

187. Show all applicable existing and proposed utilities (sewer, water, storm, gas, electrical) 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)

189. Onsite irrigation shall be fed by a dedicated irrigation meter if irrigated landscaping is proposed. (DS)

190. The doors of the trash enclosures shall face the alley. When open, the door must not project into the alleys. (DS)

191. The proposed trees for the existing planters located in the public right-of-way shall be approved by the Public Works Department; a list of recommended trees will be made available to the Developer. Installation of the trees must include a 24-inch deep root barrier system unless directed otherwise by the Public Works Department. Developer shall be responsible for providing irrigation to all proposed trees in the right-of-way until said trees become mature and established. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 20th day of January 2022.

_____
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 13th day of January 2022, 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

J. Public Comment Letter

Coyotl, Jose <jose.coyotl@oxnard.org>

Permit for operation of Cannabis Stores.

2 messages

Consuelo Contreras <casaoasis@aol.com> Wed, Oct 13, 2021 at 1:19 PM
Reply-To: Consuelo Contreras <casaoasis@aol.com>
To: "jose.coyotl@oxnard.org" <jose.coyotl@oxnard.org>

Dear Jose,

I am here writing again because of the possible opening of two retail cannabis stores right next to our House of prayer. Actually three places in our same block and near by.

We receive many people that have problem with addictions. They are trying to free themselves but it would be detrimental to their well being to have such places so near to us. In other words the temptation would be right next door.

The other day we saw a young guy coming out of church and was stopped by the police. We ask the reason and they said that person had marihuana in his possession. So you open up places to sell it and then arrest the citizen. It does not make sense. I would like to ask the city officials to reconsidered opening some many places for the sale of marihuana products.

I would like to be invited to the meeting once more please.

Thank you for your cooperation.

Sincerely yours,

Sister Consuelo. Contreras ,sffcc
Resident Oasis del Espíritu Santo.

Coyotl, Jose <jose.coyotl@oxnard.org> Thu, Oct 14, 2021 at 3:13 PM
To: Consuelo Contreras <casaoasis@aol.com>

Hello Consuelo,

I will include your written correspondence as part of the record for the Planning Commission's consideration. I will also alert you once the final meeting is scheduled which should be in the month of November or December. Once again you will have the option to speak during the public form to speak on your concerns to the commission.

Respectfully,
[Quoted text hidden]
--
Jose Coyotl | Associate Planner
Community Development Department
214 S C Street | Oxnard, CA 93030
O: (805) 385-7863
www.oxnard.org

We welcome you back to the Service Center!

Our doors are opened to the public from 8:00 a.m. to NOON, Monday through Thursday and on our open Fridays. Online services remain available through our online portal at www.oxnard.org/planning

- General inquiries should be sent via email to Planning@oxnard.org.
- For new applications, email us at planning@oxnard.org. Large projects can be shipped with prior authorization. Smaller projects may be submitted via email.
- For existing applications, contact your assigned Case Planner by direct email.

When visiting the Service Center, please wear a mask and observe social distancing guidelines until further notice.

OASIS DEL ESPIRITU SANTO
150 S. A STREET
OXNARD, CA 93030

October 6, 2021

Mr Jose Coyotl
City of Oxnard

Dear Jose,

We would like you to know that we are located at 150 S. A Street, we are a non-profit corporation dedicated to evangelization. We hold retreats, prayer meetings and congresses to help the people have a better knowledge of our faith.

Many people come to our House of Prayer suffering from addictions. We would like the city to consider that many of our citizens are trying to kick addictions. It will be difficult to have two places next to us that sell marihuana products. It is not beneficial to those that are trying to get away from addictions to have a place right next to our facility.

We would like the City Council to reconsider having so many places in Oxnard selling marihuana products.

I am attaching a list of people that would like the City Council to reconsider the opening of this places next to our House of Prayer.

Thanks again for your cooperation in this matter.

Yours truly,

Sister Consuelo Contreras

Sister Consuelo Contreras, sfcc
President of Oasis del Espiritu Santo

Oasis Del Espiritu Santo
150 South A Street, Oxnard CA 93030

We oppose to the opening of the canibis - (Marihuana) facilities Located at - 138 South A Street and 156 South Street Oxnard CA 93030.

Name	Address	Phone#	Signature
Cecilia Avila	[redacted] Lindsay Pl.	[redacted]	Cecilia Avila
Bertha A. Avila	[redacted] W Birch ST	[redacted]	
Victorio Sosa	[redacted] San Simron Dr	[redacted]	Victorio Sosa
[illegible]	[redacted] S.M Ox 93033	[redacted]	[illegible]
Martina Luz Borunda	[redacted] Del Mar place	[redacted]	[illegible]
Leeno Leon	[redacted] Ives Av	Oxnard	
ESTELA IBARRA	[redacted] moby Dick Ln Ox 93030		Estela Ibarra
Margarita Tellez	[redacted] N. A St.	[redacted] Oxnard CA 93030	Margarita Tellez
Catalina Contreras	[redacted] Bonita Oxnard cal. 93030 -		Catalina Contreras

continue

Name	Address	Phone#	Signature
WENDY IPATZI	[redacted] EKAMALA	[redacted]	
Jason Long	[redacted] East Kamala	[redacted]	
Jesus Ipatzi	[redacted] East Kamala	[redacted]	
Jesus Mendez	[redacted] - Kamala		
Rosa Ronquillo	Kamala		
Lucy Ronquillo			
Amayra Gonzales	[redacted] E Kamala ST Oxnard		
Pedro Pagando	[redacted] Goleta WCY 93030		
JONATHAN MORATA	[redacted] KAMALA ST. OXNARD CA 93		
Alex Herrera	[redacted] San Mateo Place	[redacted] oxnard CA	
ANTHONY VILLANUEVA	[redacted] E. KAMALA ST. OXNARD, CA. OXNARD CA. 93036.		
Maria FERNANDEZ	[redacted] E ESTROUBE ST.		
Mario Rosales			
Cesar Cuecuecha	[redacted] Rhonda St Oxnard CA 93036	[redacted]	
Rodrigo Lopez	[redacted] Lindbergh Dr	[redacted]	
[illegible]	[redacted] E KAMALA ST	[redacted]	[redacted]
Enriqueta M Ipatzi	[redacted] E KAMALA ST	[redacted]	
Rigoberto Ortiz	[redacted] E. Kamala St	[redacted]	
Karina Vasquez	[redacted] E. Kamala St.	[redacted]	
Teresa Saldana	[redacted] Kamala St	[redacted]	
Rita Rodiles Oliva	[redacted] St. Mary's Road	[redacted]	

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Name	Address	Phone#	Signature
Laura Duarte	[redacted] N Juniper St	[redacted]	
Jaime Velazco		[redacted]	
Jesus Garcia	[redacted] N Juniper St	[redacted]	
Rai Valdovinos	[redacted] Woodland St	[redacted]	
Gabriela Valdovinos	[redacted] Woodland St	[redacted]	
Ana Rodriguez	[redacted] W Juniper ST Oxnard Ca 93033		
Ana Maria Rodriguez	[redacted] W Olive St	[redacted]	
Lusila Duarte	[redacted] W. Power st Oxnard CA	[redacted]	
Juan Luis Rodriguez	[redacted] Piedmont St. Oxnard, CA 93035	[redacted]	
Roberto Rodriguez	[redacted] piedmont St. Oxnard CA 93035	[redacted]	
Maria Roquel Rodriguez	[redacted] piedmont St. Oxnard CA 93035	[redacted]	
Elia Magaño	[redacted] Piedmont st oxnard, CA, 93035	[redacted]	
Victor Gonzalez	[redacted] Piedmont, st, oxnard, CA, 93035	[redacted]	
MARISELA RODRIGUEZ	[redacted] KENTIA STREET OXNARD, CA 93036	[redacted]	
Diana Pacheco	[redacted] Kentia St. Oxnard, CA 93036	[redacted]	
Luis Pacheco	[redacted] Kentia Street Oxnard, CA 93036	[redacted]	
Irma Arevalo	[redacted] Buffalo Ave. Sherman Oaks CA 91423	[redacted]	
Rosa M Moreno	[redacted]	[redacted] ASH E Oxnard Ca.	
Rose M. Lerma	[redacted]	[redacted] St S J St Oxnard, CA	
Rosa Delgado	[redacted]	[redacted] Oxnard CA 93030	
Hilda Del Toro	[redacted]	- Adriana Del TORO [redacted]	

Continue

Name	Address	Phone#	Signature
CARMEN Ortega	[redacted] Ventura Blv. 119	[redacted]	Carmen Orte
Carlos Ortega	[redacted] Eventura Blv	[redacted]	Carlos Ortega
Monica Ortega	[redacted] Eventura Blv.	[redacted]	Monica Ortega
Mayra Aguilar	[redacted] E Ventura Blvd	[redacted]	Mayra Aguilar
Alejandro Martinez	[redacted] E Ventura	[redacted]	Alejandro Mart
Celia Orozco	[redacted] E Ventura	[redacted]	Celia Orozco
Sandra	[redacted] Eventura BlvD	[redacted]	Sandra Lopez
Luis	[redacted] Eventura BlvD	[redacted]	Luis ferrer
Brenda	[redacted] Eventura BlvD	[redacted]	Brenda ferrer
Francisco Lopez	[redacted] Eventura BlvD	[redacted]	[illegible]
Catalina Lopez	[redacted] Eventura BlvD	[redacted]	Catalina Lopez
Jackie Dominguez	[redacted] squires Dr	[redacted]	[illegible]
Catalina Lopez	[redacted] E Ventura Blvd	[redacted]	Catalina Lopez
Edgar Lopez	[redacted] E Ventura Blvd	[redacted]	Edgar Lopez
Ava Rosa Lopez	[redacted] w cedar st oxnard ca	[redacted]	Ava Lopez
Salvador Lopez	[redacted] w cedar st oxnard ca	[redacted]	Salvador Lo
maria trinidad	[redacted] w Elm st oxnard ca	[redacted]	Maria trinidad
Diana Garcia	[redacted] w Elm st oxnard ca	[redacted]	Diana Garcia
Armando Garcia	[redacted] w Elm st oxnard ca	[redacted]	Armando Ga
Miguel zarate	[redacted] w Elm st oxnard ca	[redacted]	Miguel Z
Maria arreola	[redacted] w Elm st oxnard ca	[redacted]	Maria A

Continue

Name	Address	Phone#	Signature
nona Solis	[redacted] Bradfield Pl	[redacted]	nona Solis
Silvia López	[redacted] E Ash st	[redacted]	
Ricardo Lopez	[redacted] E Ash st	[redacted]	Ricardo Lopez
Maria Luisa Espinoza	[redacted] S K	[redacted]	
Maria E Fernández	[redacted] Hamilton	[redacted]	Maria E Fernández
Alfredo Barragan	[redacted] Hamilton Ave Ox, CA, 93033	[redacted]	Jose a Barragan
Maria Acevantes	[redacted] S N st oxnard CA	[redacted]	[illegible]
Ofelia Casillas	[redacted] Gabriella Oxnard CA	[redacted]	[illegible]
Margarita Palencia	[redacted] Doris S. st Oxnard CA	[redacted]	[illegible]
María Vásquez	[redacted] King St oxnard Ca.	[redacted]	[illegible]
Eguel Tapes	[redacted]		
Alfredo Barragan	[redacted] Hamilton Ave	[redacted]	Alfredo Barragan
Elvia Trejo	[redacted] Kelley Perez	[redacted]	Elvia T.
MARIA G. Gonzales	[redacted] Ives Ave.	[redacted]	[illegible]
Maria Carmen Mora Arayo	[redacted] Knox In Ox, CA	[redacted]	Carmen Arayo
Leticia Esqueda	[redacted] Resplandor Way Oxn 93030	[redacted]	Leticia Esqueda

continue

August 16, 2021

To: Mr. Coyotl:

It is indeed a humbly experience for me to address you on this matter today as I have lived in the City of Oxnard for 40 years.

Many fields have been replaced with houses that are modernized and the Council from the pass years can be seen as progressive for better living in Oxnard. We have a modernized College that has some of the best instructor that a City College can offer they work hard each day to make sure that no matter where you come from you are given the opportunity to learn knowledge and develop skills that will help you to become a Good citizen. We have been blessed by The Lord to live in one of the best places in all the world Oxnard by the Shores were the beaches have been cleaned up by the communities of this great city and the Street has been cleaned up by the Police Task Force to make it so safe that I can stand in my front yard with joy in my heart to hear the children walking down the street laughing and talking to their classmates and to know that they are probably going to make it home safe without incident other than maybe a skinned knee or elbow. There are a few parents that are walking with them to and from school, but it is a joy to see them to be able to walk alone and their parents get to see them when they get home.

The Boys and Girls Club and Pals (Oxnard Police Activities League) have worked tirelessly to keep our children off the street and off Drugs and should be commended. Our children have worked there, so we have been able to see what these groups have been able to do to help keep children healthy and off Drugs. It has been such a blessing to see the children of this community grow up and become positive role models in it and I have been blessed to see this City become what it is today. In the 80's the Churches of this community went to Hueneme Road and brought the Pimps and Pusher to Church and their life was changed and I have witness Durley Park change from Gang to Little League and the Blvd get rid of the Drug infested area that it once had and The Great Bedford Pinkard Skate Park turn around with wonderful Basketball Court, Tennis Court, Soccer field and Dog Park next to it come to life and get cleaned up. I have witness the Neighborhood I live in bring in SWAT Team to take down Illegal Drug Houses and If we with a stroke of a pen vote to bring Drugs back into our community with the deceitful thought that it will make this city better we are in trouble. Wrong is Wrong no matter what form it is in. We must see this before it comes in and destroy our beautiful City that the people have worked so hard to build up if not my concern is the same city that help to clean the city up will be the same one responsible for its destruction and its citizen's safety.

We all have dreams and sometimes the dreams that we have if they come true they will become living Night mares and I am afraid that this will be one of those living Nightmares. Please considered the child that you once were when you walked passed a store and you saw something that caught your eyes your parents may have are may not have ever entered that store or knew you had in your mind that you wanted something that you knew was inside that store so you vowed to yourself when I grow up I will get that for me. I ask you today Is this what we want to offer the citizen of our tomorrow in hope of more money for the city I say are the word of The Holy Bible says " Whoso rewardeth evil for good, evil shall not depart from his house."

You may have tried to convince yourself that this is ok, and that if people want it they will get it from somewhere, that very well may be true, but I beg of you as the wife Begged her husband before Jesus crucifixion" wash your hands of this matter." We are all suffering a pandemic that have affected us or someone close to us for some wrong we have committed to the Lord and our fellowmen, and if our eyes are closed so much that we can't see that this will only bring more punishment upon us for generation to come we may not make it out of this pandemic alive the decision we make today will not only affect generations to come, one way or another, but we will have to give in account of the seeds we have planted and the harvest that it bring. If not here believe me in the hereafter and I don't know if you want it to be said at your funeral that in your legacy that you were one of the ones responsible for bringing cannabis to our City. I would rather have this city where we work together to make it than to have a city were none of us make it because we depended upon everything including cannabis and not God and one another. We are a City that still help our neighbor out and we use to be better but I see us we are getting back to that place and we can make it even if we have to struggle together. We will make it we don't need no CANNABIS Here! We need to Ring the Church Bells again so the people will remember it is Sunday and get back to The Lord and to Church and off the parks on Sundays and put the Bible back in our School and prayer. Take out pray and put in Cannabis I hope not take out Cannabis and put in PRAYER THE LORD Will hear our Prayer and We Will Live and not die.

Let us consider this place will gain more homeless and more at risk youth. What are we going to do when a child brings this to school and give it to another child?

Please Do Not Bring this into Our Beautiful City

STOP

WELCOME BACK
Condors
OXNARD COLLEGE
LIBERAL ARTS

OXNARD COLLEGE
August 14, 2021
4:42 PM

VENTURA COUNTY
RESCUE MISSIO

Attachment

K. Staff Presentation

PZ 21-516-12
Blooming Organics LLC dba Elevate Downtown Oxnard
Commercial Cannabis Business Retail Special Use Permit (SUP)
156 South A Street
(APN: 202-0-056-060)

Planning Commission Hearing
By: Jose Coyotl, Associate Planner

January 20, 2022

CITY OF OXNARD CALIFORNIA

Project Description

- A request to permit the operation of a commercial cannabis retail facility within an existing 2,550 square-foot commercial building on a 0.08-acre site.

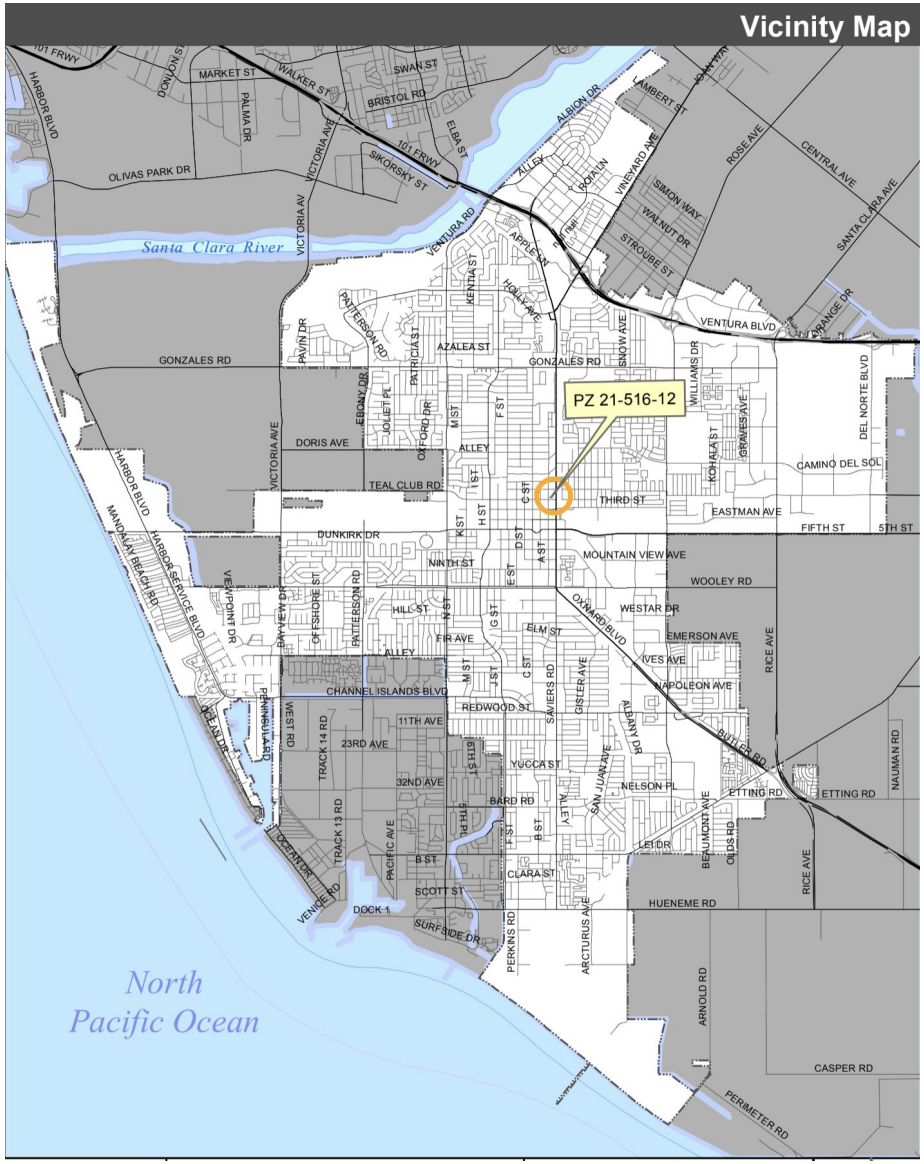
- As part of the project there will be a tenant improvement consisting of
  - the installation of new partition walls
  - security upgrades to the existing building
  - minor plumbing upgrades
  - upgrades to an existing fire alarm system
  - installation of secure doors/windows
  - providing exterior facade improvements

- Cannabis retail operations will be conducted between 9:00 AM to 9:00 PM daily.

- Application filed by Mario Rios

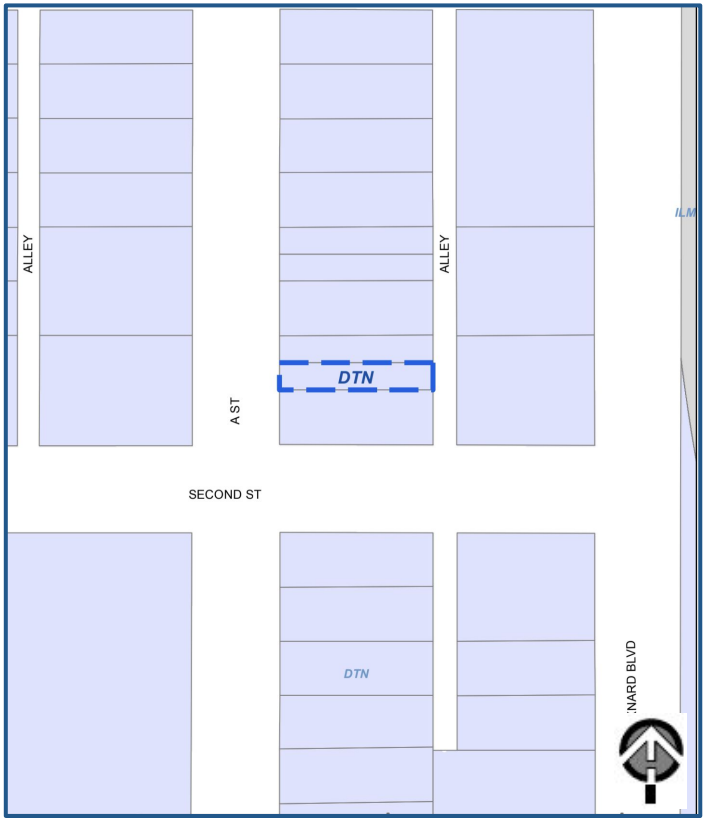
Project Location

Subject Site: 156 South A Street



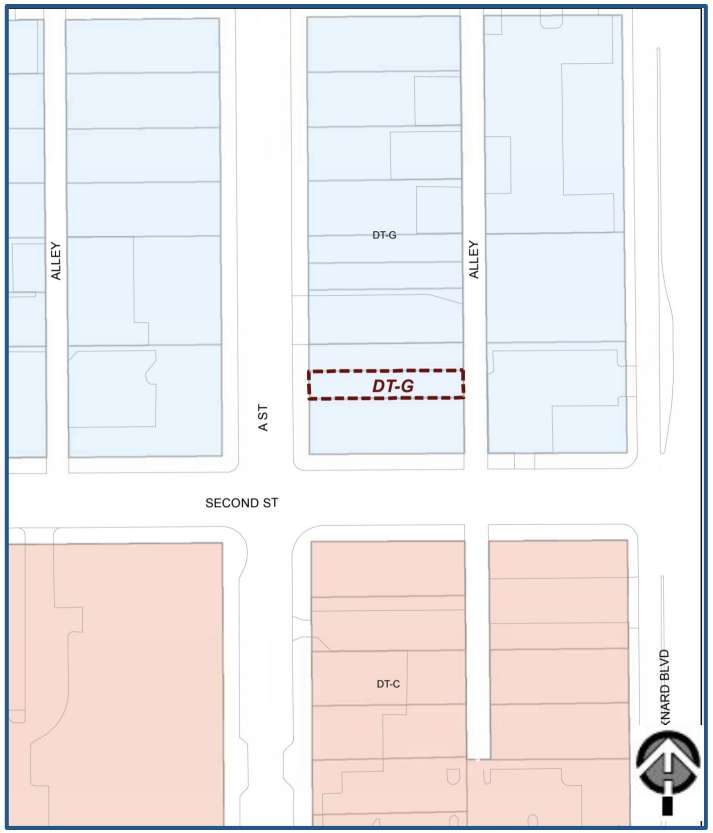
General Plan & Zoning Maps

General Plan Land Use Designation



Downtown
(DTN)

Zoning Designation



Downtown General (DT-G)

Existing Site

Subject Site: 156 South A Street
Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DTN)	Downtown General (DT-G)	Commercial building
North	DTN	DT-G	Commercial buildings and a private parking lot.
South	DTN	DT-G	Commercial building.
East	DTN	DT-G	Commercial fast food restaurant and automotive repair building.
West	DTN	DT-G	Multi-tenant commercial office buildings.

Existing Conditions

Street view looking east.

Background: Development History

- Mid-1950s: original site development.
- Mid-1950s to current: various tenant improvements to accommodate the turnover of general commercial establishments.

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, Blooming Organics LLC dba Elevate Downtown Oxnard filed for a request to obtain a Commercial Cannabis Business Permit for a 2,550 square foot cannabis retail facility.

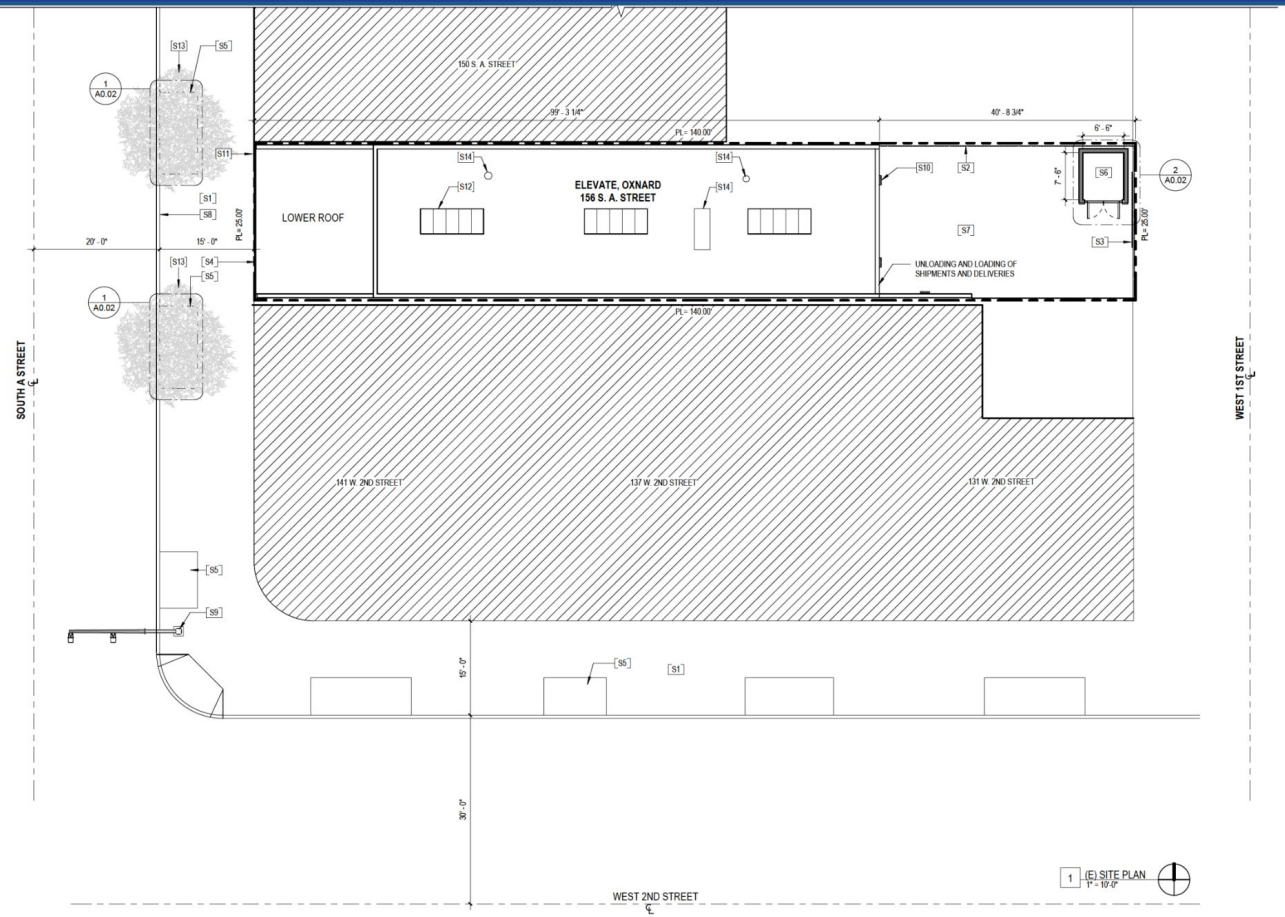
- On March 1, 2021, Blooming Organics LLC dba Elevate Downtown Oxnard was awarded a conditional Commercial Cannabis Business Permit for cannabis retail. In order to successfully commence and inaugurate the Commercial Cannabis Business Permit Blooming Organics LLC dba Elevate Downtown Oxnard is required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

Downtown Design Review

- October 14, 2021, the Downtown Design Review Committee (DDRC) reviewed the project and provided recommendations to modify the Project's exterior facade and landscaping improvements.

- Subsequently, the applicant team modified the plans to be consistent with the DDRC's direction.

Site Plan



1 (E) SITE PLAN
1" = 10'-0"

2 EXTERIOR - CONCEPT RENDERING
1/2" = 1'-0"

KEYNOTE - SITE PLAN

S1	(E) SIDEWALK
S2	SECURE IRON FENCE
S3	SECURE IRON SLIDING GATE
S4	PROPERTY LINE
S5	(E) PLANTER
S6	(N) CMU BLOCK TRASH ENCLOSURE PER PLATE 606, CITY OF OXNARD, SEE DETAIL
S7	(E) ASPHALT PAVING
S8	(E) CURB
S9	(E) STREET LIGHT
S10	(N) EXTERIOR LED WALL PACK
S11	ENTRY
S12	(E) SKYLIGHT TO REMAIN
S13	*(N) PLATANUS ACERIFOLIA 'BLOODGOOD' LONDON PLANE TREE, SEE GRATE DETAIL
S14	(N) ROOF MECHNICAL, S.M.D. FOR DETAILS

SHEET NOTES:

1. HOURS OF OPERATION ARE TO BE LISTED AS 7AM TO 10PM DAILY.
2. NOTE RENDERINGS ARE FOR REFERENCE ONLY. RAMP IS LOCATED ON INTERIOR OF STORE.

LEGEND

— — —	PROPERTY LINE
-o-o-o-o-	(E) CHAINLINK FENCE
	NOT INCLUDED

Elevations

1 EXTERIOR ENTRY
3/4" = 1'-0"

3 INTERIOR CONCEPT RENDERING - RETAIL
3/4" = 1'-0"

2 INTERIOR CONCEPT RENDERING - LOBBY
3/4" = 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 Wilson Neighborhood.
- On August 5, 2021, the site was posted with Project details and Community Workshop information and the Developer mailed out 688 meeting agenda notices to the residents of the Wilson Neighborhood.
- On August 16, 2021, the project was presented to the public during a Community Workshop meeting.
- The meeting was attended by approximately 22 members of the public and persons had an opportunity to ask questions.

Public Comments

- Staff received two comments during the Community Workshop:
  - Cannabis retail uses will hinder the rehabilitation of Downtown
  - Cannabis use is not compatible for the youth and adults and deters from the adjacent religious establishment.

- Following the Community Workshop Staff has received an additional three (3) comment letters from the general public in opposition of the project.

Key Conditions of Approval

- **Conditions # 15, 42, 43:** Abide by City of Oxnard and State of California rules and regulations related to this business.

- **Conditions # 39:** 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.

<u>Retail Operating Conditions</u>

- **Conditions # 59-61, 132-133:** 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.

<u>Police Conditions</u>

- **Conditions # 82-153:** 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 #49-52, 64-65:** The project is conditioned to be a good neighbor / member of the community.

Taxes and Inventory Tracking

- **Condition #53-54, 66-74:** 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 2022-XX approving Planning and Zoning Permit No. 21-516-12 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

End of Presentation

CITY OF OXNARD CALIFORNIA

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commision

FROM: Jose Coyotl, Associate Planner

DATE: January 20, 2021

SUBJECT: **Project Name: 99 High Tide - Oxnard dba 99 High Tide - La Sirena - Commercial Cannabis Business Retail Special Use Permit (SUP)**; Planning and Zoning Permit No. 21-516-43 (Retail); Located at 138 South A Street (APN: 202-0-056-100).

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 2022-XX approving Planning and Zoning Permit No. 21-516-43 (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 2,299 square-foot commercial building on a 0.08-acre site located at 138 South A Street (APN: 202-0-056-100) within the Downtown General (DT-G) 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, and providing exterior facade improvements (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 Sam Boyer ("**Applicant**"), 4536 Costa De Oro, Oxnard, CA, 93035 on behalf of 99 High Tide - Oxnard dba 99 High Tide - La Sirena.

3) **Existing & Surrounding Land Uses:** The 0.08-acre property is developed with a 2,299 square-foot commercial building, and a loading area. The project will be located within the 2,299 square-foot commercial building located at 138 South A Street. The nearest established sensitive use is Wilson Senior Center (Youth Center), located approximately 1,073 feet southwest 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	Downtown (DTN)	Downtown General (DT-G)	Commercial building.
North	DTN	DT-G	Commercial buildings.
South	DTN	DT-G	Commercial building and private parking lot.
East	DTN	DT-G	Automotive repair building and car wash facility.
West	DTN	DT-G	Multi-tenant commercial office buildings and a vacant lot.

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
The site was originally developed in 1963. Since the initial construction to the present day, permits for various tenant improvements have been approved to accommodate the turnover of general commercial establishments and a religious school.

Commercial Cannabis Retail License Selection
On January 7, 2021, 99 High Tide - Oxnard dba 99 High Tide - La Sirena filed for a request to obtain a Commercial Cannabis Business Permit for a 2,299 square-foot cannabis retail facility.

On March 1, 2021, 99 High Tide - Oxnard dba 99 High Tide - La Sirena 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, 99 High Tide - Oxnard dba 99 High Tide - La Sirena is required to receive approval of a SUP as specified within OCC Section 11-457.

Downtown Design Review
The project was reviewed by the Downtown Design Review Committee (DDRC) on October 14, 2021. The DDRC provided recommendations to modify the Project's exterior facade and landscaping improvements. The applicant team subsequently modified the plans consistent with the DDRC's direction as described below in Section 8.

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. None of the Exceptions to the Exemptions (Section 15300.2) apply to the Project to make the Exemption inapplicable. Therefore, Staff recommends that the Planning Commission find that the Project is Categorically 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, Downtown General zone, and the OCC.

In accordance with the adopted Oxnard Downtown Code Section 16-148, permitted uses within the Downtown General zone, includes cannabis retail, 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.

As part of the project request the storefront facade for the 138 South A Street will be remodeled. The proposed remodel will include architectural changes and the repainting of the building. The facade will be improved by the installation of an architectural storefront utilizing natural wood horizontal screen panels. Other improvements to the site include installation of two london plane trees with two decorative tree grates to match the existing design of the downtown area (Attachment B). The exterior improvements were reviewed by the DDRC.

b) ***General Plan, Local Coastal Program, and Zoning Consistency:***

General Plan Consistency:
The City's 2030 General Plan land use designation for the subject site is Downtown (DTN) uses which allows retail, commercial, government and residential uses in the urban context of the downtown area, regulated by form-based development and performance standards to encourage pedestrian-oriented design, diverse and high-quality housing choices and transit utilization. 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 Downtown General (DT-G) zone. The purpose of the DT-G zone is to allow a mix of non-residential ground floors frontages with shopfronts and residential ground floors set back behind pedestrian-oriented frontahes and resident/visitor access via dooryards, stoop, and specious lobbies. The DT-G zone provides a wide range of commercial opportunities for the residents of the city, including retail. As demonstrated within the table of Attachment G, the Project is in compliance with the DT-G zone.

***Location and Design of Cannabis Business Requirements*:**
In accordance with OCC Section 16-148 (Downtown Code Allowed Uses), 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 Chapter 11, Article XVI.

As demonstrated within the referenced table attachments, this Project is consistent with the City's General Plan, Downtown General zone, and Chapter 11, Article XVI.

Therefore, with approval of this permit, the proposed use is consistent with the zoning designation of the property.

c) Circulation and Parking:

In order to minimize security issues during the delivery of cannabis products, the project will utilize a proposed loading zone along the east side of the buildings accessed by a service door to the tenant space which directly connects to a public alleyway. In order to comply with the Downtown Code parking requirements for the proposed cannabis retail use, the applicant must include payment of an in-lieu fee for a minimum of 50% of the required commercial parking spaces. There are no commercial spaces being provided on site, so the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces. In addition, the Project will provide five bicycle spaces. Required parking is provided as follows:

USE TYPE & SQUARE FOOTAGE	PARKING STANDARD	PARKING REQUIRED	PROPOSED	COMPLIES?
Retail Cannabis Use 2,299 square feet	1 per 250 square feet of area	9	9	Yes, as conditioned
Shopping Center	Five spaces at each mall entrance	5	5	Yes, as conditioned
	Total Provided Parking:	9 Parking Spaces 5 Bicycle Spaces	9 Parking 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. Furthermore, Port Hueneme Chief of Police Andrew Salina has made public comments during other cannabis public hearings outlining the reduction in crime Port Hueneme has experienced in areas adjacent to commercial cannabis retailers as a direct result of their operational characteristics including the use of upgraded security systems, private security, and other site-specific security plans. Several conditions of approval have been incorporated into the draft resolutions of approval (Attachments I) 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 May 4, 2021. Conditions of approval from CRC are included in the attached Resolution.

8) **Downtown Design Review Committee**: The Project was reviewed by Downtown Design Review Committee (DDRC) on October 14, 2021. DDRC issued the following review comment suggestions:
   a) The storefront wooden screen should be revised to provide at least three-inch gap between the horizontal slats with the goal of achieving no more than 20%-30% coverage. Additional details shall be provided to the Planning Commission to confirm the openness and function of the woodscreen system (see Attachment B).
   b) The window film should be removed to provide a clear glass storefront system, The project interior floor plan may need to be updated to achieve the clear glass storefront system.
   c) The applicant shall coordinate with City staff, to install appropriate street trees and landscaping in the street planters along the project frontage.
   d) Exterior lighting details must be provided (see Attachment B).

   The applicant incorporated both comments by updating the project plans to comply with all four suggestions outlined by DDRC.

9) **Community Workshop and Public Input:**
   The project site is located within the Wilson Neighborhood. On September 9, 2021, the site was posted with Project details and Community Workshop information, and the Developer mailed out 688 meeting agenda notices to the residents of the Wilson Neighborhood. On September 20, 2021, the project was presented to the public during a Community Workshop meeting. There were 29 members that participated at the Community Workshop for this item. Staff received 7 comments during the meeting regarding the cannabis retail facility which are summarized below.
      1. The owner of the building was in support of cannabis uses downtown as an effort to revitalize the neighborhood. Happy the applicant has received an opportunity to apply for a cannabis business permit for the site.
      2. A member expressed the applicant has a good business track record and has helped with the beautification efforts of downtown. Further improvements to the area will need to address homelessness traffic, installation of a gateway sign, and dedication of public parks and gardens.
      3. The applicant was encouraged to help the military veterans by possibly implementing a program, and to assist Mercy House once the navigation center is built.
      4. A business owner expressed concern over health problems from cannabis products. Additionally, there were concerns on odor, crime, lack of parking, and noise for the nearby businesses.
      5. There was a concern with the close proximity to a public library, lack of lighting, pushing homeless to other areas of downtown, and the use of private security instead of the Police Department.
      6. Parking must be further evaluated and a parking study should have been provided

for review by the City.

7. Two speakers were in support of the project because of access to cannabis products and the inclusion of private security in the community.

Following the Community Workshop Staff has received two (2) additional comment letters from the general public (Attachment J).

10) Appeal Procedure:

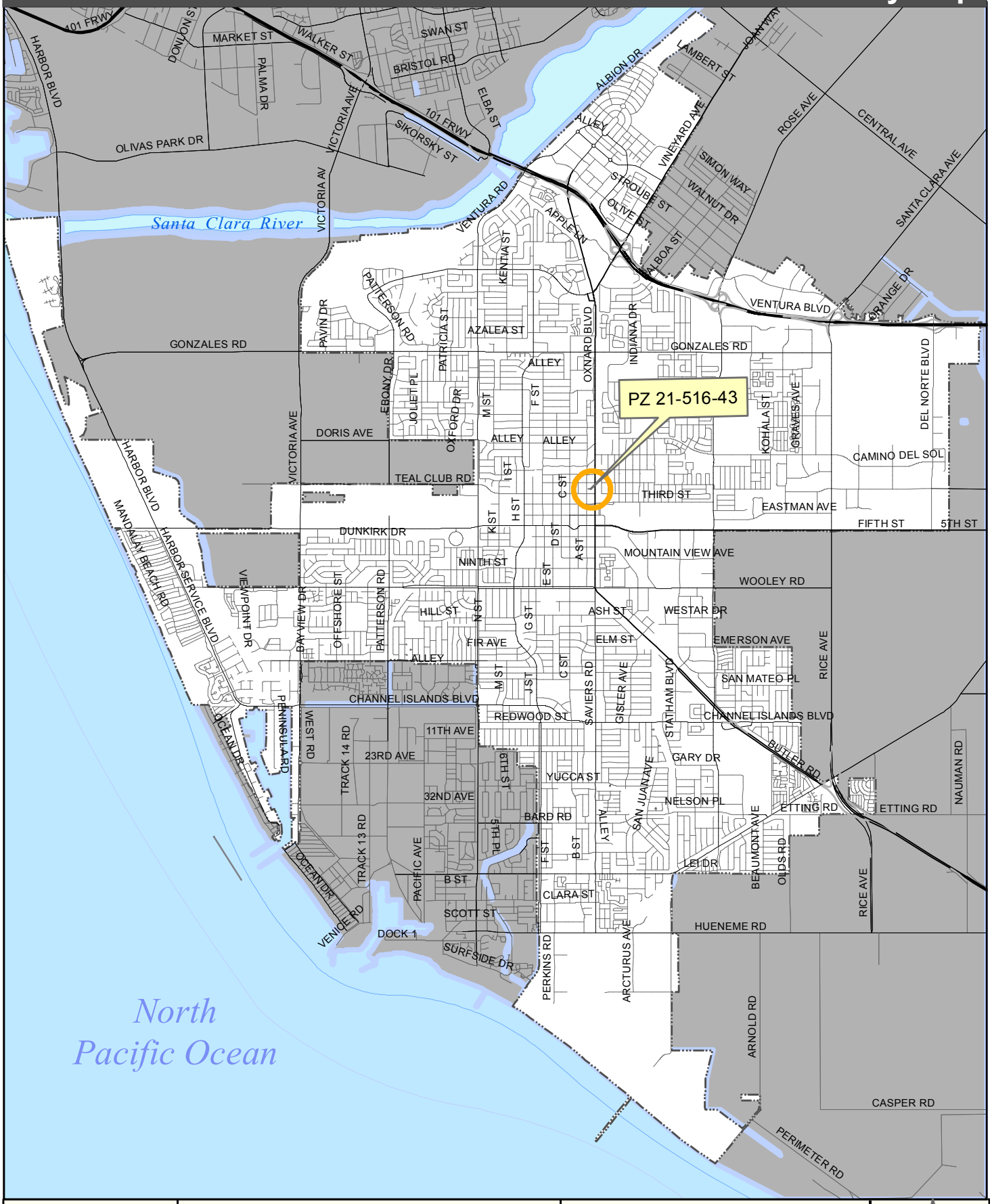
In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 21-516-43 (Commercial Cannabis Retail- Special Use permit) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk's Office and 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 and Downtown Code Section 16-148
D. 99 High Tide - Oxnard dba 99 High Tide - La Sirena 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. Public Comment Letter
K. Staff Presentation

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

Vicinity Map



OXNARD

Oxnard Planning

October 4, 2021

PZ 21-516-43
Location: 138 S A Srt
APN: 2020056100
99 High Tide La Sirena

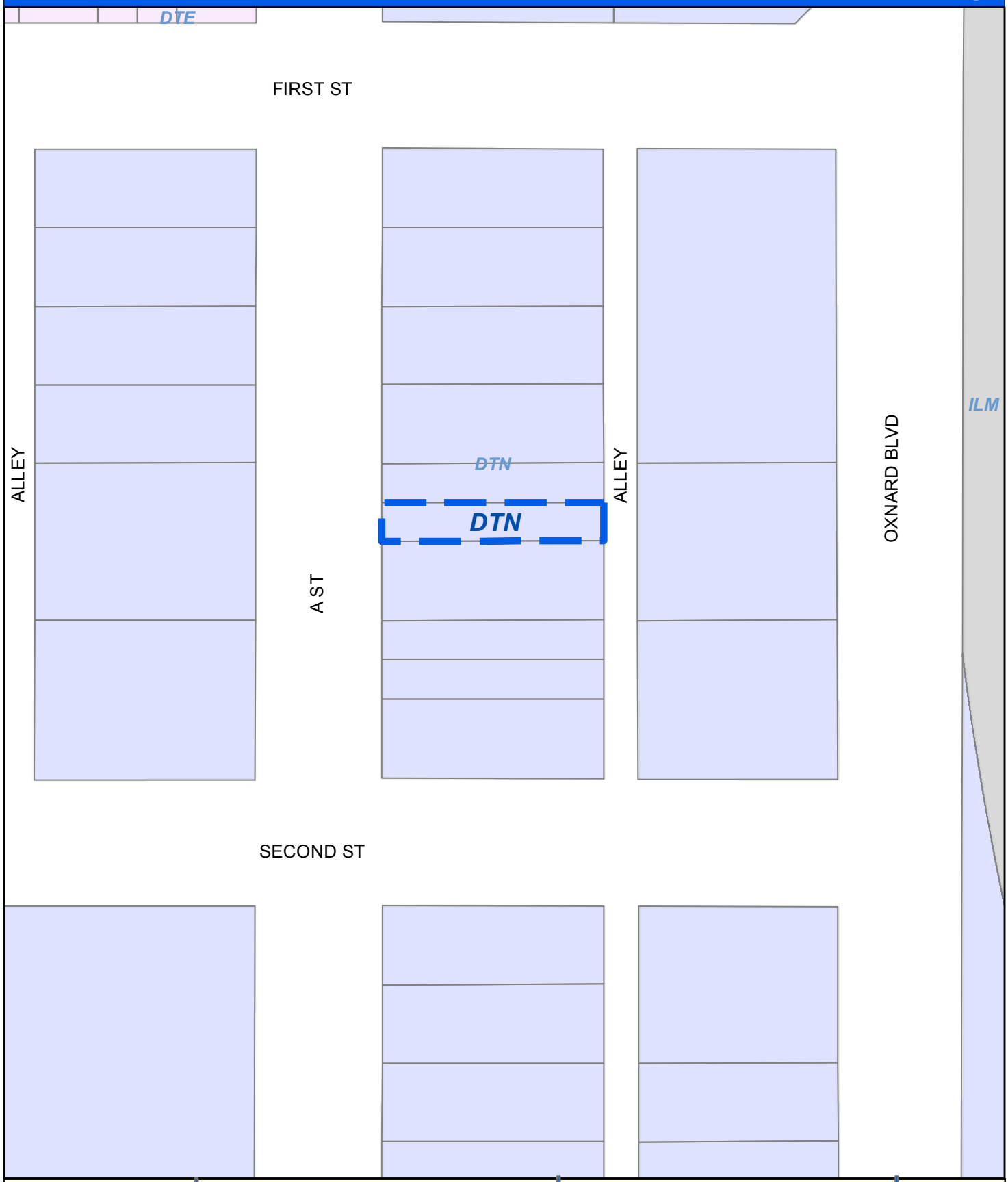
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map



Oxnard Planning
October 4, 2021

PZ 21-516-43
Location: 138 S A Srt
APN: 2020056100
99 High Tide La Sirena

0 25 50 100 Feet

2030 General Plan Land Use Map

1:1,000

Zoning/Specific Plan Map

Oxnard Planning

October 4, 2021

PZ 21-516-43
Location: 138 S A Srt
APN: 2020056100
99 High Tide La Sirena

0 12.5 25 50 75 100 Feet

Zoning/Specific Plan Map

1:1,000

Aerial Map

OXNARD
CALIFORNIA

Oxnard Planning
October 4 2021

PZ 21-516-43
Location: 138 S A Srt
APN: 2020056100
99 High Tide La Sirena

0 10 20 40 60 80 Feet

Aerial Map

N
W E
S

B. Reduced Project Plans

99 HIGH TIDE - LA SIRENA
138 SOUTH A STREET
OXNARD, CA 93030

PLACE
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PARKING ANALYSIS:

SUBJECT SPACE: 2,299 S.F.
CALCULATION PER CODE: 1 SPACE PER 250 S.F.
REQUIRED: 9 SPACES

REQUIRED PARKING SHALL MET THROUGH THE DOWNTOWN PARKING FEE MANAGEMENT PLAN

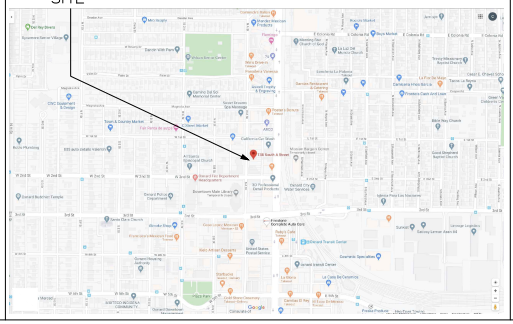
PROJECT INFORMATION 4

PROJECT ADDRESS:	138 SOUTH A STREET OXNARD, CA 93030
ASSESSOR'S NO:	2020 056 100
LAND USE ZONE:	DT-G
LOT SIZE:	3,500 S.F.
NET S.F.: ATTIC:	2,299 (DOES NOT CONTAIN USABLE FLOOR SPACE)
LOT:	12
SUBDIVISION:	OXNARD
COUNTY:	VENTURA
TRACT:	8700

PROJECT INFORMATION 3

TENANT:	99 HIGH TIDE - LA SIRENA 310.963.1969 yvonne@99hightide.com email
DESIGN:	PLACE Johnny Hirsch 805.284.6777 info@place-matters.com
FIRE PROTECTION ENGINEER:	Jack Collings, F.P.E. President CFP Engineering, LLC 805.290.8724 www.cfpengineers.com
SECURITY:	NRL & ASSOCIATES Randy Latimer 805.207.7814 randy.latimer@icloud.com

SITE



DIRECTORY/VICINITY MAP 2

JURISDICTION
COUNTY OF VENTURA
PLANNING DIVISION
805.385.7858 tel.
805.385.7417 fax
BUILDING + ENGINEERING
805.385.7925 tel.
805.385.7854 fax
214 SOUTH "C" STREET
OXNARD, CA 93030

SCOPE OF WORK
TENANT IMPROVEMENT TO EXISTING RETAIL SPACE

SHEET INDEX

A0.0	TITLE SHEET
A1.0	SITE PLAN
A1.1	EXISTING FLOOR PLAN + EXISTING STORAGE MEZZANINE PLAN
A1.2	PROPOSED FLOOR PLAN
A2.1	PROPOSED STREET ELEVATIONS

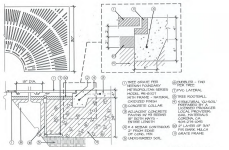
PROJECT INFORMATION 1

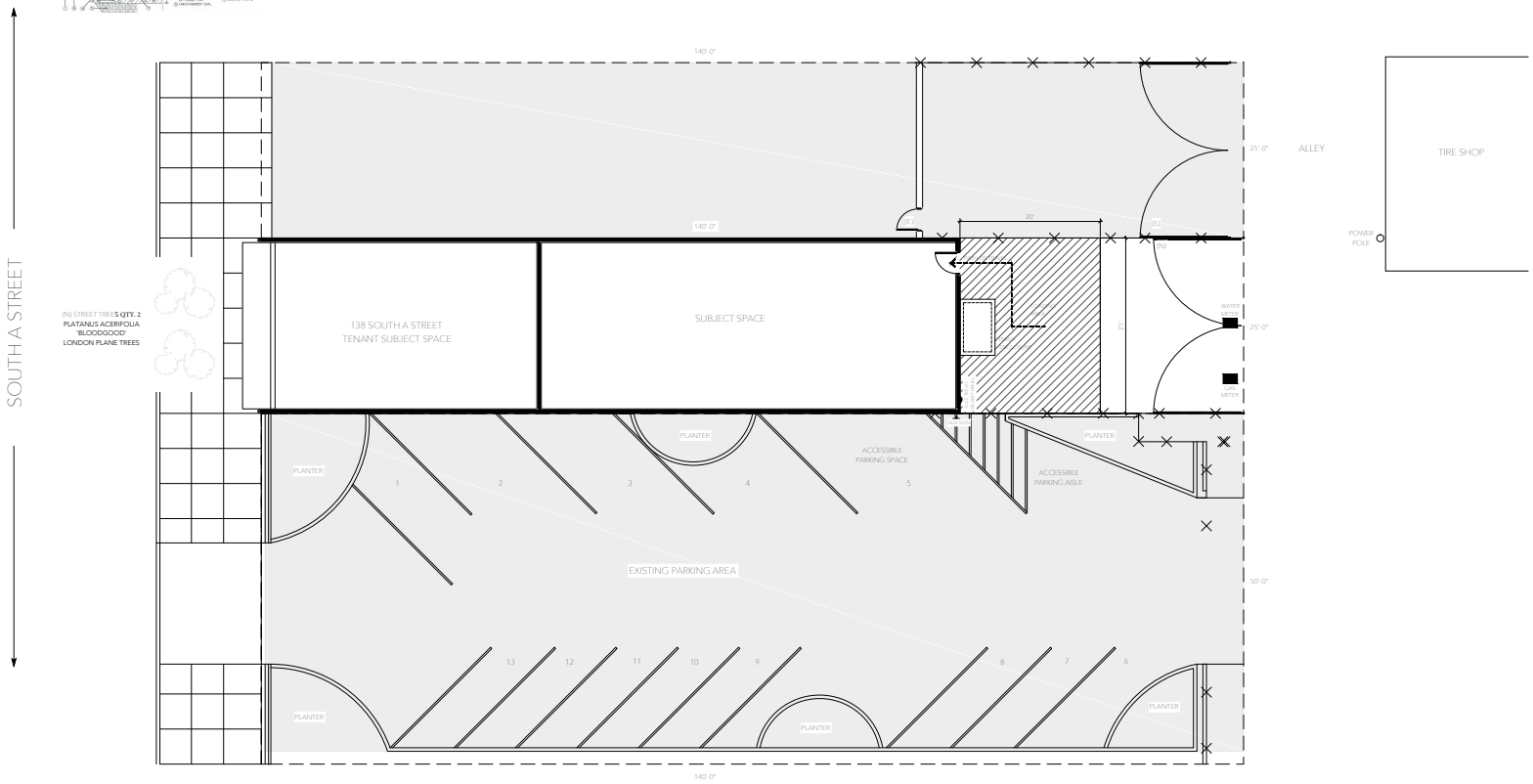
99 HIGH TIDE LLC
dba La Sirena
138 SOUTH A STREET
OXNARD, CA 93030

Sheet Title: **TITLE SHEET**

Project Manager	Project ID
Drawn By	Scale
Reviewed By	Sheet No. **A0.0**
Date	
CAD File Name	

(N) TREE GRATES QTY. 2 AND IRRIGATION DETAILS
(PER DOWNTOWN TREE MASTER PLAN (APPENDIX F)





1 SITE PLAN
Scale: 1/8" = 1'-0"

PLACE

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KEY NOTES

2. SITE CONSTRUCTION

3. CONCRETE
3.1 CONCRETE SLAB ON GRADE (N)
3.2 CONCRETE FOOTING (N)

4. MASONRY
4.1 CUT STONE (TYPE)

5. METALS
5.1 STEEL BRACKET (TYPE/ SEE STRUCT. DWGS.)
5.2 STEEL BEAM (TYPE/ SEE STRUCT. DWGS.)
5.3 STEEL BOST (TYPE/ SEE STRUCT. DWGS.)
5.4 STEEL PLATE (TYPE/ SEE STRUCT. DWGS.)

6. WOOD + PLASTICS
6.1 2X WD. FRAMING U.O.N. (SEE STRUCT. DWGS.)
6.2 WD. BLOCKING AS REQ'D.
6.3 CDX PLYWOOD SHT'G. (THICKNESS) (SEE STRUCT. DWGS.)
6.4 HARDWOOD STAIR TREADS & RISERS (T.B.S.)
6.5 WOOD BEAM (SEE STRUCT. DWGS.)
6.6 HARDWOOD BASEBOARD (COLOR: T.B.S.)
6.7 FORMALDEHYDE FREE MEDIUM DENSITY FIBERBOARD (MDF) PTD. (COLOR T.B.S.)
6.8 HIGH GLOSS ACRYLIC LAMINATE (COLOR T.B.S.) O/ FORMALDEHYDE FREE MEDIUM DENSITY FIBERBOARD
6.9 MULTI-PLY BALTIC BIRCH, CLEAR MATTE FINISH (T.B.S.)
6.10 WOOD VENEER (COLOR/MFGR)

7. THERMAL + MOISTURE PROTECTION
7.1 EVERGUARD 60-MIL TPO SINGLE PLY MEMBRANE (COLOR)
7.2 BLDG. PAPER 2 LAYERS GRADE "D" PAPER.
7.3 KNAUF KRAFT FACED INSULATION, ECOBATT THERMAL/ ACOUSTICAL INSULATION W/ VAPOR BARRIER WHERE NOTED (R VALUE)
7.5 SHEET METAL, COLOR T.B.S.
7.6 DENS-DECK PRIME ROOF BOARD (THICKNESS)
7.7 22 GA. G.S.M. FLASHING
7.8 FIRESTONE ISO 95+ GL TAPERED INSULATION (THICKNESS)

8. DOOR + WINDOWS
8.1 FIXED WINDOW (SEE SCHED. SHT. A0.4)
8.2 DOOR/DOOR FRAME + HARDWARE (SEE SCHED. SHT. A0.4)
8.3 TEMPERED GLASS (SEE SCHED. SHT. A0.4)
8.4 OPERABLE WINDOW (SEE SCHED. SHT. A0.4)
8.6 3/8" TEMPERED GLASS (CLEAR)
8.7 1/4" TEMPERED MIRROR
8.8 MISC. HARDWARE

9. FINISHES
9.1 GYP. BD. (5/8" U.N.O.)
9.2 FRY REGLET MOLDING (MOD #)
9.3 GLASS TILE
9.4 TILE BACKING AS REQUIRED
9.5 POLISHED CONCRETE MICRO TOPPING
9.6 ENGINEERED HARDWOOD FLOORING (TYPE/THICKNESS/MFGR.)
9.7 PORCELAIN TILE (T.B.S.)
9.8 QUARTZ SURFACE CAESARSTONE: 4600-ORGANIC WHITE
9.9 EPOXY COATING (T.B.S.)
9.10 CEDAR SIDING: GRADE "A" CLEAR, FINISHED W/ VERMONT NATURAL COATINGS. COLOR: LIGHT GREY
9.11 7/8" CEMENT PLASTER (COLOR)

10. SPECIALITIES
10.1 ACCESSORIES (SEE SCHEDULE A1.5)
10.2 RAIN GUTTER

11. EQUIPMENT
11.1 EQUIPMENT (SEE SCHED. A1.3/A1.6)
11.2 ROLLERSHADES (HUNTER DOUGLAS OR APPROVED EQUAL) MATERIAL: T.B.S.

15. MECHANICAL + PLUMBING
15.1 PLUMBING FIXTURE (SEE SCHEDULE A1.3/A1.6)
15.2 FAU MECHANICAL EQUIPMENT (SEE M1.1/M1.2)

16. ELECTRICAL
16.1 LIGHT FIXTURE (SEE SCHEDULE A1.4/A1.7)
16.2 BATH FAN VENT (SEE M1.1/M1.2)

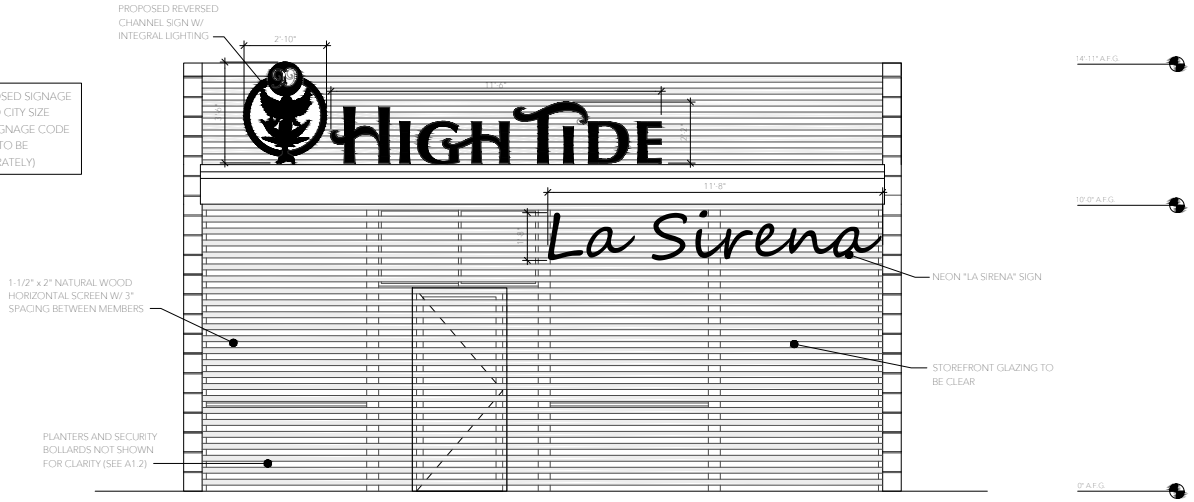
99 HIGH TIDE LLC
dba La Sirena
138 SOUTH A STREET
OXNARD, CA 93030

Sheet Title
SITE PLAN

Project Manager	Project ID
Drawn By	Scale
Reviewed By	Sheet No.
Date	**A1.0**
CAD File Name	

2 COLOR RENDERING @ A STREET STOREFRONT
N.T.S.

NOTE: ALL PROPOSED SIGNAGE TO CONFORM TO CITY SIZE AND MATERIAL SIGNAGE CODE REQUIREMENTS. (TO BE SUBMITTED SEPARATELY)



1 (N) STREET ELEVATION (WEST)
Scale: 1/4" = 1'-0"

PLACE
www.place-matters.com

KEY NOTES

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99 HIGH TIDE LLC
dba La Sirena
138 SOUTH A STREET
OXNARD, CA 93030

Sheet Title
PROPOSED STREET ELEVATIONS

Project Manager	Project ID
Drawn By	Scale
Reviewed By	Sheet No.
Date	**A2.1**
CAD File Name	

C. Cannabis Ordinance No. 2994 and Downtown Code Section 16-148

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 (CO_2) 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 permitee 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-l), neighborhood shopping center planned development (C-l-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 CO_2 gas extraction system every vessel must be certified by the manufacturer for its safe use. The CO_2 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:

R. Chaparro 12/15/2020
City Clerk

APPROVED AS TO FORM:

12/8/2020
Stephen M. Fischer, City Attorney

Allowed Uses
Table 16-148

Uses[1]	Downtown Zones			
	DT E	DT E-O	DT G	DT C
Retail, Service, and Office				
Alcohol[2], beverage, with food sales (on-site consumption)	---	C	C	C
Artisanal Production	---	P	P	P
Bed and Breakfast Inn < 12 rooms	---	P	P	P
Brew Pub, Winery, Tasting Room	---	---	C	C
Cannabis Retail	---	---	C	C
Drive-through service	---	---	---	---
Grocery Store < 10,000 sq ft	---	P	P	P
Grocery Store > 10,000 sq ft	---	---	---	P
Health and exercise center / spa	---	P	P	P
Homeless shelter and resource center	---	---	C	---
Hotel	---	---	P	P
Mortuary, funeral home	---	---	P	---
Motor Vehicle sales, service	---	---	---	---
Museum, Art Gallery	---	P	P	P
Office: financial, professional, government, administrative	---	P	P	P
Office, medical	---	---	P	P3
Outdoor Dining / Sidewalk Cafe6 / Parklet6	---	P	P	P
Outdoor Display	---	P6	P6	P6
Multiplex Motion Picture Theater/Live Theater	---	---	---	C
Eating and Drinking Establishment < 5,000 sq ft[2]	---	P	P	P
Eating and Drinking Establishment > 5,000 sq ft[2]	---	---	---	P
Retail < 5,000 sq ft3	---	P	P	P
Retail > 5,000 sq ft3	---	---	---	P
Services, Administrative and Professional, Business Support	---	P	P	P
Services, Personal	---	P	P	P3
Social Services	---	---	---	---
Studio: art, music, dance	---	P	P	P
Thrift or secondhand store	---	---	---	---
Use involving sale of alcohol for off-site consumption	---	C	C	C
Utility, Transportation, Public Facility, and Communication				
Public parking lot/facility	---	---	P	C
Transit facility	---	---	---	C3
Wireless communications facility	P5	P5	P5	P5

Key

P use allowed by right, subject to identified standards

C use requires approval of Special Use Permit (SUP)

--- use not allowed

Notes

1 In compliance with frontage requirements in *16-150*.
2 Bar allowed if accessory to a restaurant; requires SUP
3 Not allowed on A Street between 3rd and 6th street
4 Pursuant to City Code Ch. 16, Article V, Division 6 (Home Occupation Permits)
5 Required stealth design; Pursuant to City Code Ch. 16, Article V., Division 16 (Wireless communication facilities)
6 Minimum 5ft clear path on sidewalk, and subject to issuance of an encroachment permit.

D. 99 High Tide - Oxnard dba 99 High Tide - La Sirena
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

99 High Tide - Oxnard dba 99 High Tide - La Sirena
Yvonne Green
4540 Costa De Oro
Oxnard, CA 93035
(Via Email and First Class Mail)

March 1, 2021

Subject: City of Oxnard - Selection of Three Local Equity Applicants/Retail

Dear Selected Local Equity Applicant/Retail:

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 three Local Equity Applicants who is being invited to apply for a Special Use Permit for a retail cannabis business in the City of Oxnard. 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.

Once the process outlined below is completed, the City will issue three (3) Local Equity Retail Cannabis permits. Based upon the approved rankings, the top Local Equity Applicants/Retail are:

1. Advocate Society - 2550 East Vineyard Avenue
2. FGH Retail Services, LLC - 2320 North Rose Avenue
3. 99 High Tide - Oxnard - 138 South A Street

The next step in the retail cannabis application process is for the selected Local Equity Applicants to submit an application for a Special Use Permit (SUP) with the City of Oxnard. 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 after you obtain an SUP from the City.

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

Kathleen Mallory

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

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

NOTICE OF EXEMPTION

99 High Tide - Oxnard dba 99 High Tide - La Sirena - Commercial Cannabis Business Retail Special Use Permit (SUP); PLANNING AND ZONING PERMIT NO. 21-516-43 (Retail): A request to permit the operation of a commercial cannabis retail facility within an existing 2,299 square-foot commercial building on a 0.08-acre site within the Downtown General (DT-G) 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, and providing exterior facade improvements. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. The proposed project is exempt from environmental review, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act. Filed by Sam Boyer on behalf of 99 High Tide - Oxnard dba 99 High Tide - La Sirena.

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 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 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	***Mitigate Land Use Conflicts*** Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.	X		The Project proposes to locate within an existing commercial building which allows for retailing of cannabis products. The proposed site would operate within a commercial area 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	***Commercial Revitalization and Redevelopment*** Encourage upgrading, beautification, 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, cales and property valuation.	X		
Policy CD-4.4	***Commercial Area Aesthetics*** Require that older commercial development upgrade/improve landscaping and architecture, if warranted, during discretionary review opportunities.	X		
Policy CD-15.5	***Share of Regional Taxable Sales*** 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	***Retain Local Talent*** 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	***Attract New Businesses*** 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	***Industrial and Commercial Development Standards*** 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 Downtown General zone which includes architectural and landscape standards suitable for commercial development.
CD-19.1	***Unique Downtown Identity*** Ensure that downtown Oxnard occupies a niche in the marketplace as a civic center supported by businesses, retail, residential components, arts, and entertainment.	X		The project is consistent with Downtown Code by providing access to general commercial retail of cannabis products.
CD-19.2	***Complementary Development*** Seek a complementary rather than competitive role with other areas of the City for the continued economic development of the City's downtown.	X		The project will operate a cannabis retail establishment within an existing general commercial building further continuing the economic development of the City's downtown area.
CD-19.4	***Revitalization and Redevelopment*** As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that have deteriorated or detract from the visual quality of the City.	X		The project will revitalize the existing commercial building by providing upgrades to the storefront of the building, adding pedestrian amenities like upgraded lighting, bicycle storage, and upgraded landscaping.
CD-19.5	***Attract Downtown Investment*** Encourage investors to purchase downtown property and help property owners lease space.	X		The project once operating will attract downtown investment by providing more foot traffic to the downtown area.
Policy ICS-19.2	***Police Review of Development Projects***	X		The Project's security plan was reviewed and conditionally approved by the Oxnard Police

	Continue to require the Police Department to review proposed development project and provide recommendation that enhance public safety			Department to ensure crime prevention through preventive security measures and environmental design.
Policy ICS-19.4	***Crime Prevention Device Requirements*** Require crime prevention devices (e.g. deadbolt locks, peepholes, etc.) in all new development.	X		
Policy ICS-19.5	***Incorporating Security Design Principles*** Encourage crime prevention and defensible space through design principles such as those employed though 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	***Handling of Hazardous Materials*** 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
Downtown Code Consistency Table

Oxnard Downtown Code – Downtown General Zone			
PZ-21-516-43: 138 South A Street – 99 High Tide-Oxnard, LLC. dba La Sirena Cannabis SUP			
DT-G Zone	**Required/Allowed**		
Overlay Zone	Choose All Applicable: NA	--	--

Allowed Private Frontages and Encroachment Standards
Table 16-150

	Standard	Downtown Zones						
	Type	DT E	DT E-O	DT G	DT C	Min ft Between PL and Façade[3]	Encroachment into setbacks	See Guidelines
Residential Ground Floor	Porch	P	P	P	---	12 to 20	Up to 5' of sidewalk	16-150.C
	Stoop	P	P	P	P[1]	4 to 6	Up to 1' of sidewalk	16-150.D
Commercial Ground Floor	Terrace	---	---	P	P	7 to 12	Within 1' of sidewalk	16-150.E
	Dooryard	P	P	P	P[1]	7 to 12	Up to 1' of sidewalk	16-150.F
	Common Entry	---	---	P	P	10 to 15	Not applicable	16-150.G
	Shopfront	---	P	P[2]	P	0 or 10	Awning / canopy up to 2' of curb	16-150.H
	Gallery	---	---	P[2]	P	0	Up to 3' of curb	16-150.I
	Arcade	---	---	---	P	0	Up to 3' of curb	16-150.J

Notes

P Allowed in Zone

--- Not allowed in zone

[1] Not allowed in shopfront overlay.
[2] Only where shopfront overlay applies.
[3] At a massing break, the edge of the required 15' x 15' area is considered the property line for the purposes of applying frontage type(s) standards.

		Private and Public Frontages	
		Required/Allowed	**Proposed Project**
Table 16-150.H	**Shopfront**		
	Height to (clear)/top of shopfront	12 feet minimum and 18 feet maximum	14’-11”
	Height to bottom of awning/canopy (clear)	8 feet minimum and 10 feet maximum	10’-0”

	Width of shopfront base	10 feet minimum and 20 feet maximum	24’-0”
	Height of shopfront base	6 inch minimum and 3 feet maximum	8”
	Glass area of ground floor wall area (each facade)	70 percent minimum	225 s.f.
	Width of Shopfront on second frontage (corner building)	20 feet minimum	N/A
	Awning Depth	5 feet minimum up to within 2 feet of curb	3’-0”
	Awning Location	located over shopfront opening only	3’-0”
	Awning Design	quarter sphere or quarter cylinder configurations not allowed	Existing hard lid
	Distance between openings in wall	10 linear feet maximum(primary street frontage) 25 linear feet maximum (side street frontage)	N/A
	Traditional Shopfront	header: 24 inches minimum and 36 inches maximum shopfront windows: recessed a minimum of 2 inches base panels/shopfront base: 36 inch in height maximum	Custom horizontal wood slats, across entire storefront, in front of glazing
	Shopfront Tint	10 percent maximum	10%
Section 16-151	**Public Frontage**		
Section 16.151.1.A	**Sidewalk Width**	5 feet minimum	10’
Table 16-151.C	**Commercial Parking lane trees, where provided**	located every 2 to 6 spaces	N/A
Table 16-151.C	**Commercial Parklets Buffers**	24 inch buffer from travel lane (recommended) 36 inch buffer from adjacent parking spaces (recommended) 15 feet from bus stop or shelter	N/A
Table 16-151.D	**Residential Parkways**	breaks every 50 feet (recommended)	N/A

Table 16-151.D	**Residential Parking lane trees, where provided**	should be located every 2 to 4 spaces	N/A

Architectural Guidelines			
Table 16-156.A.i	**Bay windows**	8 foot maximum width height equal or greater than width 3 feet minimum from corner 50 percent transparency or greater.	N/A
Table 16-156.A.j	**Door Glazing**	glazing must provide at least 90 percent visible light transmission	90% transmission
Table 16-156.B.a	**Orientation to Public Space**	buildings must face open spaces and may not back on to open spaces.	Entry @ front of building, facing S. A Street
Table 16-156.B.d	**Residential Entry**	access from the sidewalk is required if the unit is within 5 feet of grade.	N/A
Table 16-156.C.a	**Building Wall Materials**	walls must be finished in stone, brick, finished concrete block, poured in place or pre-cast concrete, smooth plaster or stucco, and wood. synthetic materials may be approved through design review	Finished Concrete Block
Table 16-156.D.2.d	**Upward Acting Doors (Contemporary Building Only)**	maximum width: 16 feet maximum height: 10 feet minimum separation: 2 feet materials: clear, see-through glazing	N/A
Table 16-156.E.1.a	**Window Materials**	wood, vinyl-clad wood, aluminum-clad wood or metal. pvc and vinyl windows require design review approval.	Aluminum Storefront System
Table 16-156.E.2.b	**Non Shopfront ground floor window**	window sills should be 4-8 feet from public sidewalks and open spaces	N/A
Table 16-156.E.2.g	**Window Recesses**	minimum 2 inch recess from facade (Advisory)	4”
Table 16-156.F.1.e	**Balconies**	minimum of 5 feet in depth (Advisory)	N/A

Table 16-156.F.2.e	**Planter Boxes**	should be between 18 to 42 inches tall (cannot block windows)	18” tall
Table 16-156.F.3.a	**Masonry and Stucco Arches**	depth: 12 inches minimum piers/columns: 12 by 12 inches minimum	N/A
Table 16-156.F.3.b	**Wood Posts**	6-by-6 inches minimum and articulated	N/A
Table 16-156.G	**Building Colors**	coordinated and subdued colors typical of natural building materials, such as earth tone colors (recommended) exterior facade colors should be limited to two or three (recommended)	Façade: off white, wood clear natural oil finish
Table 16-156.H.1.d	**Gutters and Downspouts**	should be made of: galvanized steel copper pre-finished aluminum	N/A
Table 16-156.H.2.a	**Traditional Building Shed Roof Slope**	minimum slope of two in twelve (2:12)	N/A
Table 16-156.H.2.e	**Service Equipment**	roof top equipment must be screened from public view	N/A
Table 16-156.H.2.f	**Skylights**	must be flat and not visible from the public areas	N/A
Table 16-156.H.2.g	**Gutters**	half-round or ogee (rectangular allowed on contemporary buildings only)	N/A
Table 16-156.H.3.b	**Exposed Rafter Tails**	minimum nominal dimension of 3 inches by 4 inches.	N/A
Table 16-156.H.3.c	**Supporting Brackets**	minimum dimension of 5 inches	N/A
Table 16-156.I.1	**Vents**	must be screened from public and semi-public areas	N/A
Table 16-156.I.3 and 4	**Service Entrances and Waste Disposal Areas, etc**	lots with alley access: must be adjacent to and accessed from alley lots without alley access: must be screened and far from public view	Alley access, waste disposal to have enclosure
Table 16-156.I.5	**Fire Sprinklers**	should be building mounted rather than freestanding	Interior sprinklers flush mounted
Table 16-156.J.2.a	**Garden Walls**	6 inches wide minimum with cap	N/A
Table 16-156.J.2.b	**Fences**	wood fences: maximum of 3 inch gap between vertical lattices	N/A

		wrought iron, including steel bar: minimum of 4 inches between bars	
Table 16-156.J.2.c	**Front Yard Wall Height (front or side street setback areas)**	must be between 30 inches to 42 inches	N/A
Table 16-156.J.2.d	**Side Yard Wall Height (at or behind building facade)**	8 feet maximum	N/A
Table 16-156.J.2.e	**Wall Setbacks (Fences built parallel to frontage between houses or structures, unless integral part of architecture)**	should be setback 2 to 5 feet	N/A
Table 16-156.J.2.f	**Retaining Walls at Frontages**	5 feet maximum	N/A
Table 16-156.J.2.h	**Parking Wall Height**	must be between 36 inches and 48 inches	N/A
Table 16-156.J.3.e	**Wood Siding Patterns (recommendation)**	clapboard should not exceed 6 inches to the weather shingles should not exceed 8 inches to the weather dropsiding should not exceed 12 inches and 4 inches, alternatively	N/A

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) & 16-148	Retail dispensaries are conceptually permitted in property zoned DT-C, DT-G, C-l, C-l-PD, C-2, C-2-PD, CNC, 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 the Downtown General (DT-G) zone.	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 DT-G 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 youth center (Wilson Senior Center) is approximately 1073 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 DT-G 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 DT-G 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. though 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. 21-516-43 (COMMERCIAL CANNABIS RETAIL) TO ALLOW A COMMERCIAL CANNABIS RETAIL FACILITY WITHIN AN EXISTING 2,299 SQUARE-FOOT COMMERCIAL BUILDING ON A 0.08-ACRE SITE LOCATED AT 138 SOUTH A STREET (APN: 202-0-056-100), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS.

WHEREAS, on January 20, 2022, the Planning Commission of the City of Oxnard (**"Planning Commission"**) conducted a duly noticed public hearing and considered an application for Planning and Zoning Permit No. 21-516-43 filed by Sam Boyer on behalf of 99 High Tide - Oxnard dba 99 High Tide - La Sirena 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 Downtown (DTN) and a Zoning designation of Downtown General (DT-G). The Project is surrounded by commercial and office 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, 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 and office 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 January 13, 2022.

(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 Downtown General (DT-G) zone, subject to approval of a Special Use Permit. As documented in the attachments to the staff report, the Project is in compliance with General Plan, zoning and cannabis regulations. This Resolution includes 190 conditions of approval which were crafted for compliance with the requirements set forth pursuant to OCC Article XVII (Commercial Cannabis Activity) to ensure operational standards were met. 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 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 such 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 building within an existing commercial corridor. General and retail uses, and other more intense uses such as restaurants, are allowed uses within the DT-G zone which do not require a Special Use Permit. The proposed retail cannabis use requires a Special Use Permit to ensure operational characteristics of the business will be both compatible with and not adversely affect or be materially detrimental to the other uses, buildings or structures within the shopping center.

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. This Resolution includes 190 conditions of approval which were crafted for compliance with the requirements set forth pursuant to OCC Article XVII (Commercial Cannabis Activity) to ensure operational standards were met. After considering extensive testimony about the enhancements the proposal would bring to the tenant space, the Planning Commission finds the increase is customers to the shopping center and the decrease in crime rates

experienced at other cannabis facilities with enhanced security, the Planning Commission also finds 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, the Planning Commission finds this business, responsibly managed, would not have an adverse impact on area crime or demand for police services. Conversely, the Planning Commission finds the proposed use would be a beneficial addition to the shopping center by bringing in new customers, making enhancements to the building and parking areas, and would introduce a private security component which would benefit all tenants within the commercial corridor. Furthermore, Port Hueneme Chief of Police Andrew Salina has made public comments outlining the reduction in crime Port Hueneme has experienced in areas adjacent to commercial cannabis retailers as a direct result of their operational characteristics including the use of upgraded security systems, private security, and other site specific security plans. As such, this Project meets this finding.

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 will be located within an existing development within the Downtown General (DT-G) 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 0.08-acre lot. Pursuant to the DT-G zone, the Project will be located within an existing building designed to be consistent with the development and design standards included within the DT-G zone, including, but not limited to, maximum building height, front, side and rear setbacks, landscaping, and equipment screening standards. The existing development is not consistent with the City's parking standards for bicycle parking (5 required). Because no commercial parking spaces are being provided on site, the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces and the project has been conditioned to provide a total of 5 bicycle spaces. 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 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 project is currently served by existing infrastructure and will continue to be accessed directly from South A Street, and a public alleyway, 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). Because no commercial parking spaces are being provided on site, the Project is conditioned to pay an in-lieu fee for 100% of the ten required commercial spaces, and the project has been conditioned to provide a total of 5 bicycle spaces. Based on the configuration of the proposed cannabis retail facility the entire project site requires 1 loading space. The project will utilize a proposed loading area at the east side of the building accessed by a service door entrance to the tenant space which connects to a public alleyway. The project is consistent with City parking requirements. The project has been conditioned to include a total of 5 bicycle parking spaces, 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 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 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. 21-516-43 (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. 21-516-43 (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.

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).

2. This permit is granted for the plans dated January 20, 2022 ("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. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)

6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, *G-7*)

7. 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*)

8. 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*)

9. Before placing or constructing any signs on the project property, Applicantshall 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*)

10. Applicant shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, *G-11*)

11. 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.

12. 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*)

13. 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*)

14. 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

15. 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.

16. 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

17. 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*)

18. 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*)

19. 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 Planning Commission. The Applicant may retain the full-size colored elevations after the reductions are so provided. (PL, *PL-4*)

20. 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*)

21. 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)

22. 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.

23. 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*)

24. 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*)

25. 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*)

26. 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*)

27. 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*).

28. 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

29. 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*)

30. 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*)

31. 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*)

32. Prior to issuance of a certificate of occupancy, Applicant shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)

33. 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

34. Prior to occupancy, faded striping in parking areas directly in front of the building shall be repainted per City standards.

35. In accordance with the proposed plans, 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 main front entrance of the building located at 138 South A Street. 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 Downtown Genersal 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.

38. Developer shall pay required in-lieu parking fee pursuant to the Downtown Code (Section 16-147.4.C.7.C). The in-lieu fee is required for a minimum of 50% of the required commercial parking spaces. The current in-lieu parking fee is $10,000 per mitigated space and is tied to the Engineering News-Record (ENR) Construction Cost Index (CCI) for Los Angeles. The in-lieu parking fee is subject to fee adjustments adopted by the City Council until such time that the Developer pays the fee in full.

PLANNING DIVISION CANNABIS CONDITIONS

Automatic Expiration

39. The Commercial Cannabis Business Permits shall expire, and be subject to the renewal process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the Certificate of Occupancy pursuant to the Oxnard City Code Section 11-459.

Renewal

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

Appeals

41. 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 permitee shall pay the designated appeal fee, established by Resolution of the City Council from time to time.

Revocations of Commercial Cannabis Business Permits

42. 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.

43. 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

44. 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.

45. 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 21-516-43. 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.

46. All operators are subject to all penalties as outlined in Oxnard City Code.

Property Owner Authorization

47. 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

48. 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

49. 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

50. 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

51. 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.

52. 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

53. 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.

54. 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

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

56. 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.

57. Cannabis shall not be consumed by any employee or patron on the premises of any commercial cannabis business.

58. No outdoor storage of cannabis or cannabis products is permitted at any time.

Operational Requirements for Retailers

59. Sales and service of cannabis or cannabis products is limited to only the customer service area, which consists of approximately 2,299 square feet inside the building as identified on PZ No. 21-516-43 floor plans presented at the Planning Commission public hearing on January 20, 2022 and incorporated herein.

60. 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.

61. 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

62. 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

63. 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

64. 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:

65. 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

66. 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.

67. The Applicant for a Commercial Cannabis Business shall secure from the Department of Billing and Licensing a commercial cannabis business tax certificate.

68. 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.

<u>Reporting and remittance of quarterly tax payments</u>

69. The Commercial Cannabis Business tax shall be paid in arrears on a quarterly basis.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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

75. 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.

76. 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.

77. 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.

78. 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

79. 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

80. 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

81. 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

82. 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.

83. An alarm system shall include intrusion, fire, and panic button components. The system shall be remotely monitored by a licensed alarm service provider. The burglar alarm system shall utilize dual technology sensors and be able to differentiate between human and non-human motion. These sensors shall be mounted throughout the premises and specifically include: Secured Lobby, Retail Area, Service Counter, Secured Storage Vault, Intake Area, Employee Break Area, Manager's Office, Corridor and the Roof.

84. 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.

85. 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.

86. 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.

87. 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.

88. 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).

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

90. 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.

91. 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.

92. 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

93. 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.

94. 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.

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

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

97. 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.

98. 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.

99. 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.

100. 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.

101. 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.

102. 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.

103. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.

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 on 60-watt incandescent light) may be partially

shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.

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 these conditions.

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. 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

132. 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.

133. 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

134. 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

135. 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

136. Intrusion/burglar alarms shall be "dual" technology and have the capability to differentiate between human and non-human motion. Sensor placement shall be in accordance with the business' approved Security Plan.

137. Panic alarms shall be installed at various sites within the business to be used in the event of a robbery. Alarm button placement shall be in accordance with the business' approved Security Plan.

Security Site Plan

138. 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.

139. 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.

140. 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.

141. 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

142. 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.

143. 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.

144. 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.

145. 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.

146. 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.

147. All signage for the site shall require joint approval from authorized designees of the Planning Division and the Police Department.

Cannabis Deliveries

148. 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

149. The unit's address "138" shall be painted on the exterior of each rear door of the business in numerals that are 3-inches in height.

150. The unit's address "138" Shall be painted on the roof of the business in numerals that are 3-feet in height.

151. A sign shall be posted pursuant to 22658(a) CVC to prohibit unauthorized parking on private property on the fence or wall on the alley side of the property.

152. Cannabis retailers shall participate in Police Department and Community drug awareness and educational programs. This participation may include but not be limited to the circulation of informational flyers, staff training opportunities, and DUI educational materials.

FIRE DEPARTMENT STANDARD CONDITIONS

153. 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)

154. 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)

155. 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)

156. 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)

157. 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)

158. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)

159. 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)

160. 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)

161. 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)

162. The applicant shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

163. 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)

164. 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)

165. 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)

166. 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)

167. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)

168. 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)

169. 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.

170. 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.

171. 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.

172. 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

173. 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.

174. 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

175. 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)

176. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

177. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the City Engineer 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. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)

180. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

181. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

182. 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)

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 trash enclosure with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the 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-79)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

185. Developer shall verify 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. Show all applicable existing and proposed utilities (sewer, water, storm, gas, electrical) affected by the proposed improvement on the site engineering plan. (DS)

187. The project shall comply with the latest California Building Code disabled access requirements. (DS)

188. Onsite irrigation shall be fed by a dedicated irrigation meter if irrigated landscaping is proposed. (DS)

189. The trash enclosure shall be located with the doors facing the alley. When open, the doors must not project into the alley. (DS)

190. The landscaping located in the public right-of-way shall be approved by the Public Works Department; a list of recommended trees will be made available to the Developer. If landscaping is permitted, the design must include a 24-inch deep root barrier system unless directed otherwise by the Public Works Department. Developer shall be responsible for providing irrigation to all proposed landscaping in the public right-of-way along the project frontage on South A Street. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 20th day of January 2022.

_____
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 20th day of January 2022, 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
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) & 16-148	Retail dispensaries are conceptually permitted in property zoned DT-C, DT-G, C-l, C-l-PD, C-2, C-2-PD, CNC, 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 the Downtown General (DT-G) zone.	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 DT-G 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 youth center (Wilson Senior Center) is approximately 1073 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 DT-G 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 DT-G 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. though 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

J. Public Comment Letter

Oasis Del Espiritu Santo
150 South A Street, Oxnard CA 93030

We oppose to the opening of the canibis - (Marihuana) facilities Located at - 138 South A Street and 156 South Street Oxnard CA 93030.

Name	Address	Phone#	Signature
Cecilia Avila	[redacted] Lindsay Pl.	[redacted]	Cecilia Avila
Bertha A. Avila	[redacted] W Birch ST	[redacted]	
Victorio Sosa	[redacted] San Simron Dr	[redacted]	Victorio Sosa
[illegible]	[redacted] S.M Ox 93033	[redacted]	[illegible]
Martina Luz Borunda	[redacted] Del Mar place	[redacted]	[illegible]
Leeno Leon	[redacted] Ives Av	Oxnard	
ESTELA IBARRA	[redacted] moby Dick Ln Ox 93030		Estela Ibarra
Margarita Tellez	[redacted] N. A St.	[redacted] Oxnard CA 93030	Margarita Tellez
Catalina Contreras	[redacted] Bonita Oxnard cal. 93030 -		Catalina Contreras

continue

Name	Address	Phone#	Signature
WENDY IPATZI	[redacted] EKAMALA	[redacted]	
Jason Long	[redacted] East Kamala	[redacted]	
Jesus Ipatzi	[redacted] East Kamala	[redacted]	
Jesus Mendez	[redacted] - Kamala		
Rosa Ronquillo	Kamala		
Lucy Ronquillo			
Amayra Gonzales	[redacted] E Kamala ST Oxnard		
Pedro Pagando	[redacted] Goleta WCY 93030		
JONATHAN MORATA	[redacted] KAMALA ST. OXNARD CA 93		
Alex Herrera	[redacted] San Mateo Place	[redacted] oxnard CA	
ANTHONY VILLANUEVA	[redacted] E. KAMALA ST. OXNARD, CA. OXNARD CA. 93036.		
Maria FERNANDEZ	[redacted] E ESTROUBE ST.		
Mario Rosales			
Cesar Cuecuecha	[redacted] Rhonda St Oxnard CA 93036	[redacted]	
Rodrigo Lopez	[redacted] Lindbergh Dr	[redacted]	
[illegible]	[redacted] E KAMALA ST	[redacted]	[redacted]
Enriqueta M Ipatzi	[redacted] E KAMALA ST	[redacted]	
Rigoberto Ortiz	[redacted] E. Kamala St	[redacted]	
Karina Vasquez	[redacted] E. Kamala St.	[redacted]	
Teresa Saldana	[redacted] Kamala St	[redacted]	
Rita Rodiles Oliva	[redacted] St. Mary's Road	[redacted]	

continue

Name	Address	Phone#	Signature
Laura Duarte	[redacted] N Juniper St	[redacted]	
Jaime Velazco	[redacted]		
Jesus Garcia	[redacted] N Juniper St	[redacted]	
Rai Valdovinos	[redacted] Woodland St	[redacted]	
Gabriela Valdovinos	[redacted] Woodland St	[redacted]	
Ana Rodriguez	[redacted] W Juniper ST Oxnard Ca 93033		
Ana Maria Rodriguez	[redacted] W Olive St	[redacted]	
Lusila Duarte	[redacted] W. Power st Oxnard CA	[redacted]	
Juan Luis Rodriguez	[redacted] Piedmont St. Oxnard, CA 93035	[redacted]	
Roberto Rodriguez	[redacted] piedmont St. Oxnard CA 93035	[redacted]	
Maria Roquel Rodriguez	[redacted] piedmont St. Oxnard CA 93035	[redacted]	
Elia Magaño	[redacted] Piedmont st oxnard, CA, 93035	[redacted]	
Victor Gonzalez	[redacted] Piedmont, st, oxnard, CA, 93035	[redacted]	
MARISELA RODRIGUEZ	[redacted] KENTIA STREET OXNARD, CA 93036	[redacted]	
Diana Pacheco	[redacted] Kentia St. Oxnard, CA 93036	[redacted]	Diana Pacheco
Luis Pacheco	[redacted] Kentia Street Oxnard, CA 93036	[redacted]	
Irma Arevalo	[redacted] Buffalo Ave. Sherman Oaks CA 91423	[redacted]	
Rosa M Moreno	[redacted]	[redacted]	Ash E Oxnard Ca.
Rose M. Lerma	[redacted]	[redacted]	So J St Oxnard, CA
Rosa Delgado	[redacted]	[redacted]	Oxnard CA 93030
Hilda Del Toro	[redacted]	- Adriana Del Toro	[redacted]

Continue

Name	Address	Phone#	Signature
CARMEN Ortega	[redacted] Ventura Blv. 119	[redacted]	Carmen Orte
Carlos Ortega	[redacted] Eventura Blv	[redacted]	Carlos Ortega
Monica Ortega	[redacted] Eventura Blv.	[redacted]	Monica Ortega
Mayra Aguilar	[redacted] E Ventura Blvd	[redacted]	Mayra Aguilar
Alejandro Martinez	[redacted] E Ventura	[redacted]	Alejandro Mart
Celia Orozco	[redacted] E Ventura	[redacted]	Celia Orozco
Sandra	[redacted] Eventura BlvD	[redacted]	Sandra Lopez
Luis	[redacted] Eventura BlvD	[redacted]	Luis ferrer
Brenda	[redacted] Eventura BlvD	[redacted]	Brenda ferrer
Francisco Lopez	[redacted] Eventura BlvD	[redacted]	[illegible]
Catalina Lopez	[redacted] Eventura BlvD	[redacted]	Catalina Lopez
Jackie Dominguez	[redacted] squires Dr	[redacted]	[illegible]
Catalina Lopez	[redacted] E Ventura Blvd	[redacted]	Catalina Lopez
Edgar Lopez	[redacted] E Ventura Blvd	[redacted]	Edgar Lopez
Ava Rosa Lopez	[redacted] w cedar st oxnard ca	[redacted]	Ava Lopez
Salvador Lopez	[redacted] w cedar st oxnard ca	[redacted]	Salvador Lo
maria trinidad	[redacted] w Elm st oxnard ca	[redacted]	Maria trinidad
Diana Garcia	[redacted] w Elm st oxnard ca	[redacted]	Diana Garcia
Armando Garcia	[redacted] w Elm st oxnard ca	[redacted]	Armando Ga
Miguel zarate	[redacted] w Elm st oxnard ca	[redacted]	Miguel Z
Maria arreola	[redacted] w Elm st oxnard ca	[redacted]	Maria A

Continue

Name	Address	Phone#	Signature
nona Solis	[redacted] Bradfield Pl	[redacted]	nona Solis
Silvia López	[redacted] E Ash st	[redacted]	
Ricardo Lopez	[redacted] E Ash st	[redacted]	Ricardo Lopez
Maria Luisa Espinoza	[redacted] S K	[redacted]	
Maria E Fernández	[redacted] Hamilton	[redacted]	Maria E Fernández
Alfredo Barragan	[redacted] Hamilton Ave Ox, CA, 93033	[redacted]	Jose a Barragan
Maria Acevantes	[redacted] S N st oxnard CA	[redacted]	[illegible]
Ofelia Casillas	[redacted] Gabriella Oxnard CA	[redacted]	[illegible]
Margarita Palencia	[redacted] Doris S. st Oxnard CA	[redacted]	[illegible]
María Vásquez	[redacted] King St oxnard Ca.	[redacted]	[illegible]
Eguel Tapes	[redacted]		
Alfredo Barragan	[redacted] Hamilton Ave	[redacted]	Alfredo Barragan
Elvia Trejo	[redacted] Kelley Perez	[redacted]	Elvia T.
MARIA G. Gonzales	[redacted] Ives Ave.	[redacted]	[illegible]
Maria Carmen Mora Arayo	[redacted] Knox In Ox, CA	[redacted]	Carmen Arayo
Leticia Esqueda	[redacted] Resplandor Way Oxn 93030	[redacted]	Leticia Esqueda

continue

K. Staff Presentation

PZ 21-516-43
99 High Tide - Oxnard dba 99 High Tide - La Sirena
Commercial Cannabis Business Retail Special Use Permit (SUP)
138 South A Street
(APN: 202-0-056-100)

Planning Commission Hearing
By: Jose Coyotl, Associate Planner

January 20, 2022

CITY OF OXNARD CALIFORNIA

Project Description

- A request to permit the operation of a commercial cannabis retail facility within an existing 2,299 square-foot commercial building on a 0.08-acre site.

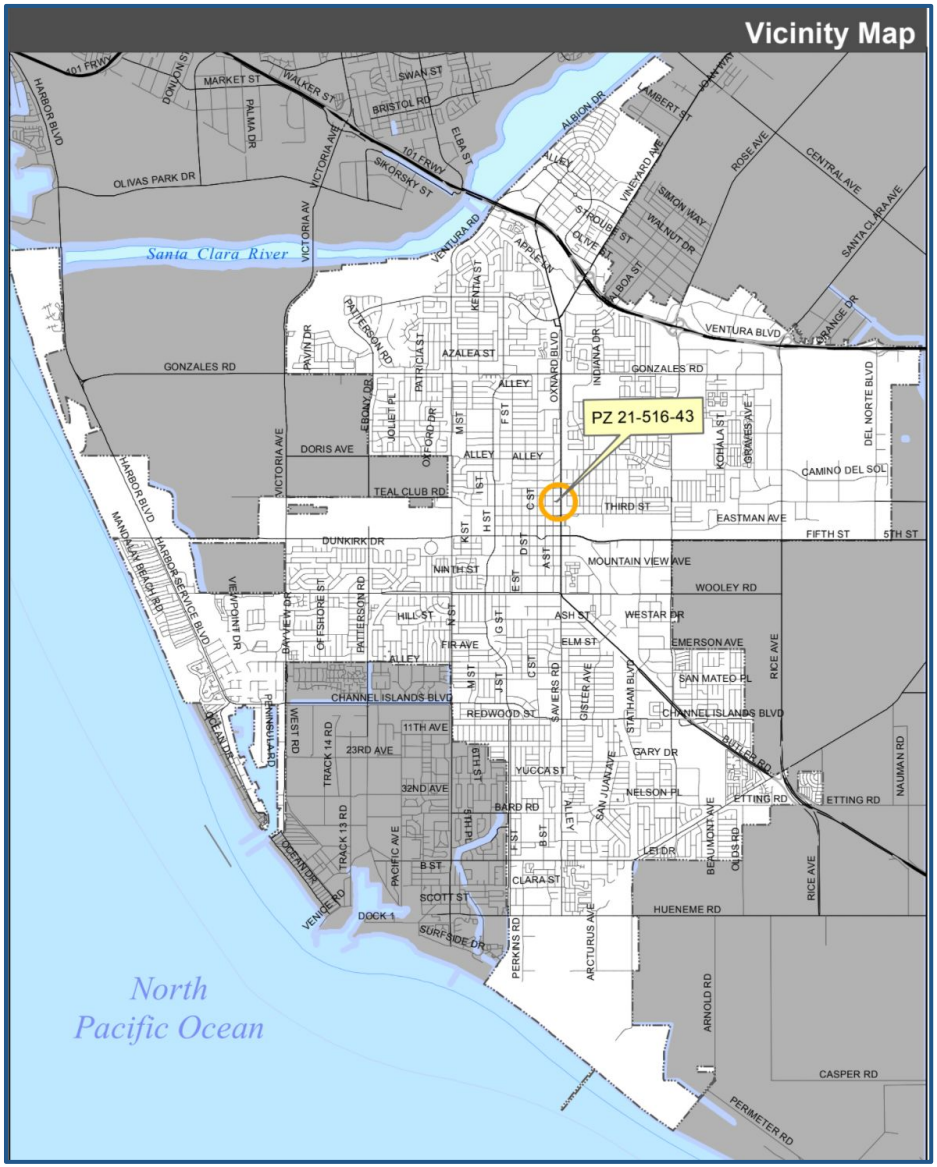
- As part of the project there will be a tenant improvement consisting of
  - the installation of new partition walls
  - security upgrades to the existing building
  - minor plumbing upgrades
  - upgrades to an existing fire alarm system
  - installation of secure doors/windows
  - providing exterior facade improvements

- Cannabis retail operations will be conducted between 9:00 AM to 9:00 PM daily.

- Application filed by Sam Boyer

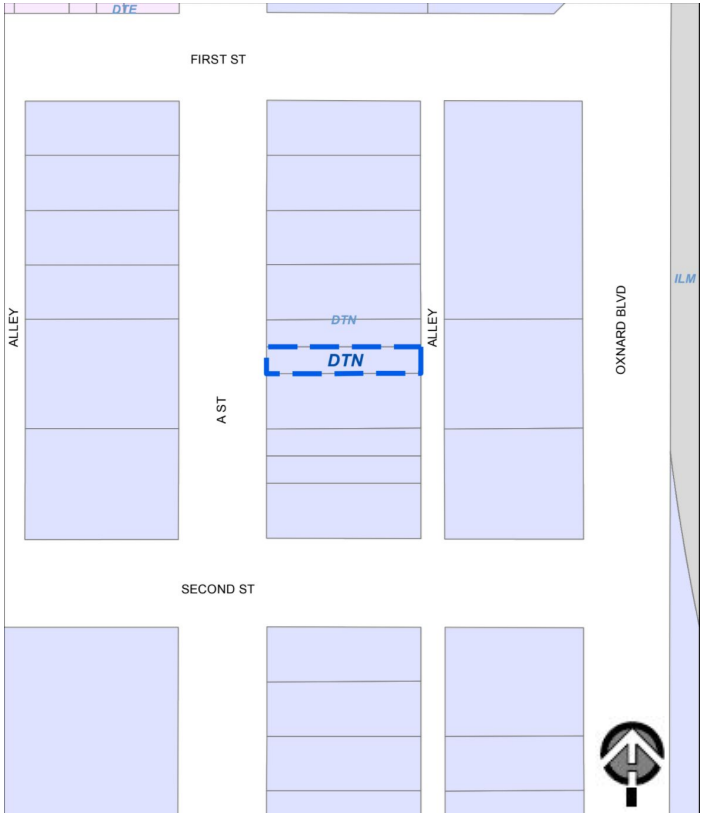
Project Location

Subject Site: 138 South A Street



General Plan & Zoning Maps

General Plan Land Use Designation



Downtown
(DTN)

Zoning Designation

Downtown General (DT-G)

Existing Site

Subject Site: 138 South A Street
Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Downtown (DTN)	Downtown General (DT-G)	Commercial building.
North	DTN	DT-G	Commercial buildings.
South	DTN	DT-G	Commercial building and private parking lot.
East	DTN	DT-G	Automotive repair building and car wash facility.
West	DTN	DT-G	Multi-tenant commercial office buildings and a vacant lot.

Existing Conditions

Street view looking east.

Background: Development History

- Early-1960s: original site development.
- Early-1960s to current: various tenant improvements to accommodate the turnover of general commercial establishments of general commercial establishments and a religious school.

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, 99 High Tide - Oxnard dba 99 High Tide - La Sirena filed for a request to obtain a Commercial Cannabis Business Permit for a 2,299 square foot cannabis retail facility.

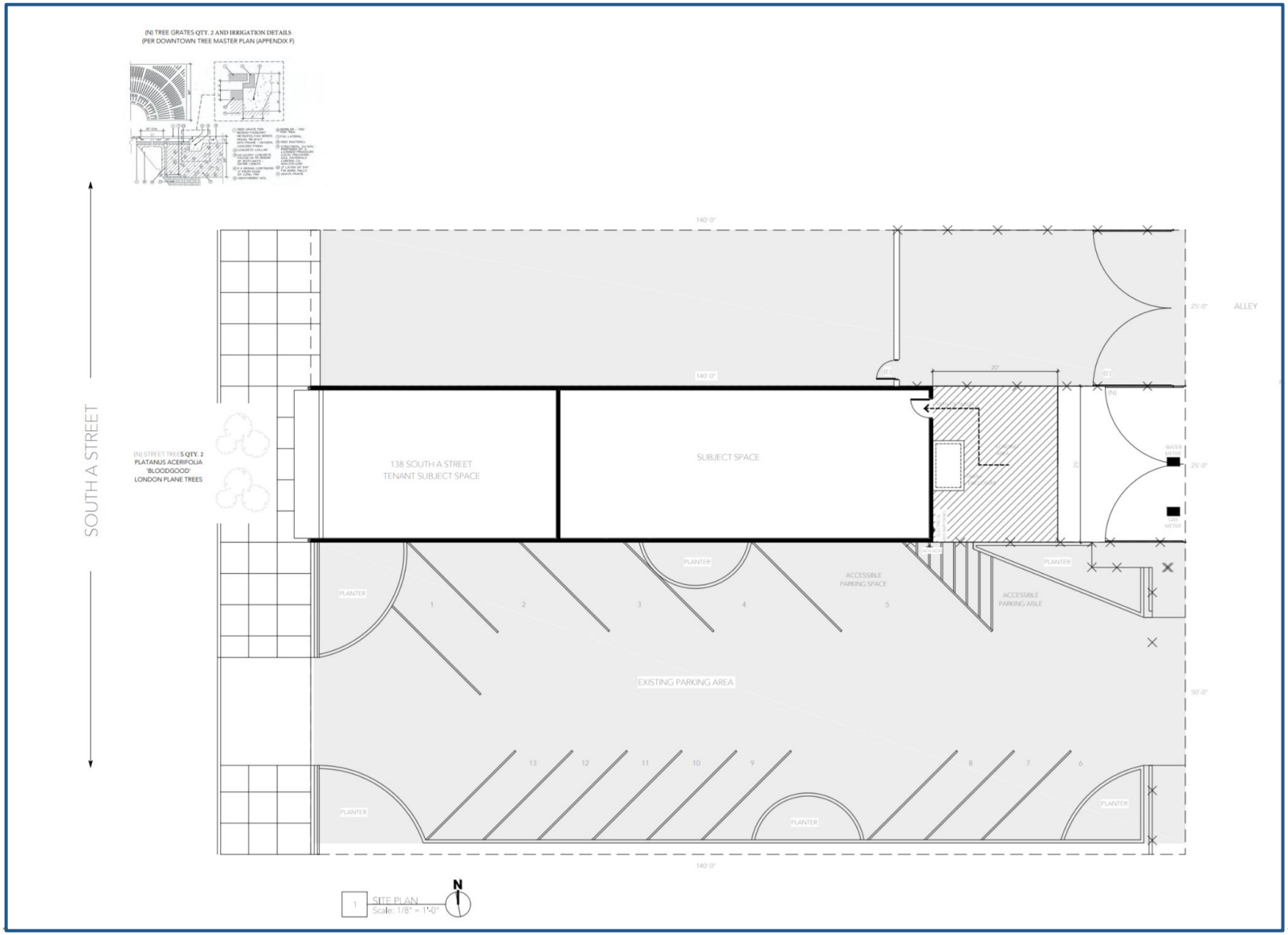
- On March 1, 2021, 99 High Tide - Oxnard dba 99 High Tide - La Sirena was awarded a conditional Commercial Cannabis Business Permit for cannabis retail. In order to successfully commence and inaugurate the Commercial Cannabis Business Permit 99 High Tide - Oxnard dba 99 High Tide - La Sirena is required to receive approval of a SUP as specified within OCC Section 11-457.

Downtown Design Review

- October 14, 2021, the Downtown Design Review Committee (DDRC) reviewed the project and provided recommendations to modify the Project's exterior facade and landscaping improvements.

- Subsequently, the applicant team modified the plans to be consistent with the DDRC's direction.

Site Plan


(N) TREE GRATES QTY. 2 AND IRRIGATION DETAILS
(PER DOWNTOWN TREE MASTER PLAN (APPENDIX F)
SOUTH A STREET
(N) STREET TREES QTY. 2
PLATANUS ACERIFOLIA
'BLOODGOOD'
LONDON PLANE TREES
140'-0"
138 SOUTH A STREET
TENANT SUBJECT SPACE
SUBJECT SPACE
ALLEY
25'-0"
PLANTER
ACCESSIBLE
PARKING SPACE
ACCESSIBLE
PARKING AISLE
EXISTING PARKING AREA
50'-0"
1
2
3
4
5
6
7
8
9
10
11
12
13
SITE PLAN
Scale: 1/8" = 1'-0"
N

Elevations

2 COLOR RENDERING @ A STREET STOREFRONT
N.T.S.

1 (N) STREET ELEVATION (WEST)
Scale: 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 Wilson Neighborhood.
- On September 9, 2021, the site was posted with Project details and Community Workshop information and the Developer mailed out 688 meeting agenda notices to the residents of the Wilson Neighborhood.
- On September 20, 2021, the project was presented to the public during a Community Workshop meeting.
- The meeting was attended by approximately 29 members of the public and persons had an opportunity to ask questions.

Public Comments

- Staff received comments during the Community Workshop:
  - Support because:
    - Cannabis uses downtown to revitalize the neighborhood.
    - Applicant has a good business track record and has helped with the beautification efforts of downtown.
    - Access to cannabis products and the inclusion of private security in the community.

  - Concerns associated with
    - The business: odor, crime, parking / parking study, noise, proximity to a public library, lack of lighting, pushing homeless to other areas of downtown.
    - Cannabis products: Health problems.
    - Use of private security instead of the Police Department.

  - Applicant encouraged to help veterans and Mercy House.

Public Comments Cont.

- Following the Community Workshop Staff has received an additional two (2) comment letters from the general public in opposition of the project.

Key Conditions of Approval

- **Conditions # 15, 42, 43:** Abide by City of Oxnard and State of California rules and regulations related to this business.

- **Conditions # 39:** 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.

<u>Retail Operating Conditions</u>

- **Conditions # 59-61, 132-133:** 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.

<u>Police Conditions</u>

- **Conditions # 82-152:** Security features will be implemented as required by adopted cannabis Ordinance.

Key Conditions of Approval (Cont.)

Fire Department Conditions

- **Conditions #153-172:** This broad range of numbers indicates that the system is to be designed to be a safe facility.

Community Benefits / Community Relations

- **Condition #49-52, 64-65:** The project is conditioned to be a good neighbor / member of the community.

Taxes and Inventory Tracking

- **Condition #53-54, 66-74:** 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) 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 2022-XX approving Planning and Zoning Permit No. 21-516-43 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

End of Presentation

PLANNING COMMISSION
STAFF REPORT

TO: Planning Commission

FROM: Joe Pearson II, Senior Planner

DATE: January 20, 2022

SUBJECT: **Project Name: Starbucks & In-N-Out - Ventura Boulevard**; Planning and Zoning Permit Nos. 21-500-03 (Special Use Permit), 21-500-04 (Special Use Permit), 21-520-03 (Special Use Permit - Minor); 1700, 1720, 1740 Ventura Boulevard; APNs: 144-0-134-085, -095, & -115

1) **Recommendation:** That the Planning Commission ("**Commission**"):
   - **a)** Find the Projects to be Categorically Exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (Infill Development) and 15311(a) (On-Premise Signs); and
   - **b)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-500-03 (Special Use Permit - Starbucks), subject to certain findings and conditions; and
   - **c)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-500-04 (Special Use Permit - In-N-Out), subject to certain findings and conditions; and
   - **d)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-520-03 (Special Use Permit - Minor - Plaza Del Norte Master Sign Program), subject to certain findings and conditions.

2) **Project Description and Applicant:** The project consists of the following requested actions:

   - **a)** At 1720 Ventura Boulevard, a request to permit the demolition of the existing approximately 7,000 square foot building and construct a new 1,800 square-foot coffee shop, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements on a 0.85-acre project site. Other changes include upgraded landscaping, lighting upgrades and new parking lot striping.

   - **b)** At 1700 Ventura Boulevard, a request to permit the demolition of the existing approximately 18,000 square foot building and construct a new 3,885 square-foot restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements on a 1.47-acre project site. Other changes include upgraded landscaping, lighting upgrades

and new parking lot striping.

c) A request for an administrative parking relief is also being requested to allow for a decrease in the number of required parking spaces required by the center, which include the properties located at 1700, 1720, and 1740 Ventura Boulevard, from 207 parking spaces to 182 parking spaces.

d) A request for a new sign program for the center, which will provide standards for building signage and drive-through signage. The sign plan will also incorporate the existing freestanding freeway oriented signage on site, however no changes are proposed to the existing freestanding freeway oriented sign structure.

The Project site is located at 1700, 1720, 1740 Ventura Boulevard (APNs: 144-0-134-085, -095, & -115) within the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district and within the Commercial Regional land use designation (Attachment A). For purposes of this staff report, the foregoing project description shall be referred to as the "Project". Filed by Hollee King Winegar, of Site Specific Planning, 7584 Eisenhower Street, Ventura, CA 93003, designated agent (the "Applicant") on behalf of Darrel W. Wright, of Channel Islands Marketplace, LP, Overpass Road, Building C, Santa Barbara, CA 93111 (the "Property Owner").

Please see the reduced Project plans (Attachment B: Starbucks; Attachment C: In-N-Out; Attachment D: Sign Program) for more details.

3) Existing & Surrounding Land Uses: The Project site is currently developed with two vacant commercial buildings, and a Red Lobster restaurant and associated infrastructure improvements. The Project is not located in a 2030 General Plan identified 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 Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Two Vacant Commercial Buildings and Restaurant (Red Lobster)
North	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Retail Center
South	Highway 101	Highway 101	Highway 101
East	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Retail Center

West	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Utility Building/Car Dealership
* Zoning consistent with the 2030 General Plan.			

4) **Background Information:** On August 2, 1990, the Planning Commission conditionally approved Special Use Permit U-1427 via Resolution No. 7456 to three retail buildings to be located on 1700, 1720, and 1740 East Ventura Boulevard, which includes the subject property. This approval was also upheld by City Council Resolution No. 10,039 on September 11, 1990. While various businesses have operated on the site over the intervening years, the building configuration has remained the same.

5) **Environmental Determination:** In accordance with Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of CEQA. The Project consists of the demolition of the two existing vacant commercial buildings. At 1700 Ventura Boulevard the project would result in the construction of a 3,885 square-foot restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements. At 1720 Ventura Boulevard the Project would result in the construction of a 1,800 square-foot restaurant, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements. No changes are proposed to the building or site improvements located at 1740 Ventura Boulevard. Both of the new buildings have been designed to be consistent with the Commercial Regional (CR) General Plan land use designation, as well as with the Auto-Sales and Service Land Use of the Rose-Santa Clara Corridor Specific Plan. The proposed development is located on an approximately 3.67-acre site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The Project site is currently developed and has no value as habitat for endangered, rare or threatened species. As a result, this Project will not result in any significant effects relating to traffic, noise, or air quality.

   In accordance with Section 15311(a) (On-Premise Signs) of the CEQA Guidelines, projects characterized as on-premise signage may be found to be exempt from the requirements of CEQA. The sign program would provide standards for the creation of the on-site signage associated with the development on the three properties. Signage is generally limited to building signage, drive through signage, and freestanding signage. The sign program has been designed to be consistent with the Commercial Regional (CR) General Plan land use designation, as well as with the Auto-Sales and Service Land Use of the Rose-Santa Clara Corridor Specific Plan. The proposed sign program would be applied to the 3.67-acre site located at 1700, 1720, and 1740 Ventura Boulevard.

No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemptions. 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 Exemptions (Attachment E) 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 the 2030 General Plan, the Oxnard City Code (OCC), and the Rose-Santa Clara Corridor Specific Plan.

The Planning Commission is the decision maker for Special Use Permits and Special Use Permits-Minor pursuant to OCC §16-536 and OCC §16-608(J)(2), respectively. The Project is being processed with Special Use Permits; 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 Regional which allows restaurants (including drive-throughs), retail sales, and other similar uses. 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 9.2	I	Commercial Revitalization and Redevelopment	The development will redevelop a vacant under-utilized site near the 101-Freeway with a new commercial buildings each with a drive-through and new landscaping.
ICS-8.1 & ICS-8.5	I	Improved Pedestrian Connections and Pedestrian Orientation	The project orients the development to the public realm along Ventura Boulevard, enhances the pedestrian environment by placing outdoor patios between the building and the public sidewalks, and promotes safety and minimizes conflicts between automobiles, bicycles, and pedestrians by installing a new crosswalk across Ventura Boulevard.
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 buildings are consistent with the allowable Commercial Regional land uses and will be compatible with adjacent uses as designed, and are not anticipated to generate nuisances.
CD-15.6	II	Share of regional taxable sales	The Project will allow for the redevelopment of an existing site to allow for new businesses, which will generate retail tax sales revenue to the City.
CD-14.1 CD-14.2	II	Design review process Development Advisory Committee (DAC) functions	The Development Advisory Committee (DAC) review process led to changes in the Project and/or conditions of approval that meet these Level II policies.
CD-18.1 CD-18.5	II	Attract new businesses Increase the availability of land for new businesses	The Project will provide for more tenant options to businesses/companies to open a new business or relocate to the City.
All others	III	All policies not listed above	No or Distant Applicability to the Proposed Project.

c) ***Conformance with RiverPark Specific Plan Standards:*** The proposed development is located in the Auto Sales and Service land use area of the RSCSP. In accordance with Chapter 7 (Implementation) of the RSCSP, a proposed commercial building may be permitted with an approved SUP permit.

The RSCSP standards were utilized for the Project. The Project is found consistent with the applicable development standards with the approval of the SUP and an administrative parking relief under RSCSP Section 5.7.10.C, "Reduction of Required Parking Spaces", as shown in Attachment F.

d) **Site Design, Circulation, and Parking:** The center includes three parcels with shared access points. Currently, the center has two driveway access points, however a third access point would be provided subject to the approval and development of the Starbucks project (PZ 21-500-03). The two access points currently provided would provide sufficient access to the site and would allow for adequate circulation around the site. The third access point would not adversely impact the circulation of the site, and would allow each of the properties to operate more independently. While there is shared access and parking across all three properties in the Center, the drive-through facilities have been designed to be self-sufficient. Self-sufficient means customers are able to access the sites through the driveways adjacent to the drive through facility, access the drive-through lane and parking at the rear of the site, then exit the drive through lane and parking area through the same driveway, for each of the respective facilities. Additionally, if one of the sites were not redeveloped, the other site could still be redeveloped.

While the Project includes drive-through facilities, special attention has been paid to pedestrian access and circulation. Both facilities have been specifically designed to front directly onto Ventura Boulevard, providing for direct pedestrian access to the project site from the right-of-way without having to cross the parking lot or drive-through lanes. In addition, due to the length of the site, an identified pedestrian path has been provided from the rear parking area to the buildings for both sites, to minimize pedestrian conflicts with vehicles circulating the site. In addition, to the improved onsite circulation, the Project has been conditioned to provide a new pedestrian crosswalk across Ventura Boulevard, at the first driveway. Currently, the closest pedestrian crossing is approximately a ¼ miles northwest at the corner of Ventura Boulevard and Auto Center. The crosswalk will provide a safe path for pedestrians to access the site from across the street without having to drive to the project site consistent with numerous General Plan policies.

Due to the operational characteristics of existing Starbucks and In-N-Out drive-through facilities 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 high demand associated with the proposed development. As a result, both drive-through lanes have

been designed with the entrances at the back of the parking lot, so that should the queue capacity exceed the queue amount the back-up will occur on site and are not anticipated to impact the adjacent road network. The current RSCSP requires a capacity of 8 spaces, however the current proposal provides for 15 spaces in the drive-through for Starbucks and 23 spaces in the drive-through for In-N-Out. While, both of these queues exceed the City requirements, both projects include Draft Traffic Demand Management Plans (Attachment G and H), which have 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 minimize onsite impacts and prevent vehicles in the queue from spilling offsite.

For the Starbuck location, 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 the queue exceeding its design capacity, a Starbucks staff member will be tasked with walking the drive-through lane entry, and directing additional arriving vehicles to queue in the overflow queuing area

3. Excess queuing plan.

For the In-N-Out, 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, an In-N-Out staff member will be tasked with taking mobile orders to minimize food wait times.

3. Excess queuing plan.

The proposed Starbucks site has a total of 25 parking spaces with a stacking credit of 11 parking spaces for a total of 36 parking spaces, in compliance with its parking requirement (36 spaces). The proposed In-N-Out has a total of 73 parking spaces with a stacking credit of 20 spaces, for a total of 93 parking spaces, which exceeds the parking requirements for the In-N-Out restaurant (78 spaces). However, the Center is subject to a shared parking agreement, so parking is shared among all three properties. Currently, the Red Lobster building does not have sufficient parking onsite to accommodate the required parking for the restaurant, as shown in the table below.

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	PARKING STUDY PEAK DEMAND (WEEKDAY/ WEEKEND)
Existing Red Lobster	Restaurant: Less than or equal to 6,000 gsf - 1 space per 75 gsf. Greater than 6,000 gsf - 1 space per 180 gsf. < 6,000 gsf =80 spaces > 6,000 gsf =13 spaces Total Required = 93	N/A	53 parking spaces	53 spaces	78 spaces/89 spaces
Proposed In-N-Out[1]	Fast Food: 3,885 space per 50 gsf. 3,885 gsf =78	8 Spaces	73 parking spaces + 23 stacking spaces	93 spaces (Maximum of 20 spaces can count toward parking requirement)	50 spaces/47 spaces

[1] The development located at 1700 Ventura Boulevard currently exceeds its parking requirements, so if the Starbucks project was not approved or developed, it would not result in an increase in parking deficiency based on the peak demands.

Proposed Starbuck[2]	Fast Food: 1,800 space per 50 gsf. 1,800 gsf =36	8 Spaces	25 parking spaces + 15 stacking spaces	36 spaces (Maximum of 11 spaces can count toward parking requirement)	11 spaces/13 spaces
Total Project	207 parking spaces		151 Parking space + 38 stacking spaces	182 spaces	139 spaces/149 spaces

RSCSP Section 5.7.10.C allows the Decision Maker to grant administrative relief from the parking provisions of the RSCSP. Pursuant to the RSCSP 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 I). The study used City parking rates, the Urban Land Institute hourly parking utilization profiles for the existing Red Lobster and proposed In-N-Out Burger, as well as derived parking utilization profiles for the proposed Starbucks were applied to determine the forecast shared parking demand for the Center. Based on the assessment, "*The weekday peak parking demand analysis for the Center is forecast to occur at 6:00 PM with 139 of the 151 onsite parking spaces expected to be utilized.*" and *"The weekend (Saturday) peak parking demand analysis for the Center is forecast to occur at 7:00 PM with 149 of the 151 onsite parking spaces expected to be utilized."*. Therefore, the proposed parking supply of 151 parking spaces is able to accommodate the peak parking demand for the center.

Lastly, the In-N-Out is requesting to be allowed to not provide a dedicated loading space. The RSCSP requires that a loading space of 12ft X 24ft be provided for restaurants. However, the OCC does allow for the Planning Commission to modify the loading requirements. Due to the size of vehicles used for delivery the applicant is requesting to be able to use the drive aisle as the load space, as identified in Attachment C. The Project would be conditioned to only allow for loading outside of the hours of operation. Given the typical size of the loading vehicles and the condition to only allow for loading during off hours, the use of the drive aisle for loading would not adversely affect circulation or parking onsite and would comply with the dedicated loading space requirement.

The City finds that the proposed project, as conditioned, and in the context of the

[2] The development located at 1720 Ventura Boulevard currently exceeds its parking requirements, so if the Starbucks project was not approved or developed, it would not result in an increase in parking deficiency based on the peak demands.

documentation provided and reviewed demonstrate that there is sufficient vehicle queue, parking capacity, and loading facilities. Therefore administrative relief from this provision is included within the SUP applications.

e) **Building Design:** Per the RSCSP Section 6.6.1, the buildings must have a "Spanish Colonial" with contemporary interpretations theme. The intent was to create a style which was more Mediterranean than Califonian in origin, with more elegant proportions and simple lines, rather than the heavy-wooded and rustic common mission style. Retail areas specifically were allowed to have a related, but less defined, "mission Style" or Spanish" architectural theme.

The proposed Starbucks conforms with the architectural requirements as it features a facade with smooth stucco with new earth tone colors which are appropriate for the design. Other materials include a wood trellis and mission style tile roof elements consistent with the Spanish Colonial style, as defined by the RSCSP. Along, with this the project has incorporated a more contemporary glass storefront system. The proposed In-N-Out also conforms to the architectural requirements as it features a facade with smooth white stucco and mission style red tile roof. Along, with this the project has incorporated a more contemporary flat roof design with large glass windows.

Both of the projects were reviewed by the City's third party architect who provided comments on both projects to bring them into compliance with the Architectural Guidelines. The proposed project plans provided in Attachments B and C, have incorporated the comments and City staff finds that the project designs are consistent with the RSCSP.

f) **Landscaping:** Both the Startbucks and In-N-Out Projects will exceed the required onsite landscaping on their respective lots. 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. Where feasible the existing trees will be retained. Both the Starbuck and In-N-Out will be conditioned to replace or offset the value of any trees to be removed, on their respective project sites.

g) **Signage:** As part of the RSCSP a sign program is required for all development projects within the specific plan area. The proposed sign program for the center has been provided in Attachment D. The proposed sign program has been designed to comply with Section 6.7 (Sign Guidelines and Standards) of RSCSP. A new sign program is being requested due to the proposed drive-through fast food restaurant and coffee shop. The new sign program will incorporate the existing free standing signage on site. The primary difference will be the incorporation of standards for drive-through signage, including menu board and drive-through directional signage to provide standards for the future drive through facilities. The proposed sign program also outlines the type of signs and

standards for all other building signs, freestanding signs, window graphics, and door graphics on site, which are consistent with the RSCSP standards for in Section 6.7. All future businesses would be subject to these requirements, including the proposed businesses. All sign permits requested for businesses at any of these three businesses would be reviewed by planning staff for compliance with the sign program.

As the project location is greater than 50 feet away from residential development, a noise level analysis was not conducted for the proposed menu board equipment. Based on information provided by the applicant team, the proposed noise levels would not exceed the maximum allowable exterior noise levels for 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 June 23, 2021, September 1, 2021, and November 23, 2021. Conditions of approval from DAC are included in the attached Resolution.

8) **Community Workshop and Public Input:** The Project is not located within a General Plan identified neighborhood; therefore, a Community Workshop was not conducted for the proposed Project.

   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 Oxnard City Code, the Planning Commission's action 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 to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

Attachments:

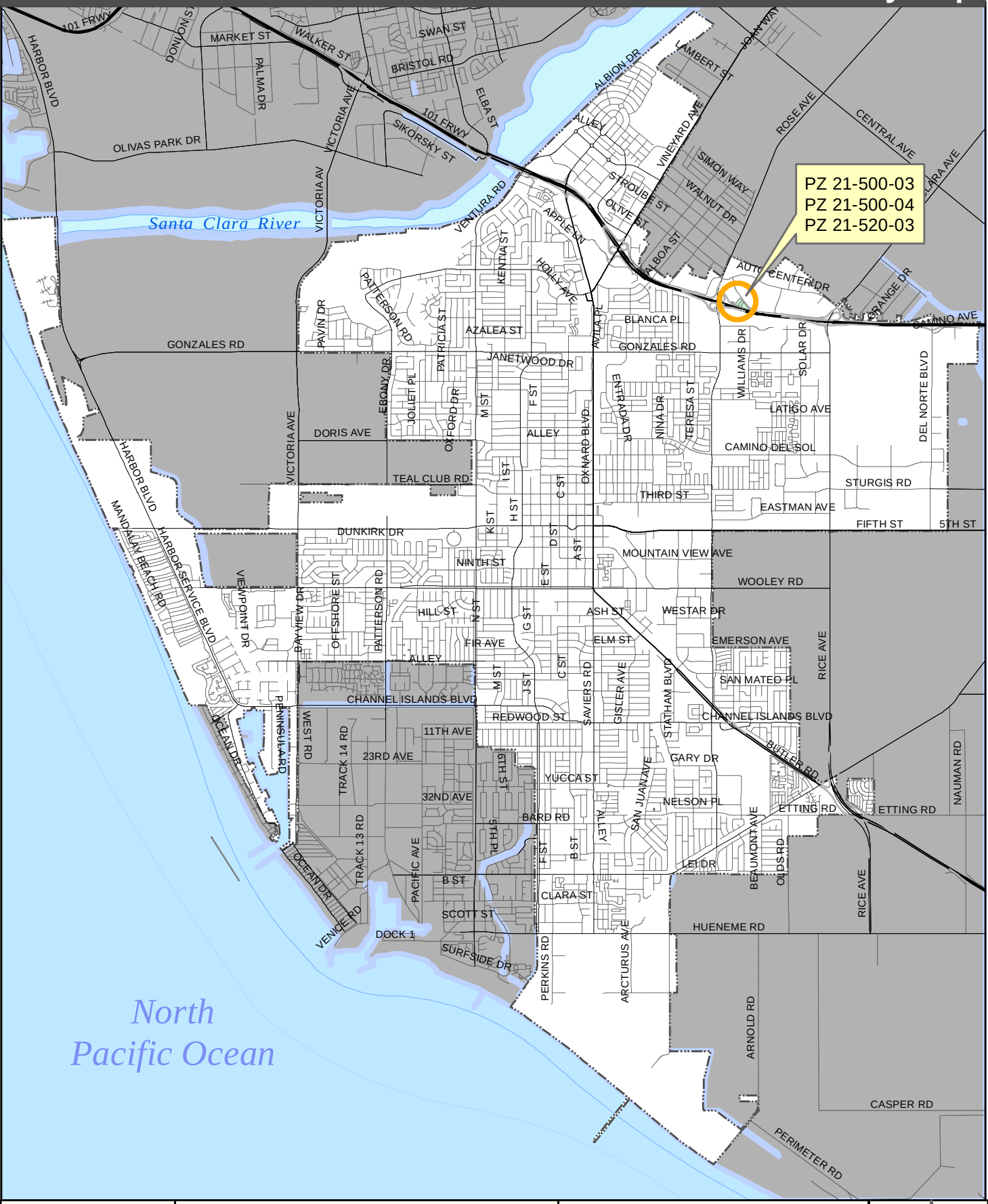
A. Maps (Vicinity, General Plan, Zoning, Aerial)
B. Reduced Project Plans (Starbucks) (21-500-03)
C. Reduced Project Plans (In-N-Out) (21-500-04)
D. Proposed Sign Program (Sign Program) (21-520-03)
E. Notice of Exemption
F. Zoning Compliance Tables
G. Transportation Demand Management Plan (Starbucks)
H. Transportation Demand Management Plan (In-N-Out)
I. Parking Study

J. Draft Planning Commission Resolution Approving Planning and Zoning Permit No. 21-500-03 (Special Use Permit), subject to certain findings and conditions.
K. Draft Planning Commission Resolution Approving Planning and Zoning Permit No. 21-500-04 (Special Use Permit), subject to certain findings and conditions.
L. Draft Planning Commission Resolution Approving Planning and Zoning Permit No. 21-520-03 (Special Use Permit), subject to certain findings and conditions.
M. Staff Presentation

ATTACHMENT
A

MAPS
(VICINITY, GENERAL PLAN, ZONING, AERIAL)

Vicinity Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

January 4, 2022

PZ 21-500-03, 21-500-04, 21-520-03
Location: 1700, 1720, 1740 Ventura Rd
APN: 1440134085, 1440134095, 1440134115
Starbucks/In N Out

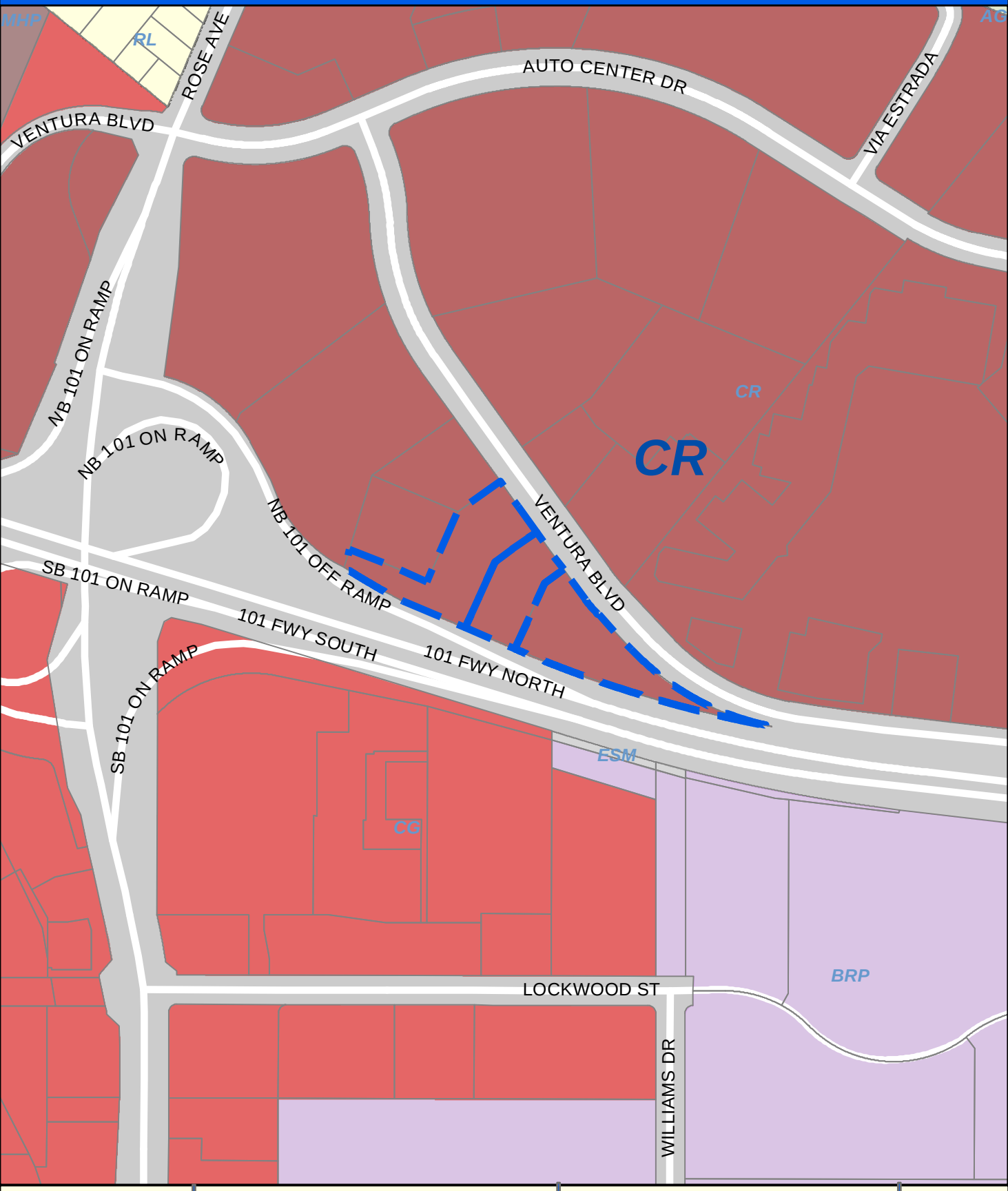
Vicinity Map

0 0.5 1 1.5 2 Miles

N

1:70,000

2030 General Plan Land Use Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

January 3, 2022

PZ 21-500-03, 21-500-04, 21-520-03
Location: 1700, 1720, 1740 Ventura Rd
APN: 1440134085, 1440134095, 1440134115
Starbucks/In N Out

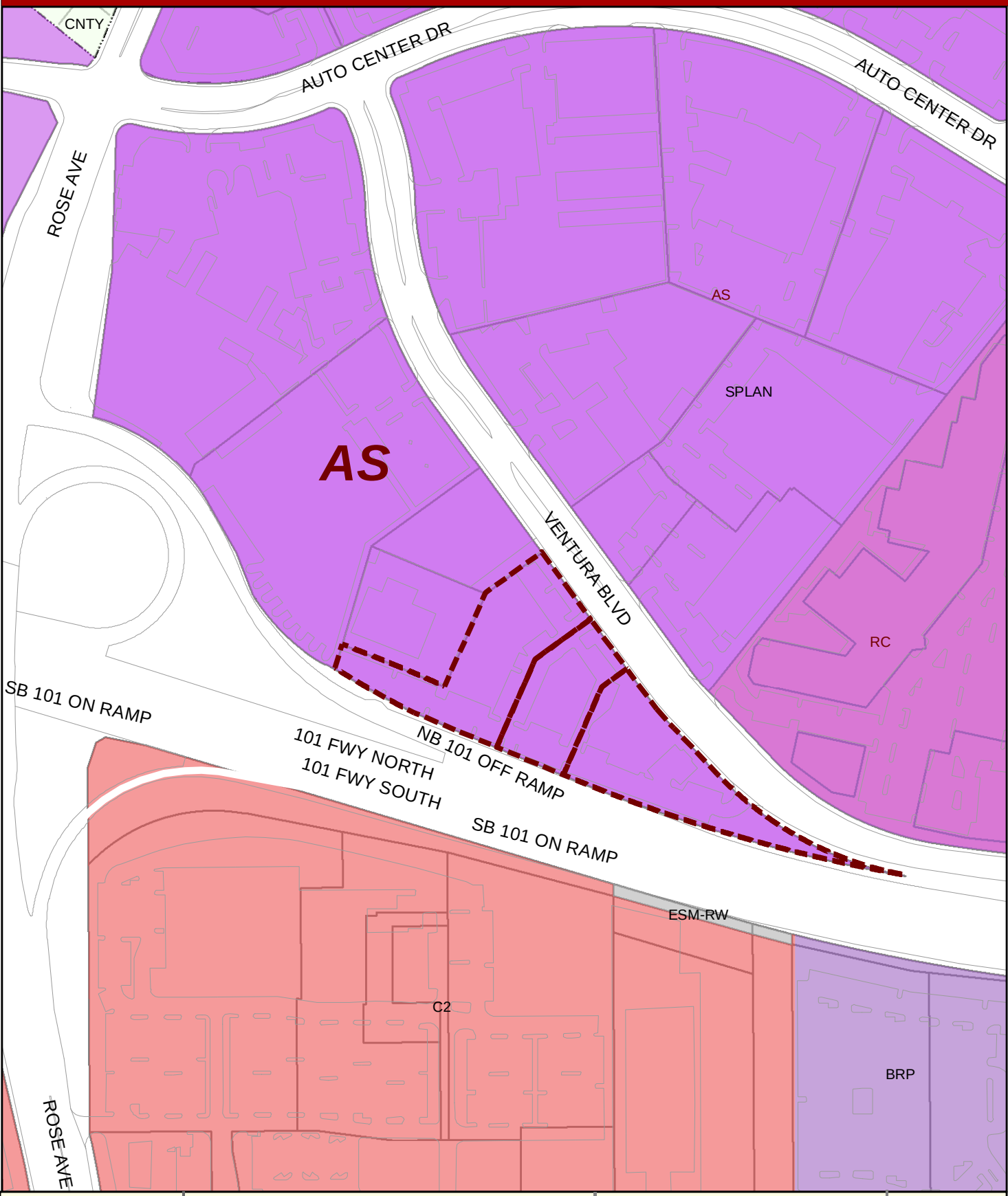
Feet
0 100 200 400

2030 General Plan Land Use Map

N W E S

1:4,000

Zoning/Specific Plan Map



CITY OF OXNARD CALIFORNIA

Oxnard Planning

January 4, 2022

PZ 21-500-03, 21-500-04, 21-520-03
Location: 1700, 1720, 1740 Ventura Rd
APN: 1440134085, 1440134095, 1440134115
Starbucks/In N Out

0 50 100 200 300 400 Feet

Zoning/Specific Plan Map

N W E S

1:3,000

Aerial Map

CITY OF OXNARD CALIFORNIA

Oxnard Planning

January 4, 2022

PZ 21-500-03, 21-500-04, 21-520-03
Location: 1700, 1720, 1740 Ventura Rd
APN: 1440134085, 1440134095, 1440134115
Starbucks/In N Out

0 50 100 200 300 400 Feet

Aerial Map

N W E S

ATTACHMENT
B

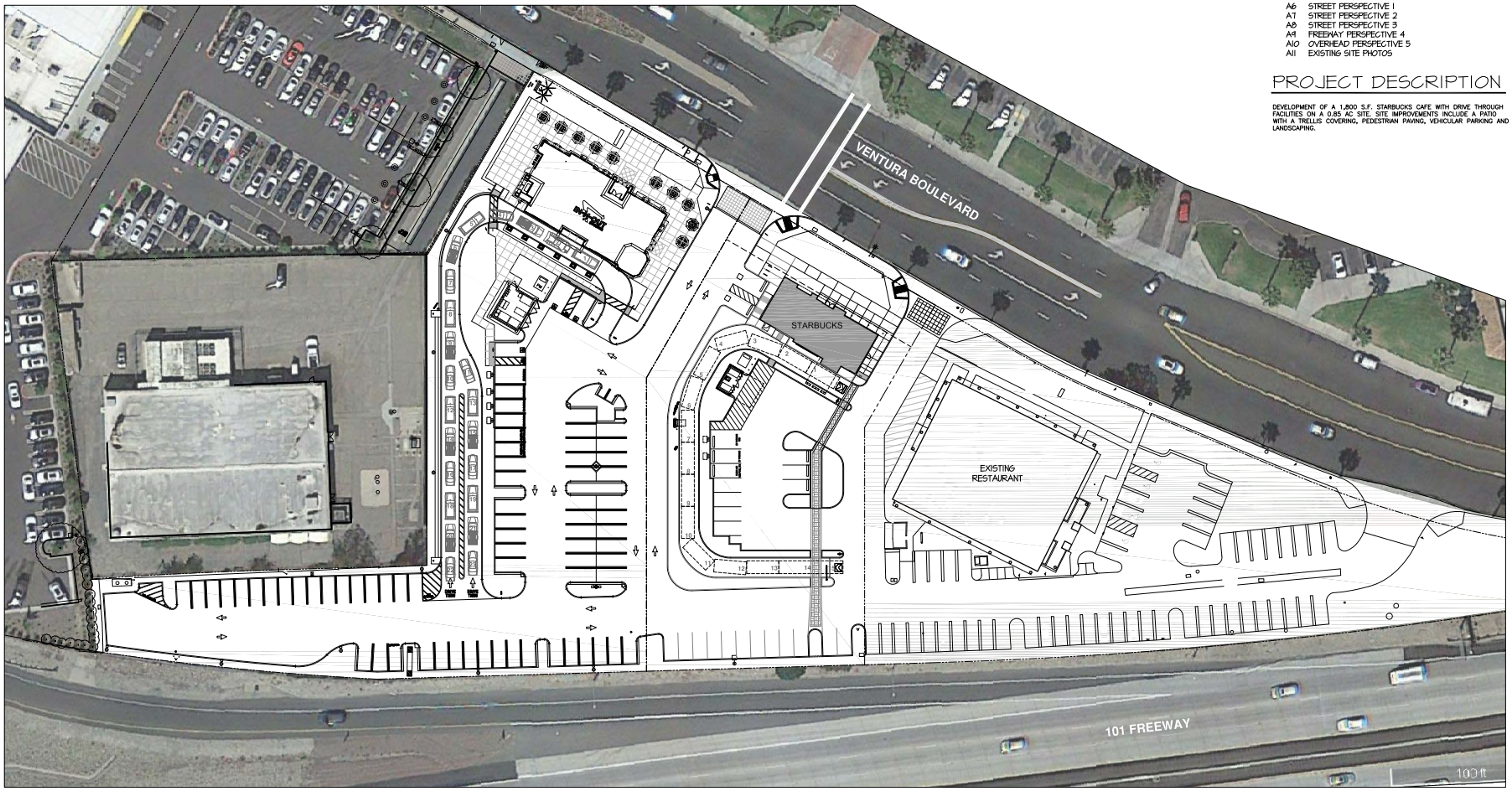
Reduced Project Plans
(Starbucks) (21-500-03)

INDEX OF DRAWINGS

A1 ILLUSTRATIVE MASTER SITE PLAN
A2 SITE PLAN
A3 FLOOR PLAN
A4 ROOF PLAN
A5 EXTERIOR ELEVATIONS
A6 STREET PERSPECTIVE 1
A7 STREET PERSPECTIVE 2
A8 STREET PERSPECTIVE 3
A9 FREEWAY PERSPECTIVE 4
A10 OVERHEAD PERSPECTIVE 5
A11 EXISTING SITE PHOTOS

PROJECT DESCRIPTION

DEVELOPMENT OF A 1,800 S.F. STARBUCKS CAFE WITH DRIVE THROUGH FACILITIES ON A 0.85 AC SITE. SITE IMPROVEMENTS INCLUDE A PATIO WITH A TRELLIS COVERING, PEDESTRIAN PAVING, VEHICULAR PARKING AND LANDSCAPING.



ILLUSTRATIVE MASTER SITE PLAN

SCALE 1" : 30'-0"

0 10 20 30 40 50 100

N

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

AUGUST 17, 2021

RASMUSSEN & ASSOCIATES
Architecture
Planning
Interiors

21 S. CALIFORNIA STREET
VENTURA, CA 93001
VOICE: (805) 320-3978
CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

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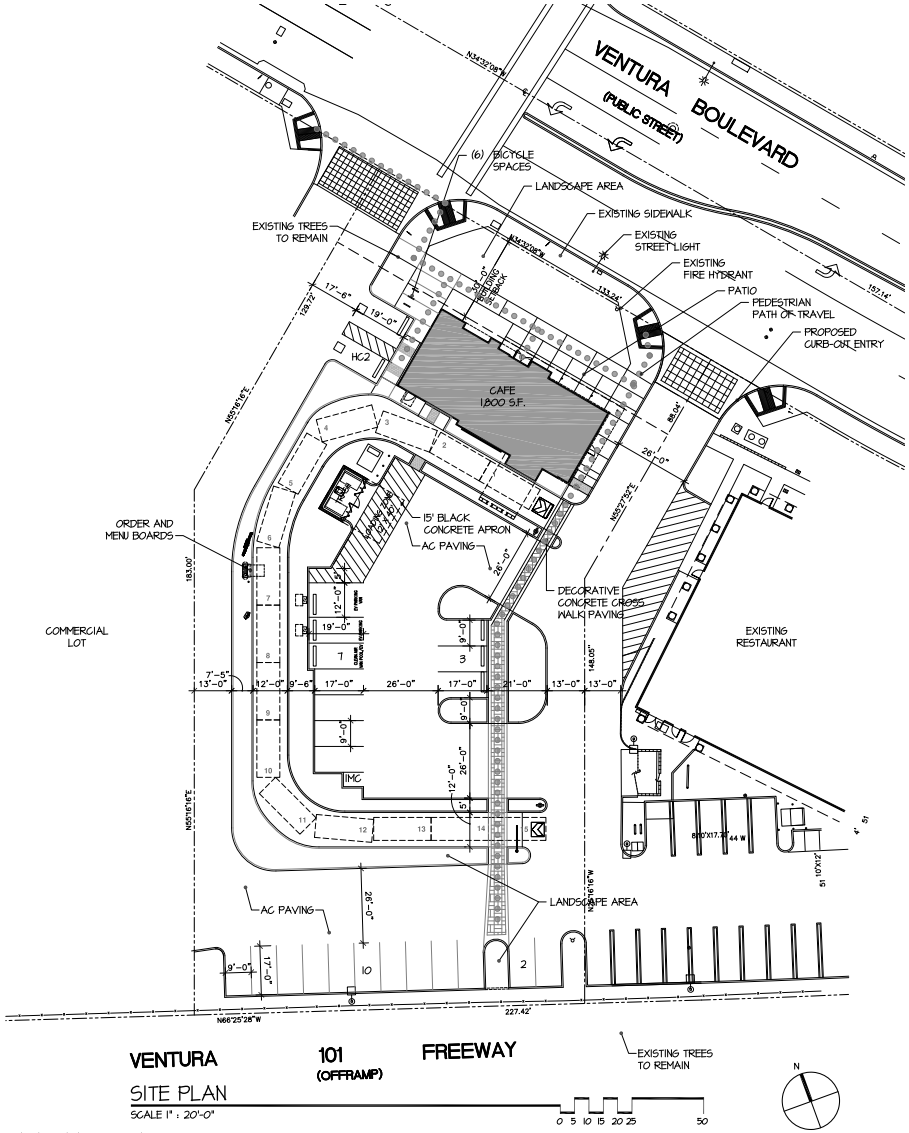


SITE PLAN

SCALE 1" : 20'-0"

SITE ANALYSIS

LEGAL DESCRIPTION:

APN: 144-0-134-085
ZONE: C2
TYPE: GENERAL COMMERCIAL

LOT COVERAGE:

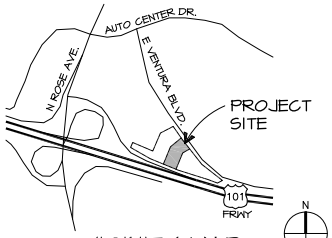
SITE AREA:	37,018 S.F.	(0.85 ACRES)
BUILDING AREA :	1,800 S.F. =	4.9%
LANDSCAPE AREA:	7,344 S.F. =	19.8%
PAVING AREA:	27,874 S.F. =	75.3%

PARKING CALCULATION:

PARKING REQUIRED:
1,800 / 50 S.F. = 36 SPACES

PARKING PROVIDED
PARKING SPACES = 24 SPACES
MOTORCYCLE = 1 SPACES
DRIVE-THRU QUEUING = 11 SPACES (30% of 36)
TOTAL = 36 SPACES

BICYCLE PARKING PROVIDED = 6 SPACES



VICINITY MAP

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

AUGUST 17, 2021

RASMUSSEN & ASSOCIATES
Architecture
Planning
Interiors

21 S. CALIFORNIA STREET
VENTURA, CA 93001
VOICE: (805) 320-3978
CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

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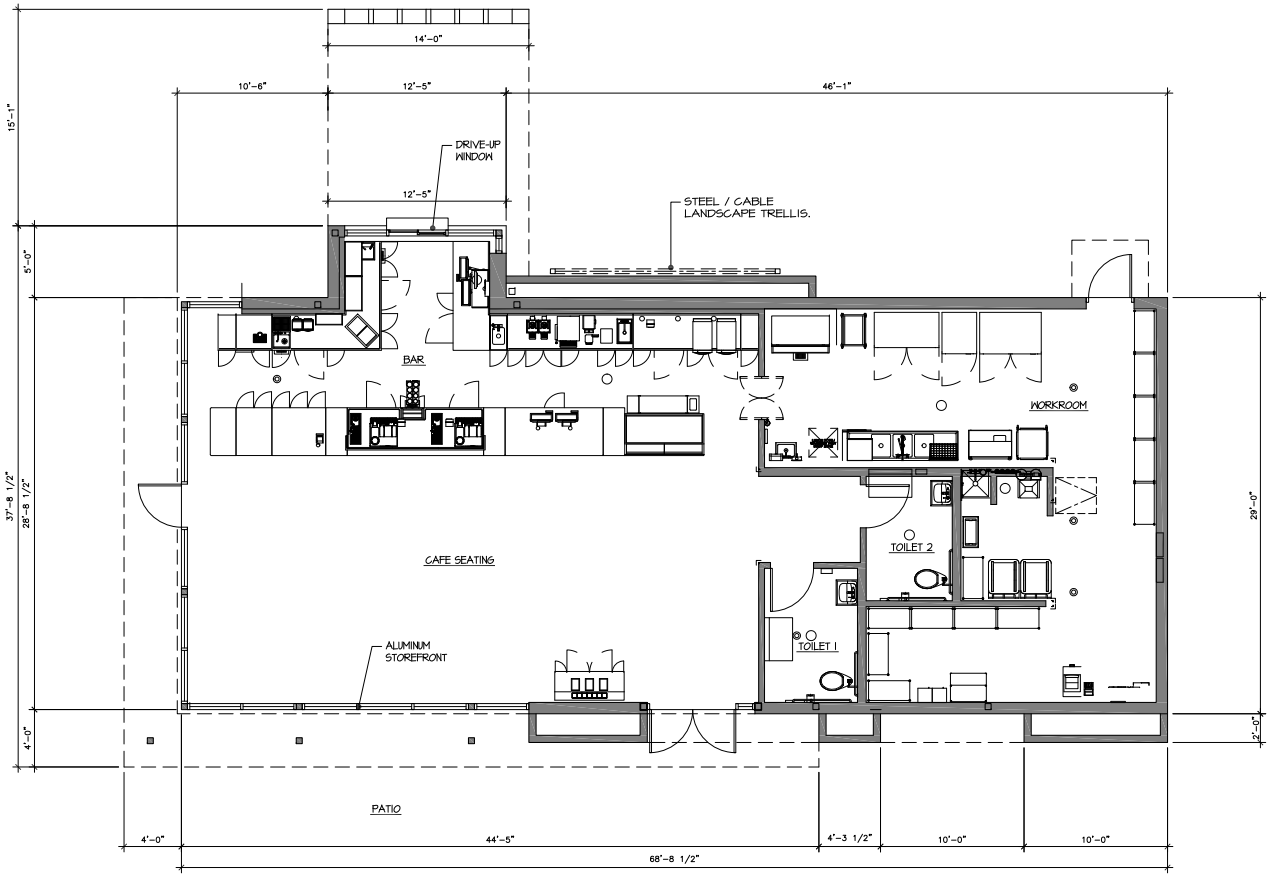

PROPOSED FLOOR PLAN

SCALE 1/4" : 1'-0"

0 5 10

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

OCTOBER 04, 2021

RASMUSSEN & ASSOCIATES

Architecture
Planning
Interiors

21 S. CALIFORNIA STREET
VENTURA, CA 93001
VOICE: (805) 320-3978
CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

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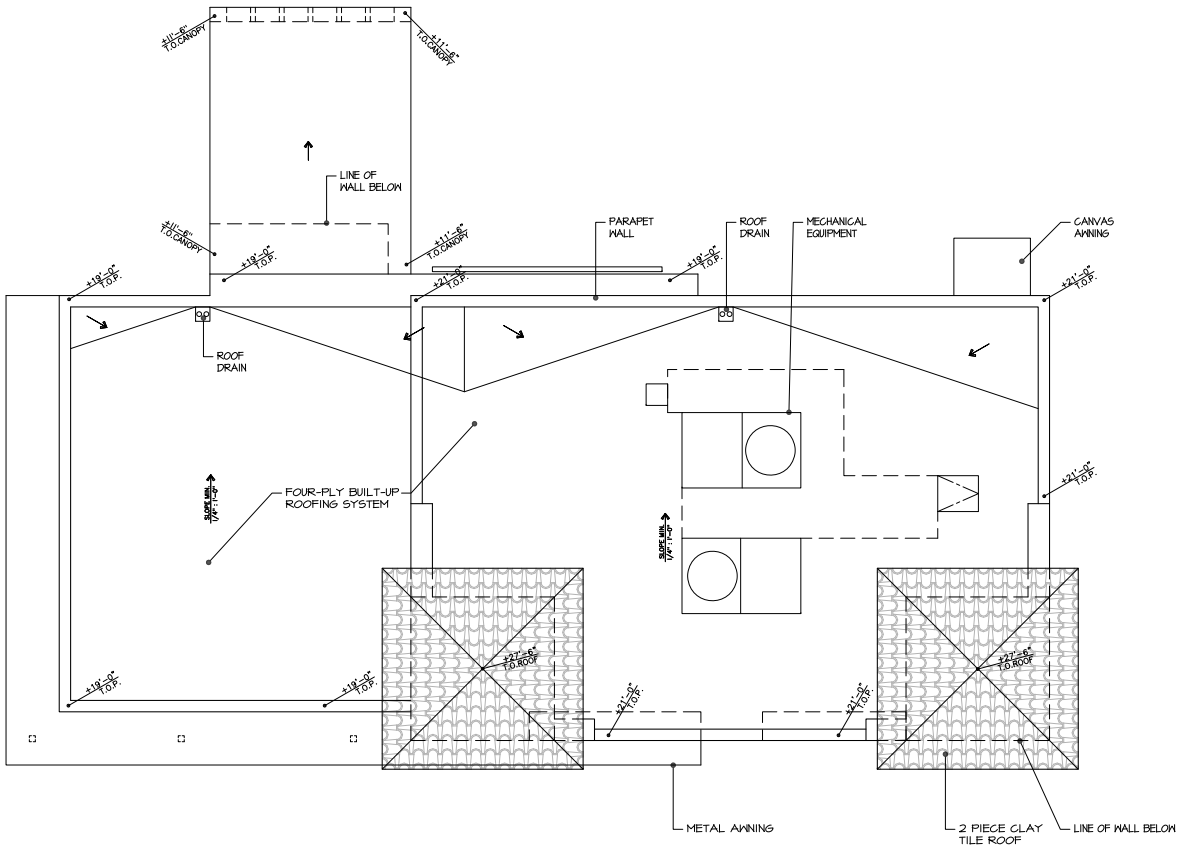
DWG: P:\JOBS\STARBUCKS DRAWG\DRAWG\DESIGN PHASE\STARBUCKS - FLOOR PLAN.DWG PLOTTED: 1:43 PM



PROPOSED ROOF PLAN

SCALE 1/4" : 1'-0"

0 5 10

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

OCTOBER 04, 2021

RASMUSSEN & ASSOCIATES

Architecture
Planning
Interiors

21 S. CALIFORNIA STREET
VENTURA, CA 93001
VOICE: (805) 320-3978
CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

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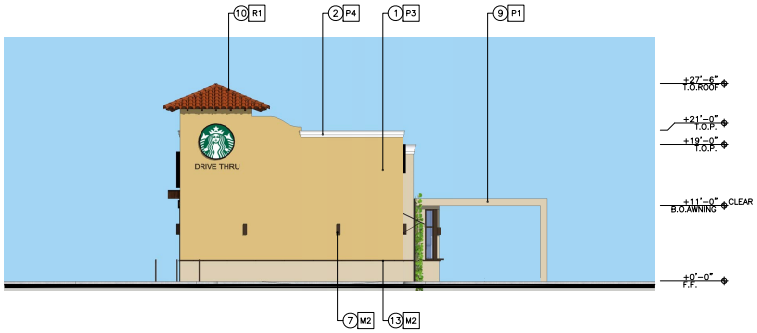
DWG: P:\JOBS\STARBUCKS DRAWS\DRAWINGS\DESIGN PHASE\SYMBOLS - FLOOR PLAN.DWG PLOTTED: 1:43 PM



NORTH ELEVATION

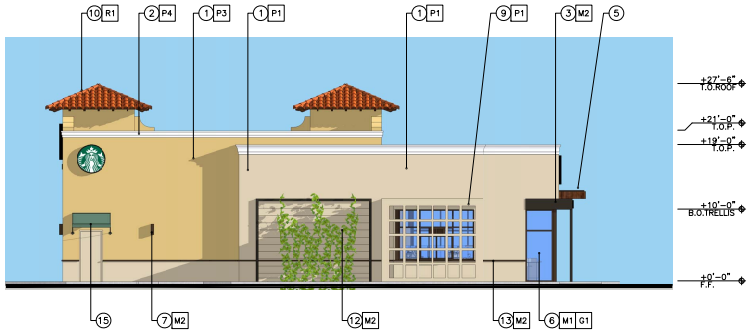
SCALE 1/8" : 1'-0"

EAST ELEVATION

SCALE 1/8" : 1'-0"

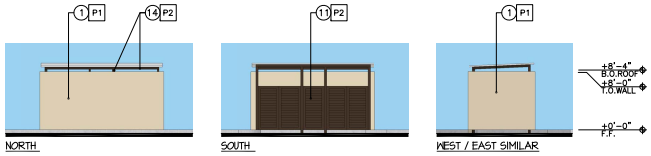
SOUTH ELEVATION

SCALE 1/8" : 1'-0"



WEST ELEVATION

SCALE 1/8" : 1'-0"



TRASH ENCLOSURE ELEVATIONS

SCALE 1/8" : 1'-0"

NOTE LEGEND

1. SMOOTH EXTERIOR PLASTER WITH INTEGRAL COLOR.
2. PARAPET WALL CORNICE.
3. METAL TRELLIS STRUCTURE.
4. 6x12 D.F. TRELLIS RAFTERS.
5. FUTURE PHOTOVOLTAIC PANELS.
6. ALUMINUM STOREFRONT.
7. LIGHT FIXTURE; KICHLER LED 3000K OUTDOOR UP & DOWN LANTERN
8. 2x2 VERTICAL SIDING.
9. DRIVE-THRU CANOPY.
10. 2-PIECE CLAY TILE ROOFING.
11. METAL DOOR WITH INFILL CORRUGATED PANELS.
12. STEEL / CABLE LANDSCAPE TRELLIS.
13. 2x2 WAINSCOT MOLDING.
14. METAL ROOF STRUCTURE.
15. CANVAS AWNING. MATCH "STARBUCKS GREEN"

COLOR

P1	OMEGA COLORTEK SMOOTH COAT STUCCO, 69 TRUE GREY
P2	SHERWIN WILLIAMS; BLACK MAGIC, SW 6991
P3	DUNN-EDWARDS; MADERA, DEC720
P4	DUNN-EDWARDS; SW156 COFFEE, DEW341
W1	OLYMPIC; EXTERIOR WOOD STAIN, COFFEE
M1	ARCADIA; RBB STANDARD DARK BRONZE AB-1
M2	DARK BRONZE ALUMINUM
G1	VITRO ARCHITECTURAL GLASS; STARPHIRE ULTRA-CLEAR
R1	MCA, CLASSIC TAPERED MISSION - NATURAL RED (F40)

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

AUGUST 17, 2021

RASMUSSEN & ASSOCIATES
Architecture
Planning
Interiors

21 S. CALIFORNIA STREET
VENTURA, CA 93001
VOICE: (805) 320-3978
CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

A5

DW: P:\JOBS\STARBUCKS DRAWS\DRAWINGS\DEMO PHASE\STARBUCKS - DEMO PLAN.DWG PLOTTED: 1:6 PM

STREET PERSPECTIVE 1

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

OCTOBER 04, 2021

RASMUSSEN & ASSOCIATES
Architecture
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VOICE: (805) 320-3978
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STREET PERSPECTIVE 2

STARBUCKS at PLAZA DEL NORTE

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OCTOBER 04, 2021

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Architecture
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VENTURA, CA 93001
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SBoydstun@RA-Arch.com

A7

STREET PERSPECTIVE 3

STARBUCKS at PLAZA DEL NORTE

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OCTOBER 04, 2021

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Architecture
Planning
Interiors

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VOICE: (805) 320-3978
CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

A8

FREEWAY PERSPECTIVE 4

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

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Architecture
Planning
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21 S. CALIFORNIA STREET
VENTURA, CA 93001
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CONTACT: SCOTT BOYDSTUN
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A9

OVERHEAD PERSPECTIVE 5

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

OCTOBER 04, 2021

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CONTACT: SCOTT BOYDSTUN
SBoydstun@RA-Arch.com

A10

PHOTO "1"

PHOTO "2"

PHOTO "3"

PHOTO "4"

PHOTO "5"

PHOTO "6"

PHOTO "7"

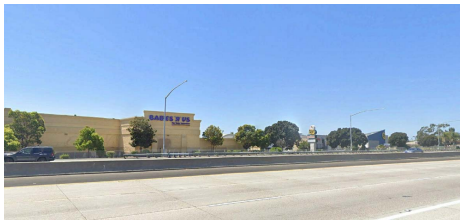

PHOTO "8"

PHOTO "9"

PHOTO "10"

PHOTO "11"

PHOTO "12"

SITE KEY PLAN

N

N.T.S.

STARBUCKS at PLAZA DEL NORTE

1720 VENTURA BOULEVARD, OXNARD, CA.

OCTOBER 04, 2021

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A11

COLOR / MATERIAL BOARD

AUGUST 17, 2021

P1

EXTERIOR PLASTER WALL FIELD, SMOOTH FINISH
OMEGA COLORTEK; 69 TRUE GREY

P2

PAINTED TRASH ENCLOSURE METAL STRUCTURE
SHERWIN WILLIAMS; BLACK MAGIC, SW 6991

P3

EXTERIOR PLASTER WALL FIELD, SMOOTH FINISH
DUNN-EDWARDS; MADERA, DEC728

P4

WALL CORNICE
DUNN-EDWARDS; SWISS COFFEE, DEW341

W1

WOOD TRELLIS & ROOF RAFTERS
OLYMPIC; COFFEE

M1

ALUMINUM STOREFRONT WINDOWS AND DOORS
ARCADIA; #88 STANDARD DARK BRONZE AB-7

M2

METAL AWNINGS, FACSIA AND MECHANICAL SCREEN
DARK BRONZE ALUMINUM

G1

STOREFRONT GLASS
VITRO ARCHITECTURAL GLASS;
STARPHIRE ULTRA-CLEAR

R1

2-PIECE CLAY TILE ROOFING
MCA; CLASSIC TAPERED MISSION - NATURAL RED (F40)

STARBUCKS at PLAZA DEL NORTE

OXNARD, CALIFORNIA

RASMUSSEN & ASSOCIATES

ARCHITECTURE
PLANNING
INTERIORS

ENCROACHMENT NOTES

B APPROXIMATELY 136' OF A 6' TALL CHAIN LINK FENCE ENCROACHES BETWEEN 1.1' TO 1.6' INSIDE AND NORTH OF THE SOUTH SURVEYED PROPERTY LINE.

GENERAL NOTES

1. THE AREA OF THIS SUBJECT PROPERTY IS: 37,018 SQUARE FEET OR 0.850 ACRES PROPOSED. 35,789 SQUARE FEET OR 0.822 ACRES EXISTING.
2. EXISTING CITY ZONE: ROSE–SANTA CLARA CORRIDOR SPECIFIC PLAN.
3. GENERAL PLAN LAND USE DESIGNATION: REGIONAL COMMERCIAL (CR).
4. ASSESSOR PARCEL NUMBER: 144–0134–085.
5. EXISTING LAND USE: ONE STORY 7,117 SQUARE FOOT "DXL BIG AND TALL" CLOTHING STORE BUILDING WITH 39 STRIPED SURFACE PAVED PARKING SPACES.

   PROPOSED LAND USE: NEW STARBUCKS SIT DOWN RESTAURANT WITH A DRIVE–THRU LANE PERMITTED IN CITY ZONE WITH CONDITIONAL USE PERMIT.
6. PARKING REQUIREMENTS: 1 SPACE PER 50 SQUARE FEET OF GROSS FLOOR AREA (36). STACKING CREDIT IN DRIVE–THROUGH LANE MAY COUNT TOWARD THE REQUIRED PARKING AT A BASIS OF ONE AUTO PER EACH 23 LINEAL FEET OF STRIPED STACKING LANE (13). A MAXIMUM CREDIT NOT–TO–EXCEED 30% OF TOTAL REQUIREMENT (11) OR NO MORE THAN 20 SPACES MAY BE APPLIED FOR STACKING CREDIT (WHICHEVER IS LESS). REQUIRED PARKING = 36–11 = 25 SPACES.
7. PROPOSED STARBUCKS BUILDING AREA = 1,800 S.F.
   INDOOR SEATING = SEATS.
   OUTDOOR SEATING = SEATS (TABLES).
8. REQUIRED LANDSCAPE AREA WITHIN THE PROPERTY (15%) = 5,553 S.F
9. LANDSCAPE AREA PROVIDED WITHIN THE PROPERTY = 7,177 S.F. (19.4%).
10. ALL NEW SIGNS SHALL BE APPROVED BY A SEPARATE CITY PERMIT.
11. THERE WILL BE PROPOSED RECIPROCAL VEHICULAR ACCESS BETWEEN INOB, STARBUCKS AND PROPERTY TO THE EAST.
12. STARBUCKS PARKING SPACE DETAILED SUMMARY TABLE

DESCRIPTION	REQUIRED	PROPOSED
1. STANDARD SPACE (9'x19')	22	0
2. STANDARD SPACE (9'x17' PLUS A 2' VOH))	0	19
3. COMPACT SPACE (8'x17' WITH 8'x16' MINIMUM)	0	0
4. ACCESSIBLE VAN (17'x19' PLUS A 1' VOH)	1	1
5. ACCESSIBLE SPACE (14'x19' PLUS A 1' VOH)	1	1
6. FUTURE ACCESSIBLE VAN EV PARKING (17'x19' PLUS A 1' VOH)	1	1
7. FUTURE EV PARKING (9'x19' PLUS A 1' VOH)	1	1
8. CLEAN AIR/VAN POOL/EV (9'x19')	1	1
9. MOTORCYCLE PARKING SPACE (5'x7' AT 1 PER 25 VEHICLES)	1	1
10. TOTAL	25	25
11. LOADING SPACE (ONE 12'x24' SPACE FOR A BUILDING LESS THAN 15,000 SQUARE FEET)	1	1
12. STARBUCKS DRIVE THRU VEHICLE QUEUE OF 300' LONG (20' LONG STARBUCKS VEHICLE WITH 3 VEHICLES BETWEEN MENU BOARD AND PICK UP WINDOW AND 5 VEHICLES BEHIND MENU BOARD REQUIRED)	8	15
13. SHORT–TERM BICYCLE PARKING WITHIN DESIGNATED BIKE RACK (5 BIKE SPACES ARE REQUIRED AT 2.5'x6' EACH)	5	6
14. LONG–TERM BICYCLE PARKING.	0	0

LEGEND

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE–TREATMENT OF STORMWATER RUNOFF.
- APPROXIMATE LOCATION OF A PROPOSED STARBUCKS INSTALLED AND MAINTAINED 22'–6" TALL FIXTURE HEIGHT LED LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- PL PROPERTY LINE.
- CF CURB FACE.
- 1 DRIVE THRU ENTRANCE SIGN.
- 2 DRIVE THE EXIT AND DO NOT ENTER SIGN.
- EXISTING PROPERTY LINE TO BE ADJUSTED.
- PROPOSED ADJUSTED PROPERTY LINE
- NEW CONCRETE SIDEWALK.
- D REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
- 47 SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOWN ON SHEET C38.
- 47Q EASEMENT TO BE QUITCLAIMED.
- LOC LIMITS OF CONSTRUCTION.
- VOH VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- ADA ACCESSIBLE PATH OF TRAVEL. ACCESSIBLE PATH OF TRAVEL IS NOT LESS THAN 4 FEET WIDE, AND DOES NOT EXCEED A RUNNING SLOPE OF 1:20 (5%) OR A CROSS SLOPE IN EXCESS OF 1:50 (2%). REFER TO SHEET C33 FOR SPECIFIC SLOPES AND GRADES.
- PM SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.
- PROPOSED STARBUCKS INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 7,177 SQUARE FEET (19.4%).

LINE TABLE

NO.	BEARING	DISTANCE
L1	N55°27'52"E	58.99'

PROJECT NORTH TRUE NORTH

0 10 20 40 60

GRAPHIC SCALE
SCALE: 1"=20'

SHEET INDEX OF CITY ENTITLEMENT DRAWINGS

NO.	SHEET TITLE
C30	CITY ENTITLEMENT NEW SITE PLAN
C31	CITY ENTITLEMENT EXISTING SITE PLAN
C32	CITY ENTITLEMENT DEMOLITION PLAN
C33	CITY ENTITLEMENT GRADING AND DRAINAGE PLAN
C34	CITY ENTITLEMENT STORM DRAIN AND UTILITY PLAN
C35	CITY ENTITLEMENT POST–CONSTRUCTION STORMWATER QUALITY REPORT SITE PLAN
C36	CITY ENTITLEMENT DRAINAGE REPORT "EXISTING" CONDITION MAP
C36.1	CITY ENTITLEMENT DRAINAGE REPORT "PROPOSED" CONDITION MAP
C37	CITY ENTITLEMENT FIRE DEPARTMENT SITE PLAN
C38	CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP
C39	CITY ENTITLEMENT BOUNDARY AND EASEMENT MAP
C40	CITY ENTITLEMENT NEW SITE PLAN PHASING EXHIBIT
LPP.1	CITY ENTITLEMENT LANDSCAPE PLANTING PLAN
LTP.1	CITY ENTITLEMENT TREE EXHIBIT PLAN

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
5290 OVERPASS ROAD
SANTA BARBARA, CA 93111
PHONE: 805-680-9898
Darrel.wright550@gmail.com

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REVISIONS

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 10–15–2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT NEW SITE PLAN

C30

JN 20053AA-20053AA C30cesp

10/15/2021 11:30:02 AM, MSL ENGINEERING, INC., AP

ENCROACHMENT NOTES

A GREASE INTERCEPTOR ENCROACHES UP TO 0.8' OUTSIDE AND EAST OF THE EAST SURVEYED PROPERTY LINE.

B APPROXIMATELY 136' OF A 6' TALL CHAIN LINK FENCE ENCROACHES BETWEEN 1.1' TO 1.6' INSIDE AND NORTH OF THE SOUTH SURVEYED PROPERTY LINE.

N — PROJECT NORTH

N — TRUE NORTH

0 10 20 40 60

GRAPHIC SCALE
SCALE: 1"=20'

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N55°27'52"E	58.99'

PARTIAL LEGEND

D REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38

ES REFER TO EASEMENT DESCRIPTIONS SHOWN ON C38.

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
5290 OVERPASS ROAD
SANTA BARBARA, CA 93111
PHONE
Darrel.wright550@gmail.com

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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

STARBUCKS

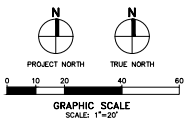
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT EXISTING SITE PLAN

C31

JN 2020Sep-2020Mar CBlanco

10/14/2021 10:24:01 AM, MSL ENGINEERING, INC. (SA)



PARTIAL LEGEND

	LIMITS OF ONSITE AND OFFSITE DEMOLITION FOR NEW SITE IMPROVEMENTS CONSISTING OF 41,711 SQ. FT. (0.96 ACRES).
	6 ONSITE TREES PLUS 0 OFFSITE TREE, ROOTS AND LIMBS TO BE REMOVED PER CITY TREE REMOVAL PERMIT FOR A TOTAL OF 6 TREES.
-T-W-W- -S-S-CTV-	ABANDON IN PLACE EXISTING UNDERGROUND UTILITY AND STORM DRAIN PIPE WHICH ARE NOT IN CONFLICT WITH THE NEW SITE IMPROVEMENTS OR REMEDIAL GRADING.
(A)	REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
(10)	REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEET C38.
LOC	LIMITS OF PROPOSED CONSTRUCTION

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
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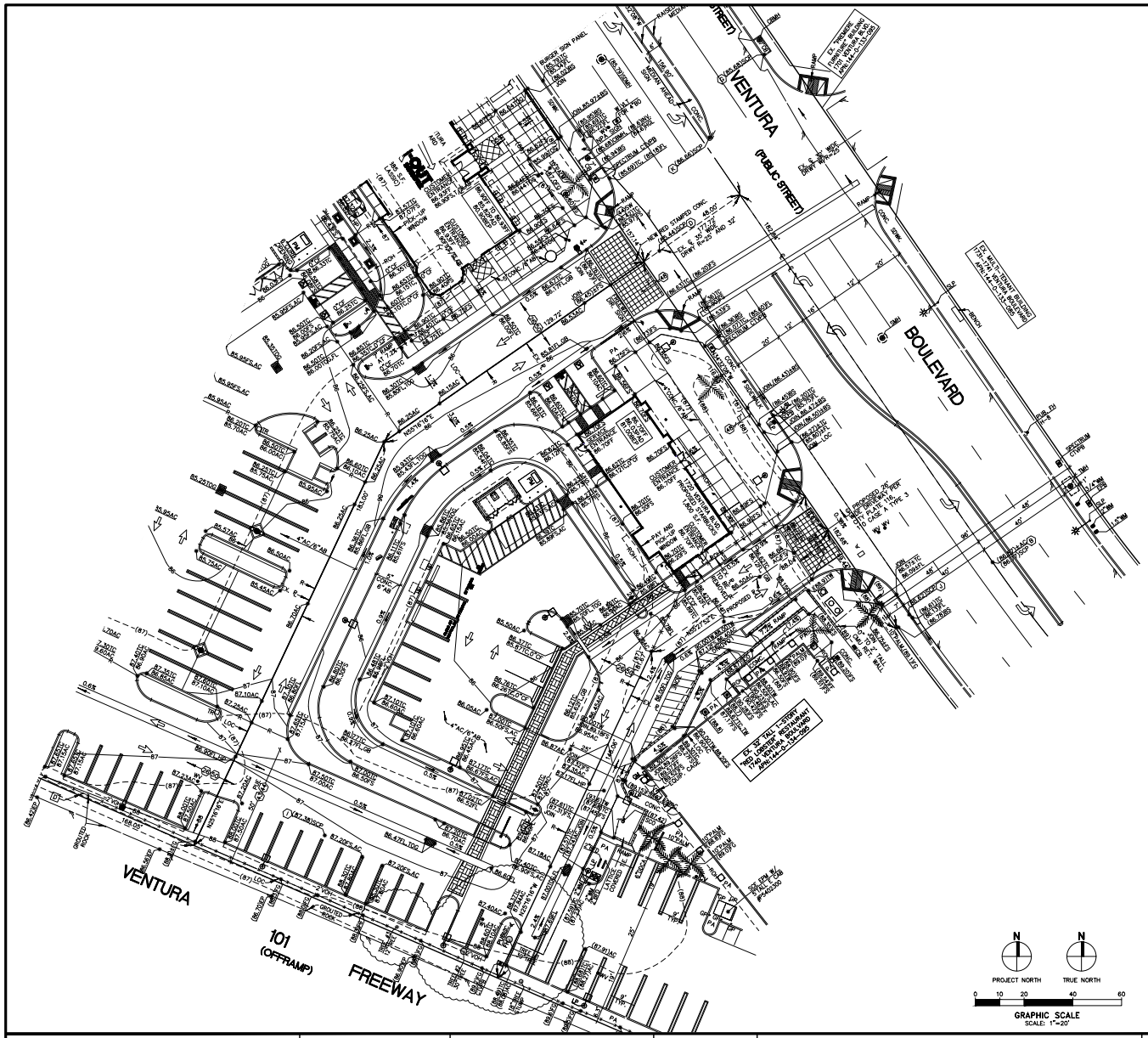
STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT DEMOLITION PLAN

C32

JN 20089AA-20089AA Oldsdorf

10/14/2021 10:24:46 AM, MSL ENGINEERING, INC. (SA)



ENGINEER'S PRELIMINARY ESTIMATED EARTHWORK QUANTITIES

1.	RAW CUT (INCLUDES 300 C.Y. FOOTING EXCAVATION, STORM DRAIN AND UTILITY SPOILS).	2,100 CU. YDS.
2.	OVEREXCAVATE THE LOOSE SOIL UNDER THE NEW BUILDING, PATIO COVER AND COVERED TRASH ENCLOSURE AREA IDENTIFIED AS THE BOTTOM OF EXCAVATED PLANE (BEP) UP TO THE PAD ELEVATION. (3,200 S.F.)	590 CU. YDS.
3.	OVEREXCAVATE THE TOP 1 FOOT OF LOOSE SOIL UNDER THE PROPOSED PAVEMENT AND EXTERIOR HARDSCAPE SUBGRADE WITHIN THE DEVELOPED SITE. (28,000 S.F.)	1,010 CU. YDS.
4.	TOTAL SOIL CUT.	3,700 CU. YDS.
5.	RAW FILL.	0 CU. YDS.
6.	SHRINKAGE OF RAW FILL USING AN ASSUMED 10% SHRINKAGE LOSS.	0 CU. YDS.
7.	RECOMPACT EXISTING ONSITE SOILS FOR THE AREAS DETAILED IN ITEM NO. 2 ABOVE USING AN ASSUMED 10% SHRINKAGE LOSS.	650 CU. YDS.
8.	RECOMPACT EXISTING ONSITE SOILS FOR AREAS DETAILED IN ITEM NO. 3 ABOVE USING AN ASSUMED 10% SHRINKAGE LOSS.	1,110 CU. YDS.
9.	TOTAL COMPACTED FILL SOIL.	1,760 CU. YDS.
10.	ESTIMATED AMOUNT OF SOIL TO EXPORT FROM THE SITE.	1,940 CU. YDS.

NOTE:
THE GRADING CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THEIR OWN EARTHWORK QUANTITIES FOR BIDDING PURPOSES. THE QUANTITIES SHOWN HEREON ARE THE ENGINEER'S ESTIMATE ONLY.

LEGEND

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- PROPOSED STARBUCKS INSTALLED AND MAINTAINED 22'-6" TALL FIXTURE HEIGHT LED LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- PROPERTY LINE.
- NEW 3' TALL 18"x24" LIT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- NEW PEDESTRIAN CROSSWALK SIGN.
- NEW ACCESSIBILITY ENTRY SIGN.
- TR PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- NEW CONCRETE SIDEWALK.
- D REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C3B.
- 47 SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOown ON SHEET C3B.
- LOC LIMITS OF CONSTRUCTION.
- VOH VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- PM SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.

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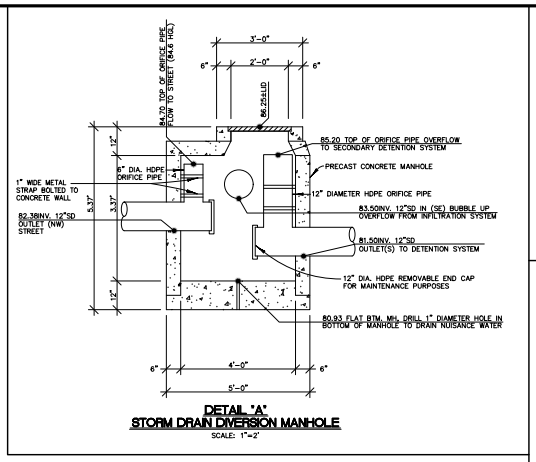
STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT GRADING AND DRAINAGE PLAN

C33

JN 2005RAA-2005RAA C3Bmap

10/15/2021 10:32:00 AM, MSL ENGINEERING, INC., AP



DETAIL "A"
STORM DRAIN DIVERSION MANHOLE
SCALE: 1"=2'

(A) 4 ROWS OF 5 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2" OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 82.00 TOP OF EMBEDMENT STONE 81.50 SOFFIT CHAMBERS 79.00 BTM CHAMBERS 78.50 BTM OF FOUNDATION STONE. 2,004 CF TOTAL VOLUME PROVIDED.

(B) 2 ROWS OF 4 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2" OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 82.00 TOP OF EMBEDMENT STONE 81.50 SOFFIT CHAMBERS 79.00 BTM CHAMBERS 78.50 BTM OF FOUNDATION STONE. 855 CF TOTAL VOLUME PROVIDED.

(C) 1 ROW OF 5 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2" OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 84.00 TOP OF EMBEDMENT STONE 83.50 SOFFIT CHAMBERS 81.00 BTM CHAMBERS 80.50 BTM OF FOUNDATION STONE. 508 CF TOTAL VOLUME PROVIDED.

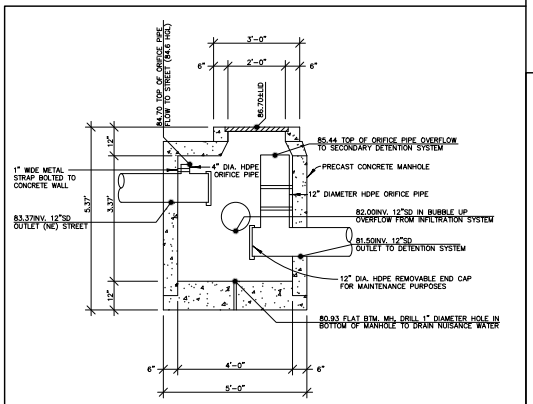
(D) 1 ROW OF 2 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2" OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 84.00 TOP OF EMBEDMENT STONE 83.50 SOFFIT CHAMBERS 81.00 BTM CHAMBERS 80.50 BTM OF FOUNDATION STONE. 508 CF TOTAL VOLUME PROVIDED.

(E) 48" STORM DRAIN DIVERSION MANHOLE PER DETAIL "A" SHOWN HEREON.

(F) 48" STORM DRAIN DIVERSION MANHOLE PER DETAIL "B" SHOWN HEREON.

(G) DUPLEX SERVICE LIFT STATION IN A WET WELL STRUCTURE.

(H) DUAL SET OF VALVES FOR THE SEWER FORCE MAIN PIPING IN A VALVE BOX STRUCTURE.



DETAIL "B"
STORM DRAIN DIVERSION MANHOLE
SCALE: 1"=2'

LEGEND

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- PROPOSED STARBUCKS INSTALLED AND MAINTAINED 22'-6" TALL FIXTURE HEIGHT LED LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- PROPERTY LINE.
- NEW 3' TALL 18"x24" LIT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- NEW PEDESTRIAN CROSSWALK SIGN.
- NEW ACCESSIBILITY ENTRY SIGN.
- TR PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- NEW CONCRETE SIDEWALK.
- D REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
- 47 SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOWN ON SHEET C38.
- LOC LIMITS OF CONSTRUCTION.
- VOH VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
5290 OVERPASS ROAD
SANTA BARBARA, CA 93111
PHONE: 805-680-9898
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REVISIONS

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301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

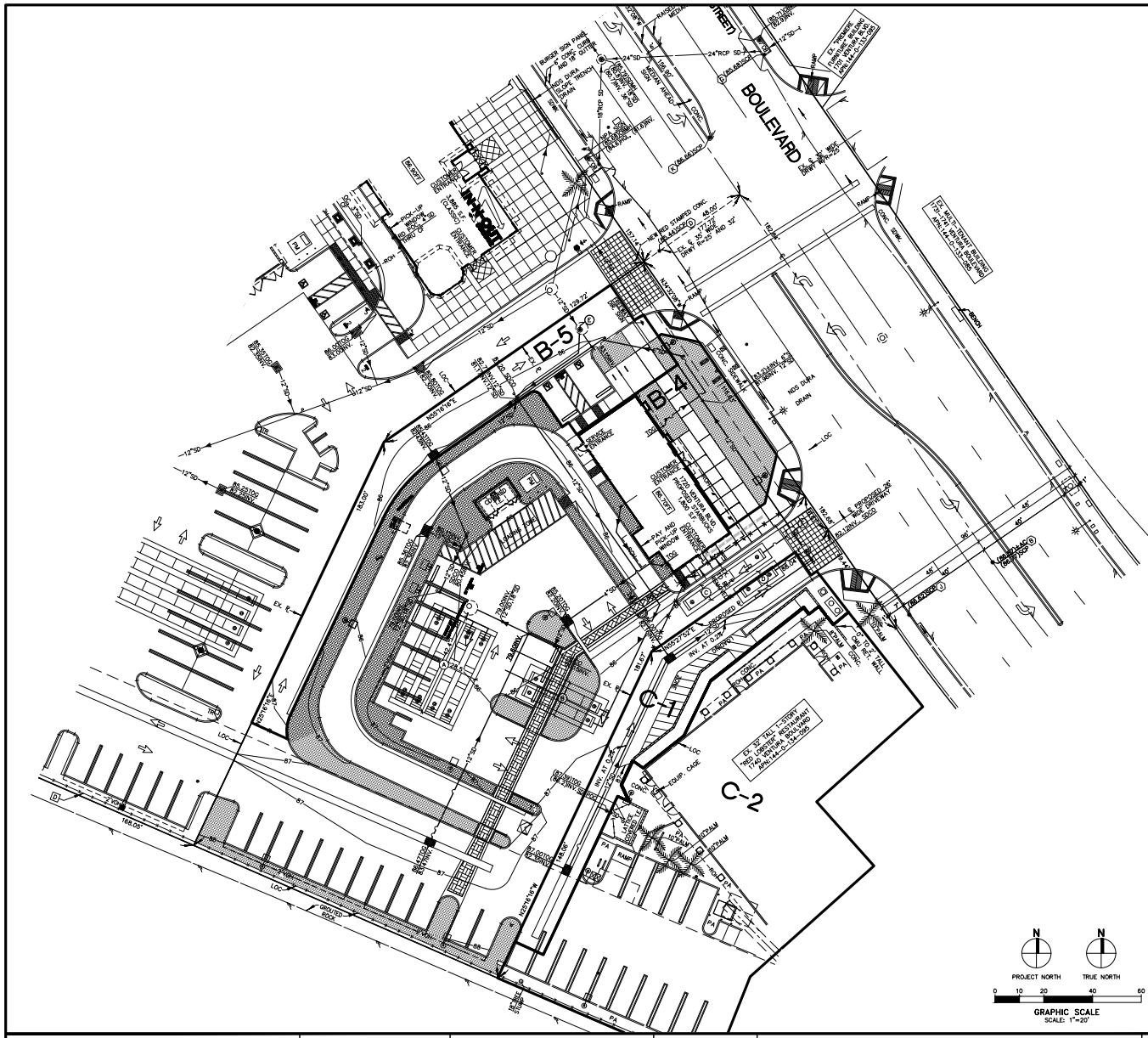
STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT STORM DRAIN AND UTILITY PLAN

C34

JN 2019-MA-SBORNA OXNARD

10/15/2021 10:32:27 AM, MSL ENGINEERING, INC., AP



(A) 4 ROWS OF 5 CHAMBERS PER ROW OF PRINSCO HYDROSTOR H575 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 82.00 TOP OF EMBEDMENT STONE 81.50 SOFFIT CHAMBERS 79.00 BTM CHAMBERS 78.50 BTM OF FOUNDATION STONE. 2,004 OF TOTAL VOLUME PROVIDED.

(B) 2 ROWS OF 4 CHAMBERS PER ROW OF PRINSCO HYDROSTOR H575 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 82.00 TOP OF EMBEDMENT STONE 81.50 SOFFIT CHAMBERS 79.00 BTM CHAMBERS 78.50 BTM OF FOUNDATION STONE. 855 CF TOTAL VOLUME PROVIDED.

(C) 1 ROW OF 5 CHAMBERS PER ROW OF PRINSCO HYDROSTOR H575 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 84.00 TOP OF EMBEDMENT STONE 83.50 SOFFIT CHAMBERS 81.00 BTM CHAMBERS 80.50 BTM OF FOUNDATION STONE. 508 CF TOTAL VOLUME PROVIDED.

(D) 1 ROW OF 2 CHAMBERS PER ROW OF PRINSCO HYDROSTOR H575 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER. 84.00 TOP OF EMBEDMENT STONE 83.50 SOFFIT CHAMBERS 81.00 BTM CHAMBERS 80.50 BTM OF FOUNDATION STONE. 508 CF TOTAL VOLUME PROVIDED.

(E) 48" STORM DRAIN DIVERSION MANHOLE PER DETAIL "A" SHOWN ON SHEET C34.

(F) 48" STORM DRAIN DIVERSION MANHOLE PER DETAIL "B" SHOWN ON SHEET C34.

DRAINAGE AREAS

ID	AREA (SF)	IMPERVIOUS (SF/%)*	PERVIOUS (SF/%)
B-1	6,842	5,816/81.9%	1,026/15.0%
B-2	10,244	8,269/80.7%	1,975/19.3%
B-3	11,749	9,238/78.6%	2,511/21.4%
B-4	2,143	717/33.4%	1,426/66.6%
B-5	4,939	4,700/95.2%	239/4.8%
B TOTAL	35,917	28,740/80.3%	7,177/19.7%
C-1	3,637	3,427/94.5%	210/5.5%
C-2	15,181	17,219/93.7%	962/6.3%
C TOTAL	19,018	17,846/93.8%	1,172/6.2%
B-C TOTAL	54,935	46,586/84.8%	8,349/15.2%

LEGEND

NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.

PROPOSED STARBUCKS INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM ONSITE.

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
5290 OVERPASS ROAD
SANTA BARBARA, CA 93111
PHONE: 805-680-9898
Darrel.wright550@gmail.com

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REVISIONS

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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

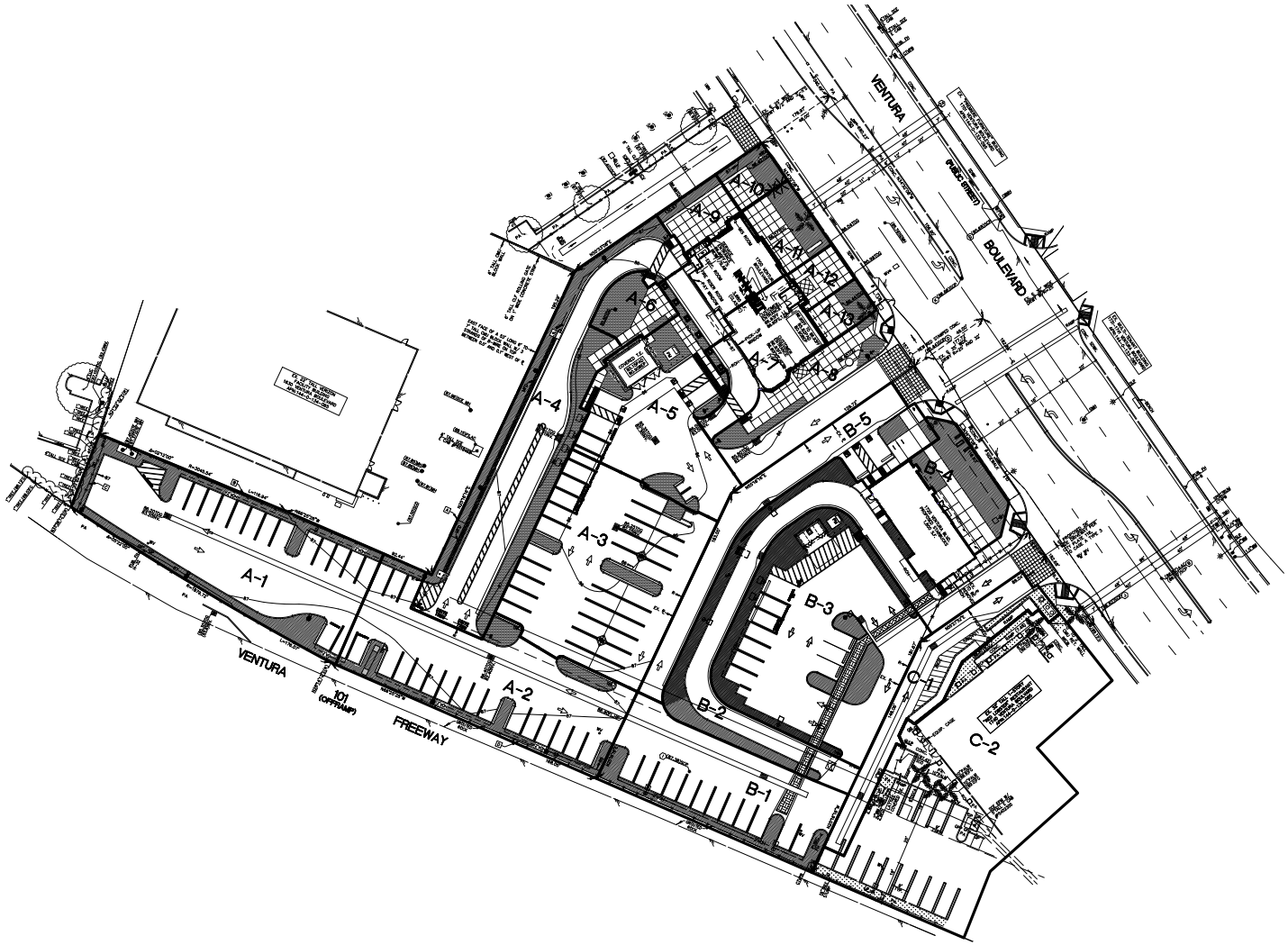
STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT POST-CONSTRUCTION STORMWATER QUALITY REPORT SITE PLAN

C35

JN 20-0084A-0008AA CD8xxxxxp

10/15/2021 10:33:14 AM, MSL ENGINEERING, INC., AP



DRAINAGE AREAS			
ID	AREA (SF)	IMPERVIOUS (SF/%)*	PERVIOUS (SF/%)
A-1	10,601	8,329/78.5%	2,272/21.5%
A-2	9,497	7,862/82.7%	1,635/17.3%
A-3	10,329	9,888/95.7%	441/4.3%
A-4	9,853	6,990/70.9%	2,863/29.1%
A-5	9,583	8,364/87.2%	1,219/12.8%
A-6	1,379	478/34.6%	901/65.4%
A-7	3,191	3,145/98.5%	46/1.5%
A-8	3,985	3,393/85.1%	592/14.9%
A-9	1,158	942/81.3%	216/18.7%
A-10	849	384/45.2%	465/54.8%
A-11	1,433	779/54.3%	654/45.7%
A-12	742	742/100%	0/0%
A-13	774	439/56.7%	335/43.3%
A TOTAL	63,374	51,735/81.8%	11,639/18.2%
B-1	6,842	5,816/81.9%	1,026/15.0%
B-2	10,244	8,269/80.7%	1,975/19.3%
B-3	11,749	9,238/78.6%	2,511/21.4%
B-4	2,143	717/33.4%	1,426/66.6%
B-5	4,939	4,700/95.2%	239/4.8%
B TOTAL	35,917	28,740/80.3%	7,177/19.7%
C-1	3,837	3,627/94.5%	210/5.5%
C-2	15,181	17,219/93.7%	962/6.3%
C TOTAL	19,018	17,846/93.8%	1,172/6.2%
B-C TOTAL	54,935	46,586/84.8%	8,349/15.2%
A-C TOTAL	118,309	98,321/83.1%	19,988/16.9%

N
PROJECT NORTH

N
TRUE NORTH

0 15 30 60 90
GRAPHIC SCALE
SCALE: 1"=30'

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
5290 OVERPASS ROAD
SANTA BARBARA, CA 93111
PHONE: 805-680-9898
Darrel.wright550@gmail.com

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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

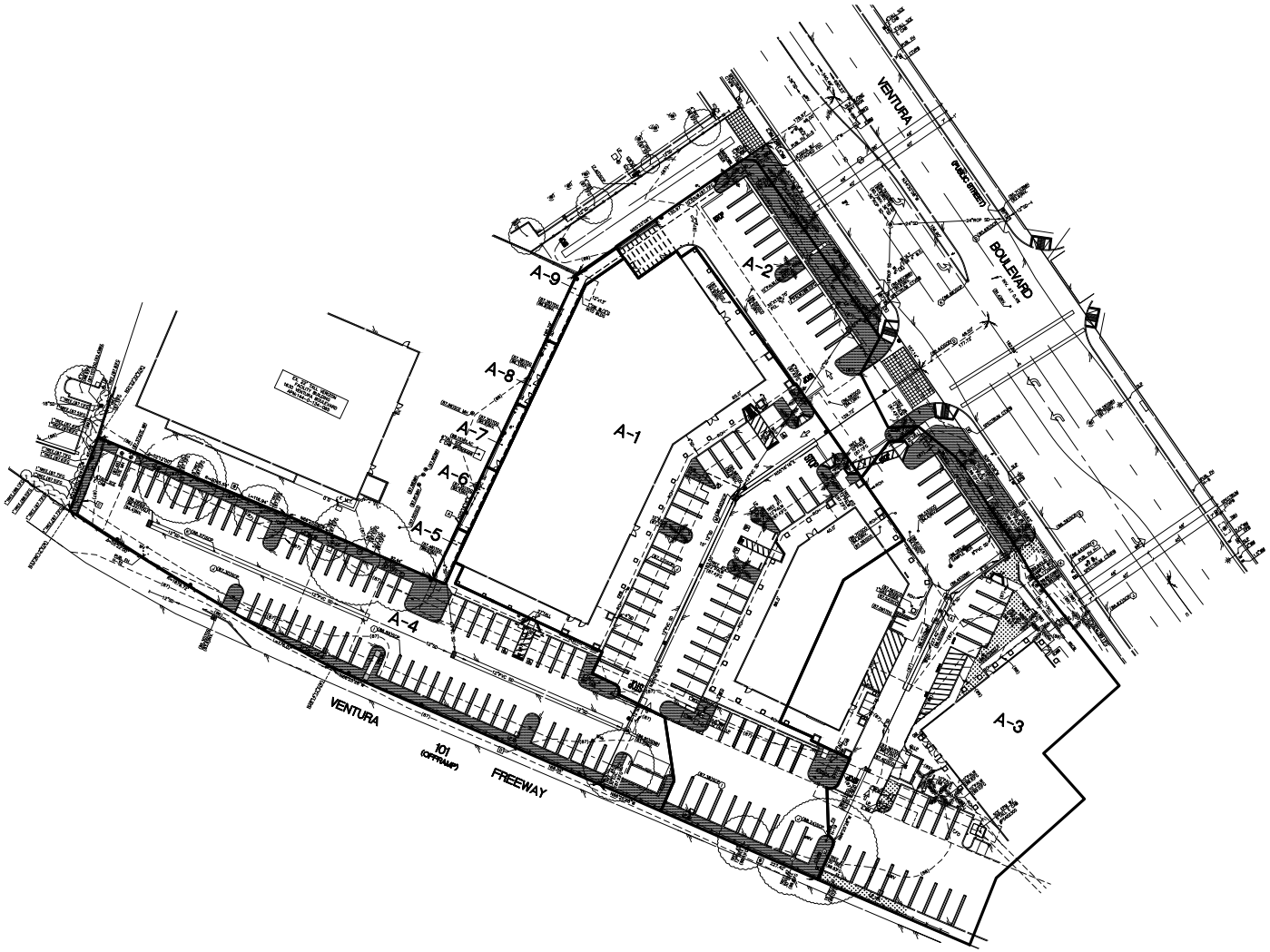
STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT DRAINAGE REPORT "PROPOSED" CONDITION MAP

C36.1

JN 20-0010A-20-0010A C036.dwg

10/15/2021 10:33:13 AM, MSL ENGINEERING, INC., AP



N
PROJECT NORTH

N
TRUE NORTH

0 15 30 60 90
GRAPHIC SCALE
SCALE: 1"=30'

DRAINAGE AREAS			
ID	AREA (SF)	IMPERVIOUS (SF/%)	PERVIOUS (SF/%)
A-1	46,744	46,474/95.3%	2,270/4.7%
A-2	10,127	8,277/81.7%	1,850/18.3%
A-3	31,660	29,623/93.5%	2,037/6.5%
A-4	23,592	19,606/83.1%	3,986/16.9%
A-5	231	231/100%	0/0%
A-6	275	275/100%	0/0%
A-7	284	284/100%	0/0%
A-8	284	284/100%	0/0%
A-9	479	479/100%	0/0%
TOTAL	115,676	105,533/91.2%	10,143/8.8%

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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT DRAINAGE REPORT "EXISTING" CONDITION MAP

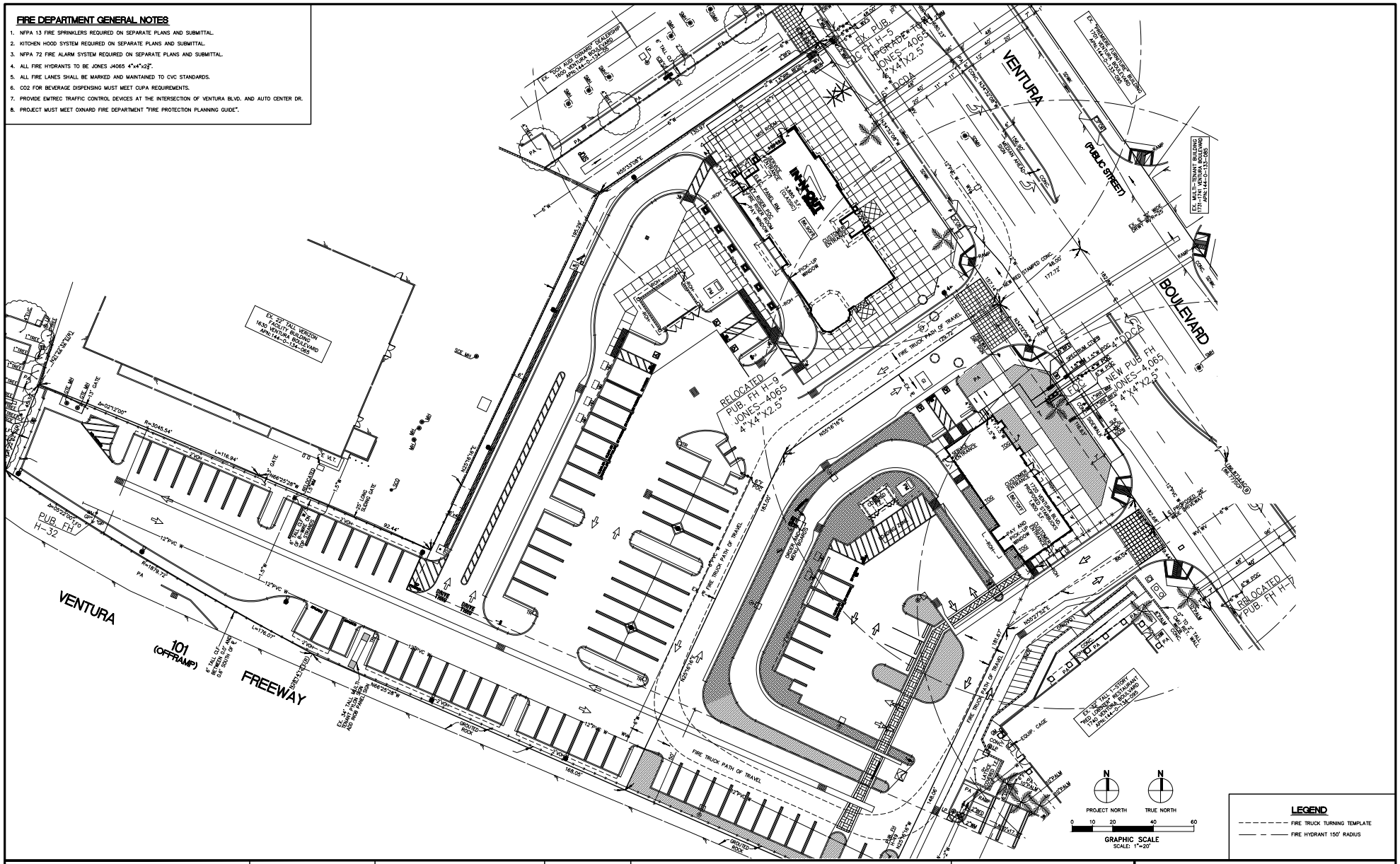
C36

JN 2020SA-2020SAA OXNARD.dwg

10/14/2021 10:28:54 AM, MSL ENGINEERING, INC. (SA)

FIRE DEPARTMENT GENERAL NOTES

1. NFPA 13 FIRE SPRINKLERS REQUIRED ON SEPARATE PLANS AND SUBMITTAL.
2. KITCHEN HOOD SYSTEM REQUIRED ON SEPARATE PLANS AND SUBMITTAL.
3. NFPA 72 FIRE ALARM SYSTEM REQUIRED ON SEPARATE PLANS AND SUBMITTAL.
4. ALL FIRE HYDRANTS TO BE JONES J4065 4"x4"x2½".
5. ALL FIRE LANES SHALL BE MARKED AND MAINTAINED TO CVC STANDARDS.
6. CO2 FOR BEVERAGE DISPENSING MUST MEET CUPA REQUIREMENTS.
7. PROVIDE EMTREC TRAFFIC CONTROL DEVICES AT THE INTERSECTION OF VENTURA BLVD. AND AUTO CENTER DR.
8. PROJECT MUST MEET OXNARD FIRE DEPARTMENT "FIRE PROTECTION PLANNING GUIDE".



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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE

STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT
FIRE DEPARTMENT
SITE PLAN

C37

JN 2005SAA-2005SAA CIDwrdwp

10/15/2021 10:42:54 AM, MSL ENGINEERING, INC., AP

ENCROACHMENT NOTES

B APPROXIMATELY 136" OF A 6' TALL CHAIN LINK FENCE ENCROACHES BETWEEN 1.1' TO 1.6' INSIDE AND NORTH OF THE SOUTH SURVEYED PROPERTY LINE.

LINE TABLE		
NO.	BEARING	DISTANCE
L8	N55°27'52"E	58.99'

N — PROJECT NORTH

N — TRUE NORTH

0 10 20 40 60

GRAPHIC SCALE
SCALE: 1"=20'

TOPOGRAPHY SURVEY MAP PARTIAL LEGEND

- INDICATES THE BOUNDARY OF THIS TOPOGRAPHY SURVEY MAP CONSISTING OF 35,789 SQUARE FEET OR 0.822 ACRES
- (D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
- (55) REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEETS C38.

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MARK S. LAMOUREUX R.C.E. 38382 DATE 10-15-2021
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

STARBUCKS

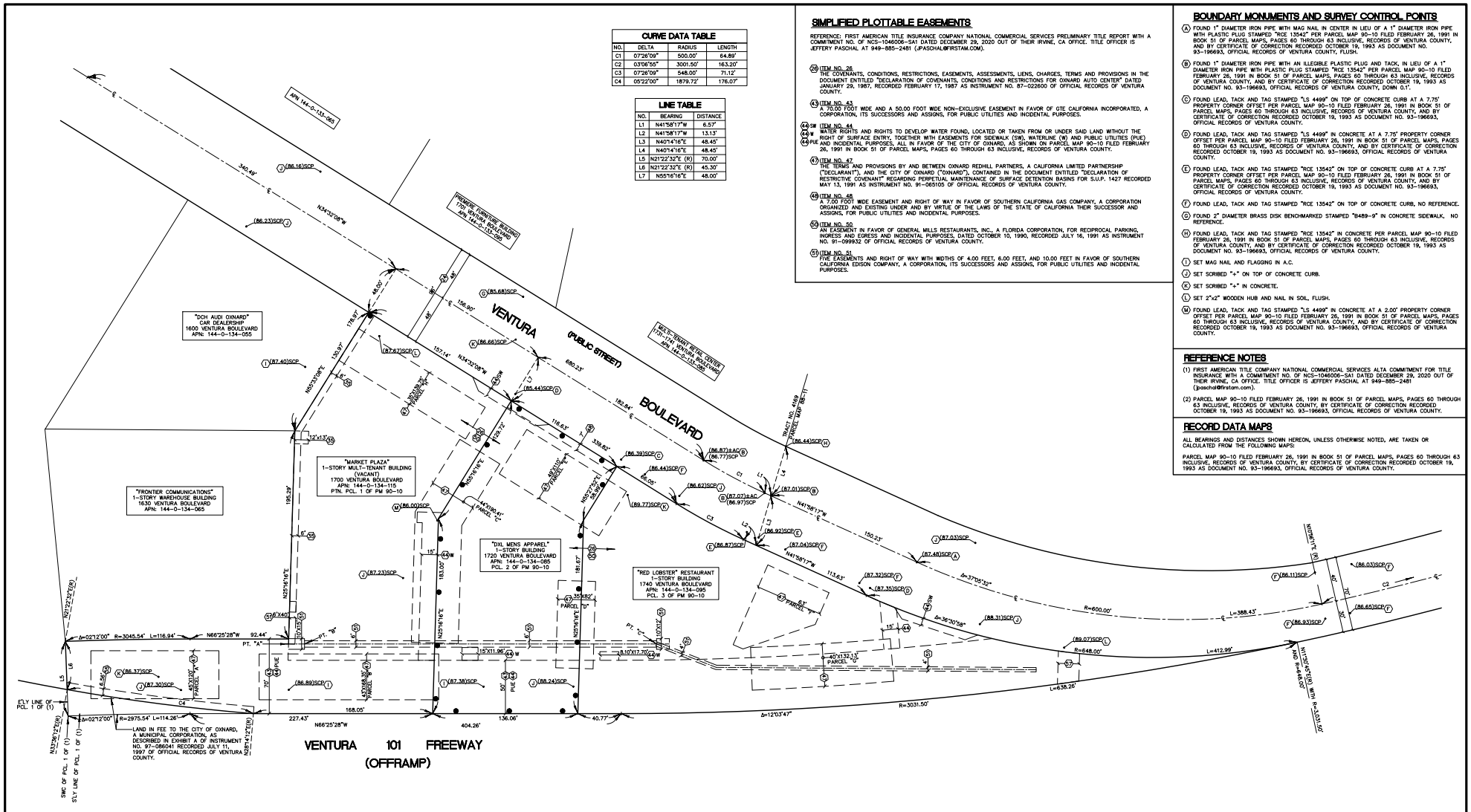
CHANNEL ISLANDS MARKETPLACE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP

C38

JN 20-0184-SOXNBA Oxnard

10/14/2021 10:31:52 AM, MSL ENGINEERING, INC. (SA)



CURVE DATA TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	07°26'09"	500.00'	64.89'
C2	03°06'55"	3001.50'	163.20'
C3	07°26'09"	548.00'	71.12'
C4	05°22'00"	1879.72'	176.07'

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N41°58'17"W	6.57'
L2	N41°58'17"W	13.13'
L3	N40°14'16"E	48.45'
L4	N40°14'16"E	48.45'
L5	N21°22'32"E (R)	70.00'
L6	N21°22'32"E (R)	45.30'
L7	N55°16'16"E	48.00'

SIMPLIFIED PLOTTABLE EASEMENTS

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (JPASCHAL@FIRSTAM.COM).

(26) ITEM NO. 26
THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS IN THE DOCUMENT ENTITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED JANUARY 29, 1987, RECORDED FEBRUARY 17, 1987 AS INSTRUMENT NO. 87-022600 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(43) ITEM NO. 43
A 70.00 FOOT WIDE AND A 50.00 FOOT WIDE NON-EXCLUSIVE EASEMENT IN FAVOR OF GTE CALIFORNIA INCORPORATED, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(44) SW (44) W (44) PUE ITEM NO. 44
WATER RIGHTS AND RIGHTS TO DEVELOP WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, TOGETHER WITH EASEMENTS FOR SIDEWALK (SW), WATERLINE (W) AND PUBLIC UTILITIES (PUE) AND INCIDENTAL PURPOSES, ALL IN FAVOR OF THE CITY OF OXNARD, AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.

(47) ITEM NO. 47
THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), AND THE CITY OF OXNARD ("OXNARD"), CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF RESTRICTIVE COVENANT" REGARDING PERPETUAL MAINTENANCE OF SURFACE DETENTION BASINS FOR S.U.P. 1427 RECORDED MAY 13, 1991 AS INSTRUMENT NO. 91-065105 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(48) ITEM NO. 48
A 7.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF CALIFORNIA THEIR SUCCESSOR AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(50) ITEM NO. 50
AN EASEMENT IN FAVOR OF GENERAL MILLS RESTAURANTS, INC., A FLORIDA CORPORATION, FOR RECIPROCAL PARKING, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, DATED OCTOBER 10, 1990, RECORDED JULY 16, 1991 AS INSTRUMENT NO. 91-099932 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(51) ITEM NO. 51
FIVE EASEMENTS AND RIGHT OF WAY WITH WIDTHS OF 4.00 FEET, 6.00 FEET, AND 10.00 FEET IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

BOUNDARY MONUMENTS AND SURVEY CONTROL POINTS

(A) FOUND 1" DIAMETER IRON PIPE WITH MAG NAIL IN CENTER IN LIEU OF A 1" DIAMETER IRON PIPE WITH PLASTIC PLUG STAMPED "RCE 13542" PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY, FLUSH.

(B) FOUND 1" DIAMETER IRON PIPE WITH AN ILLEGIBLE PLASTIC PLUG AND TACK, IN LIEU OF A 1" DIAMETER IRON PIPE WITH PLASTIC PLUG STAMPED "RCE 13542" PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY, DOWN 0.1'.

(C) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" ON TOP OF CONCRETE CURB AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(D) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" IN CONCRETE AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(E) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" ON TOP OF CONCRETE CURB AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(F) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" ON TOP OF CONCRETE CURB, NO REFERENCE.

(G) FOUND 2" DIAMETER BRASS DISK BENCHMARKED STAMPED "B489-9" IN CONCRETE SIDEWALK, NO REFERENCE.

(H) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" IN CONCRETE PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(I) SET MAG NAIL AND FLAGGING IN A.C.

(J) SET SCRIBED "+" ON TOP OF CONCRETE CURB.

(K) SET SCRIBED "+" IN CONCRETE.

(L) SET 2"x2" WOODEN HUB AND NAIL IN SOIL, FLUSH.

(M) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" IN CONCRETE AT A 2.00' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

REFERENCE NOTES

(1) FIRST AMERICAN TITLE COMPANY NATIONAL COMMERCIAL SERVICES ALTA COMMITMENT FOR TITLE INSURANCE WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (jpaschal@firstam.com).

(2) PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

RECORD DATA MAPS

ALL BEARINGS AND DISTANCES SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE TAKEN OR CALCULATED FROM THE FOLLOWING MAPS:

PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP PARTIAL LEGEND

INDICATES THE BOUNDARY OF THIS A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP CONSISTING OF 63,930 SQUARE FEET OR 1.468 ACRES.

(D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C43.

(59) REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEETS C41 AND C42.

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
CHANNEL ISLANDS MARKETPLACE, LP
5290 OVERPASS ROAD
SANTA BARBARA, CA 93111
PHONE
Darrel.wright550@gmail.com

Underground Service Alert
Call: Toll Free
811
TWO WORKING DAYS BEFORE YOU DIG

REVISIONS

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

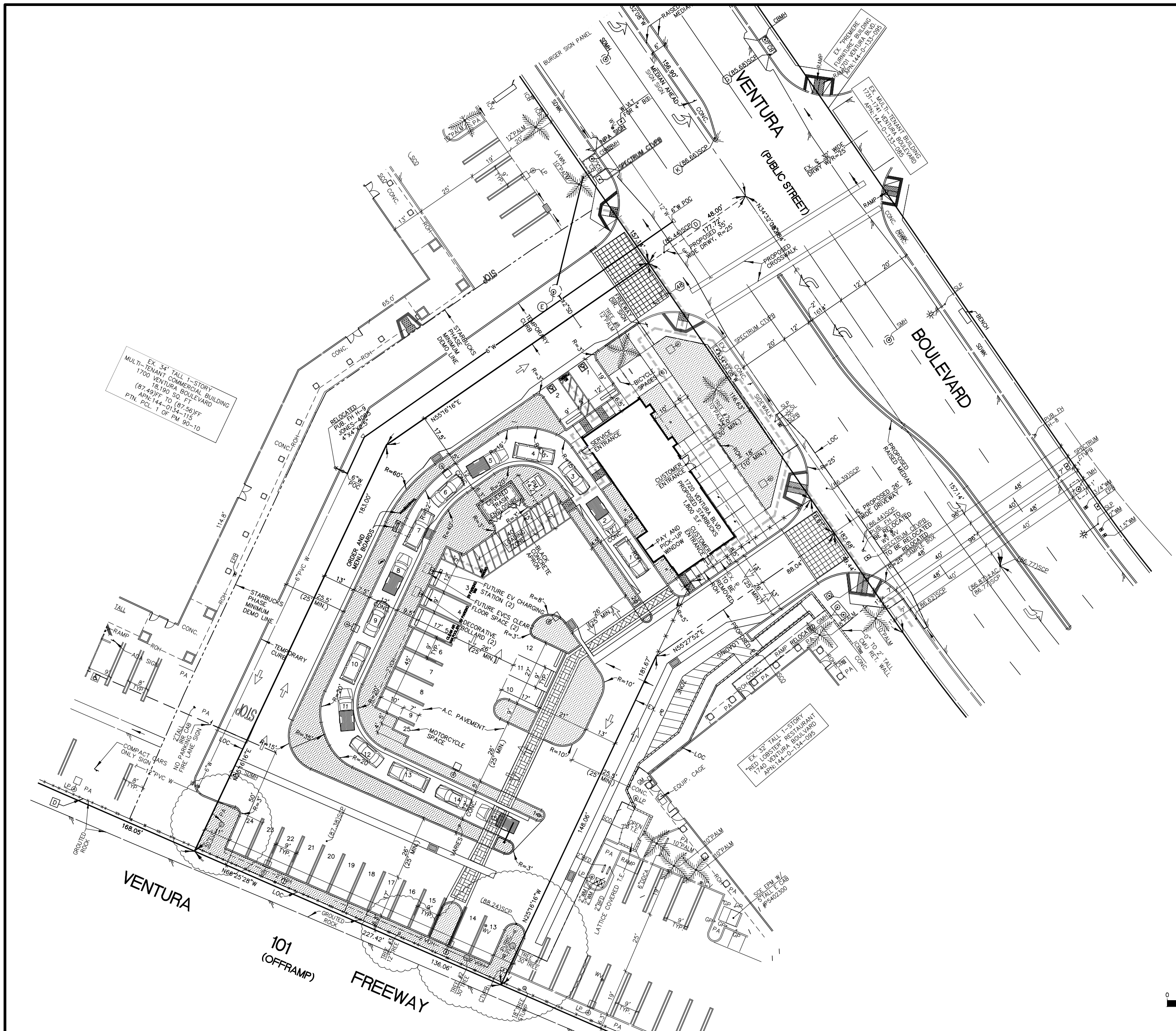
STARBUCKS
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLMENT BOUNDARY AND EASEMENT MAP

C39

JN 20089A-20089A CBrockman

10/14/2021 10:32:38 AM, MSL ENGINEERING, INC. (SA)



LEGEND

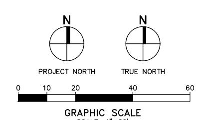
- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- APPROXIMATE LOCATION OF A PROPOSED STARBUCKS INSTALLED AND MAINTAINED 22'-6" TALL FIXTURE HEIGHT LED LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- ℞ PROPERTY LINE.
- CF CURB FACE.
- 1 DRIVE THRU ENTRANCE SIGN.
- 2 DRIVE THE EXIT AND DO NOT ENTER SIGN.
- EXISTING PROPERTY LINE TO BE ADJUSTED.
- PROPOSED ADJUSTED PROPERTY LINE
- (E) 48" DIAMETER STORM DRAIN MANHOLE.
- NEW CONCRETE SIDEWALK.
- (D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
- (47) SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOWN ON SHEET C38.
- (47Q) EASEMENT TO BE QUITCLAIMED.
- LOC LIMITS OF CONSTRUCTION.
- VOH VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- ADA ACCESSIBLE PATH OF TRAVEL. ACCESSIBLE PATH OF TRAVEL IS NOT LESS THAN 4 FEET WIDE, AND DOES NOT EXCEED A RUNNING SLOPE OF 1:20 (5%) OR A CROSS SLOPE IN EXCESS OF 1:50 (2%). REFER TO SHEET C33 FOR SPECIFIC SLOPES AND GRADES.
- PM SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.
- PROPOSED STARBUCKS INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 7,064 SQUARE FEET (19.1%).

PHASING NOTES

1. PHASING SHOWN FOR STARBUCKS CONSTRUCTION PRIOR TO WORK AT 1700 VENTURA BOULEVARD.
2. STORM DRAIN AND UTILITY IMPROVEMENTS SHOWN HEREON ARE REQUIRED IN ADDITION TO WHAT IS SHOWN ON SHEET 34 IF STARBUCKS PROCEEDS PRIOR TO WORK AT 1700 VENTURA BLVD.

LINE TABLE

NO.	BEARING	DISTANCE
L1	N55°27'52"E	58.99'



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MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE

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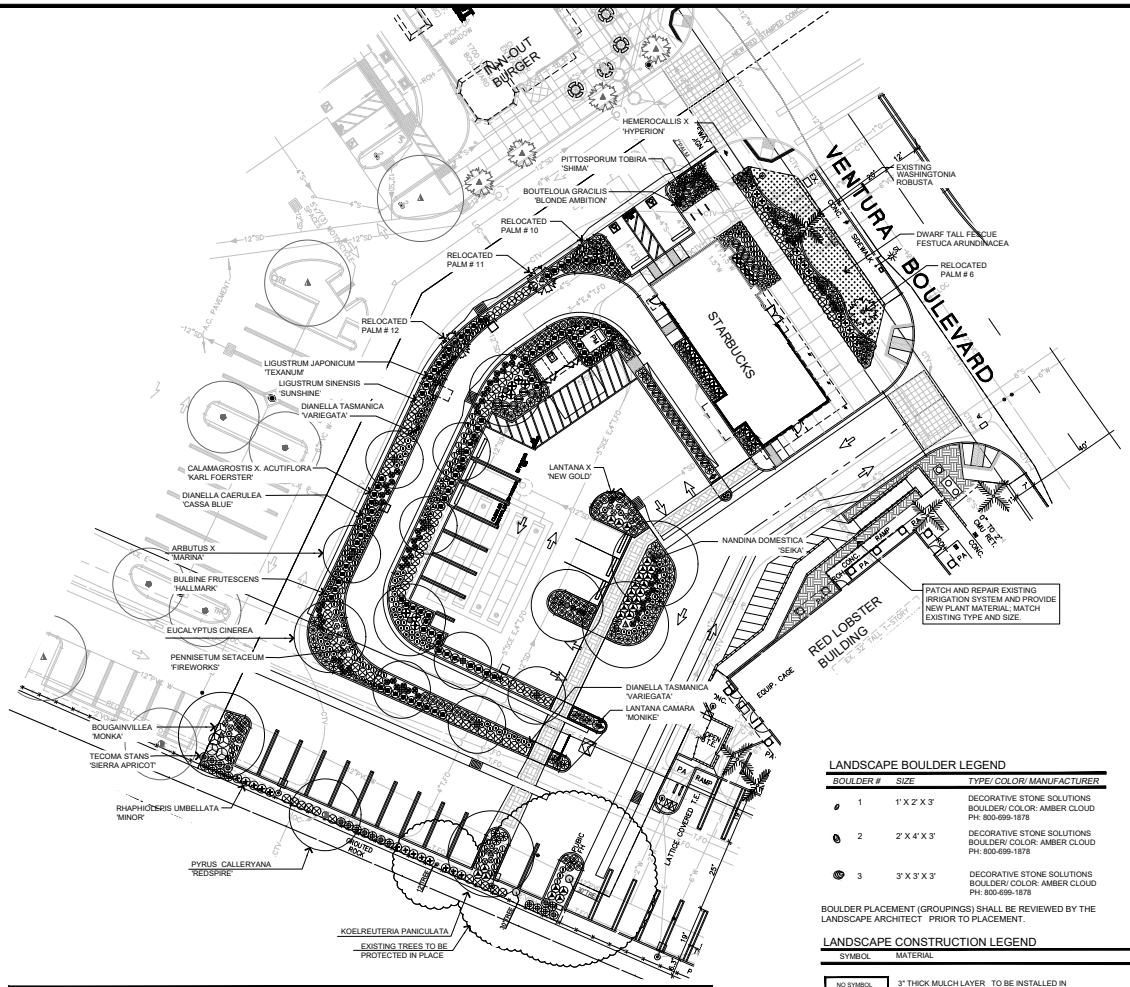
STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT
NEW SITE PLAN
PHASING EXHIBIT

C40

JN 20053AA-20040AA C30cenappe

10/14/2021 10:33:06 AM, MSL ENGINEERING, INC. (SA)



PLAN VIEW

SCALE: 1" : 20'-0"

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QUANTITY	REMARKS	WUCOLS ZONE 3
TREES							
	EXISTING PALM TREES TO REMAIN, REFER TO ARBORIST REPORT FOR MORE INFORMATION.						
	RELOCATED WASHINGTONIA ROBUSTA ALONG FRONTAGE. MIN ROOTBALL SIZE SHALL BE 5' X 5' AND INCLUDE TEMPORARY GUYING SUPPORTS.						
	RELOCATED QUEEN PALM ONSITE. MIN ROOTBALL SIZE SHALL BE 40" X 40" AND INCLUDE TEMPORARY ROOTBALL GUYING SUPPORTS. REFER TO PLAN AND ARBORIST REPORT FOR FURTHER INFORMATION.						
	EUCALYPTUS CINEREA	SILVER DOLLAR TREE	24" BOX	PER PLAN	+/- 4	STANDARDS MATCHED	LOW
	ARBUTUS X 'MARINA'	MARINA STRAWBERRY TREE	24" BOX	PER PLAN	+/-8	STANDARDS MATCHED	LOW
	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	24" BOX	PER PLAN	+/- 4	STANDARDS MATCHED	LOW
	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE FLOWERING PEAR	24" BOX	PER PLAN	+/- 1	STANDARDS MATCHED	LOW
SHRUBS							
	BULBINE FRUTESCENS 'HALLMARK'	'HALLMARK' BULBINE	1 GALLON	24" O.C.	+/- 88	TRIANGLE SPACING	LOW
	BOUTELOUA GRACILIS 'BLONDE AMBITION'	BLONDE AMBITION BLUE GRAMA GRASS	5 GALLON	24" O.C.	+/-80	TRIANGLE SPACING	LOW
	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	5 GALLON	36" O.C.	+/- 26	TRIANGLE SPACING	LOW
	DIANELLA TASMANICA 'VARIEGATA'	VARIEGATED FLAX LILY	5 GALLON	24" O.C.	+/-74	TRIANGLE SPACING	LOW
	DIANELLA revoulta 'CASSA BLUE'	BLUE FLAX LILY	5 GALLON	24" O.C.	+/- 123	TRIANGLE SPACING	LOW
	HEMEROCALLIS X 'HYPERION'	HYPERION DAYLILY	5 GALLON	36" O.C.	+/- 35	TRIANGLE SPACING	LOW
	LIGUSTRUM SINENSIS 'SUNSHINE'	SUNSHINE LIGUSTRUM	5 GALLON	36" O.C.	+/- 89	TRIANGLE SPACING	LOW
	LIGUSTRUM JAPONICUM 'TEXANUM'	WAXLEAF PRIVET	5 GALLON	36" O.C.	+/- 99	TRIANGLE SPACING	LOW
	NANDINA DOMESTICA 'SEIKA'	OBSESSION NANDINA	5 GALLON	36" O.C.	+/- 25	TRIANGLE SPACING	LOW
	PENNISETUM SETACEUM 'FIREWORKS'	FIREWORKS FOUNTAIN GRASS	5 GALLON	24" O.C.	+/- 31	TRIANGLE SPACING	LOW
	PITTOSPORUM TOBIRA 'SHIMA'	CREME DE MINT DWARF PITTOSPORUM	5 GALLON	36" O.C.	+/- 27	TRIANGLE SPACING	LOW
	RHAPHIOLEPIS UMBELLATA 'MINOR'	DWARF YEDDO RHAPHIOLEPIS	5 GALLON	36" O.C.	+/- 28	TRIANGLE SPACING	MED
	TECOMA STANS 'SIERRA APRICOT'	SIERRA APRICOT ESPARANZA	5 GALLON	36" O.C.	+/- 16	TRIANGLE SPACING	LOW
GROUNDCOVER							
	BOUGAINVILLEA 'MONIKA'	Oo-La-La Bougainvillea	5 GALLON	48" O.C.	+/- 5	TRIANGLE SPACING	LOW
	LANTANA X 'NEW GOLD'	NEW GOLD LANTANA	1 GALLON	36" O.C.	+/- 60	TRIANGLE SPACING	LOW
	LANTANA CAMARA 'MONIKE'	TEENIE GENIE	1 GALLON	36" O.C.	+/-95	TRIANGLE SPACING	LOW
	DWARF TALL FESCUE FESTUCA ARUNDINACEA	WEST COASTER WEST COAST TURF	SOD	PER PLAN	+/- 771 SQ FT	TRIANGLE SPACING	MED

NOTE:
1. QUANTITIES SHOWN ARE APPROXIMATE, CONTRACTOR SHALL VERIFY COUNT AND ADJUST BASED ON ACTUAL FIELD CONDITIONS AND SIZE OF PLANTERS.
2. ALL PLANT MATERIAL SHALL BE REVIEWED AND APPROVED BYOWNER REP. AND LANDSCAPE ARCHITECT.
3. ALIGN TREES WITH PARKING STALLS STRIPING.
4. CONTRACTOR SHALL INSTALL 2 AERATION TUBES, 48" IN LENGTH FOR ALL TREES INCLUDING PALMS. INSTALL 4 DEVICES FOR EXISTING TREES GREATER THAN 6" TRUNK DIAMETER.

LANDSCAPE BOULDER LEGEND

BOULDER #	SIZE	TYPE/ COLOR/ MANUFACTURER
1	1' X 2' X 3'	DECORATIVE STONE SOLUTIONS BOULDER/ COLOR: AMBER CLOUD PH: 800-699-1878
2	2' X 4' X 3'	DECORATIVE STONE SOLUTIONS BOULDER/ COLOR: AMBER CLOUD PH: 800-699-1878
3	3' X 3' X 3'	DECORATIVE STONE SOLUTIONS BOULDER/ COLOR: AMBER CLOUD PH: 800-699-1878

BOULDER PLACEMENT (GROUPINGS) SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT PRIOR TO PLACEMENT.

LANDSCAPE CONSTRUCTION LEGEND

SYMBOL	MATERIAL	SQ. FT.
NO SYMBOL SHOWN	3" THICK MULCH LAYER TO BE INSTALLED IN ALL PLANTERS WITHOUT DRY STREAM BED,GRAVEL, OR BIOSWALES.	+/- 6,293 S.F.

LANDSCAPE AREA CALCULATION NOTE:

TOTAL INSTALLED TURF AREA: 771 S.F. (10.7%)
TOTAL INSTALLED PLANTING (SHRUB/GROUNDCOVER) AREA: 6,406 S.F. (89.3%)
TOTAL INSTALLED LANDSCAPE AREA: 7,177 S.F. (100%)

PARKING LOT TOTALS
PARKING LOT & LANDSCAPE= 18,753 S.F.
LANDSCAPE AREA= 3,450 S.F. (18%)

- TREE ROOTBARRIER - LINEAR STYLE
  - CONTRACTOR SHALL INSTALL TREE ROOT BARRIERS FOR ALL TREES WITHIN 6' OF CONCRETE EDGE. INSTALL THE 24" VERSION AND SHALL BE CONTINUOUS FOR 10' ON EITHER SIDE OF TREE.
  - ROOT BARRIER TO BE MODEL UB-24 BY DEEP ROOT OR APPROVED EQUAL.

AGRONOMIC SOILS REPORT REQUIREMENT

AFTER MAJOR GRADING OPERATIONS ARE COMPLETED, CONTRACTOR SHALL OBTAIN SOIL SAMPLES FROM MIN 6" DEPTH AND SUBMIT TO AN APPROVED LABORATORY FOR ANALYSIS AND RECOMMENDATIONS. OBTAIN A MINIMUM OF 1 SAMPLE PER ACRE AND 1 SAMPLE AFTER IMPLEMENTATION OF FIRST REPORT FOR VERIFICATION SOIL MEETS SOILS LAB STANDARDS. REPORTS MUST BE SUBMITTED TO LANDSCAPE ARCHITECT, CITY AND OWNERS REP. FOR REVIEW AND APPROVAL.

TITLE 23 - WATER EFFICIENT LANDSCAPE COMPLIANCE NOTE

I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE (STATE OF CALIFORNIA TITLE 23, DIVISION 2, CHAPTER 2.7) AND APPLIED THEM ACCORDINGLY FOR THE EFFICIENT USE OR LANDSCAPE DESIGN PLAN.

BRANDON PETRUNIO, DATE: October 15, 2021
RLA 5894:

LANDSCAPE IRRIGATION INTENT:

IT IS THE INTENT TO PROVIDE AN IRRIGATION DESIGN UTILIZING DRIP IRRIGATION SYSTEM FOR THE ENTIRE SITE BURIED A CONSTANT 4" BELOW FINISH GRADE AND STAPLED DOWN @ 5' INTERVALS FOR ADDED PROTECTION. THE IRRIGATION SYSTEM SHALL BE CONTROLLED BY A SMART CONTROLLER WITH ONSITE WEATHER SENSOR AND REMOTE OPERATION THROUGH THE INTERNET FROM CENTRAL LOCATION. CONTROLLER SHALL BE A TYPE WHICH AUTOMATICALLY ADJUSTS RUNTIMES AND FREQUENCIES BASED, NOT ONLY ON HISTORICAL ET, BUT ACTUAL ONSITE WEATHER CONDITIONS.

N W E S

20' 10' 0' 20' 40' 60'
SCALE: 1" : 20'-0"
GRAPHIC SCALE

LANDSCAPE ARCHITECT:
BPA LANDSCAPE ARCHITECTS
BRANDON PETRUNIO & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
Design Studio: 301 N. San Dimas Ave., San Dimas, CA. 91773
Corp Office: 15699 Cherry Leaf Lane, Fontana, CA. 92336
T: (424) 235-8940, M: (951) 312-9943, E: brandon@bpalas.com

PREPARED FOR:
DARREL WRIGHT, GENERAL PARTNER
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5290 OVERPASS ROAD
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301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2307
MARK S. LAMOUREUX R.C.E. 38382 DATE 10-15-2021

STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT LANDSCAPE PLANTING PLAN

LPP.1

EXISTING TREE REPRODUCTION COST TABLE

TREE NO.	SPECIES BOTANICAL NAME	SPECIES COMMON NAME	HEIGHT	ACTION	REPRODUCTION COST PER ARBORIST	REMOVAL COST
1	Eucalyptus Nicholii	Narrow-Leaved Peppermint	30	PIP	$ 19,688.73	$ -
2	Eucalyptus Nicholii	Narrow-Leaved Peppermint	45	PIP	$ 19,688.73	$ -
3	Cupaniopsis Anacardioides	Carrotwood Tree	12	PIP	$ 3,392.29	$ -
4	Eucalyptus Nicholii	Narrow-Leaved Peppermint	30	DEMO	$ 7,951.22	$ 7,951.22
5	Syagrus Romanzoffiana	Queen Palm	30	DEMO	$ 1,295.46	$ 1,295.46
6	Washingtonia Robusta	Mexican Fan Palm	30	MOVE	$ 899.69	$ -
7	Washingtonia Robusta	Mexican Fan Palm	30	PIP	$ 899.69	$ -
8	Syagrus Romanzoffiana	Queen Palm	20	MOVE	$ 1,295.46	$ -
9	Syagrus Romanzoffiana	Queen Palm	12	DEMO	$ 899.69	$ 899.69
10	Syagrus Romanzoffiana	Queen Palm	9	MOVE	$ 1,295.46	$ -
11	Syagrus Romanzoffiana	Queen Palm	20	MOVE	$ 1,295.46	$ -
12	Syagrus Romanzoffiana	Queen Palm	22	MOVE	$ 1,295.46	$ -
					TOTAL REQ'D VALUE	$10,146.37

EXISTING TREE PIP NOTES

EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
1.A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
2.STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
3.ROOT SYSTEMS OF EXISTING TREES WILL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, AND EXCESSIVE WETTING AND DRYING DURING DEWATERING.
4.THE EXISTING GRADE WILL BE MAINTAINED WITHIN THE DRIP LINE OF EXISTING TREES.
5.ROOTS OF EXISTING TREES WILL BE CUT APPROXIMATELY 6 INCHES BACK FROM NEW CONSTRUCTION AND ALL CUTS WILL BE SEALED WITH WOOD PAINT AS MANUFACTURED BY FLINTKOTE OR APPROVED EQUAL.
6.A CERTIFIED CONSULTING ARBORIST SHALL OVERSEE PRUNING OF ANY ROOTS 6-IN OR GREATER IN DIAMETER.
7.MAINTAIN AND DOCUMENT A TREE WATERING SCHEDULE DURING CONSTRUCTION.
8.ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE

WATER TO EXISTING PLANT MATERIAL TO REMAIN

EXISTING IRRIGATION SHALL NOT BE SHUT OFF TO EXISTING PLANT MATERIAL TO REMAIN FOR A PERIOD 48 HOURS OR MORE. IN THE EVENT WATER MUST REMAIN OFF, CONTRACTOR SHALL BE RESPONSIBLE FOR HAND WATERING MATERIAL BY ANY MEANS NECESSARY AT THEIR EXPENSE.

TREE VALUE FINAL:

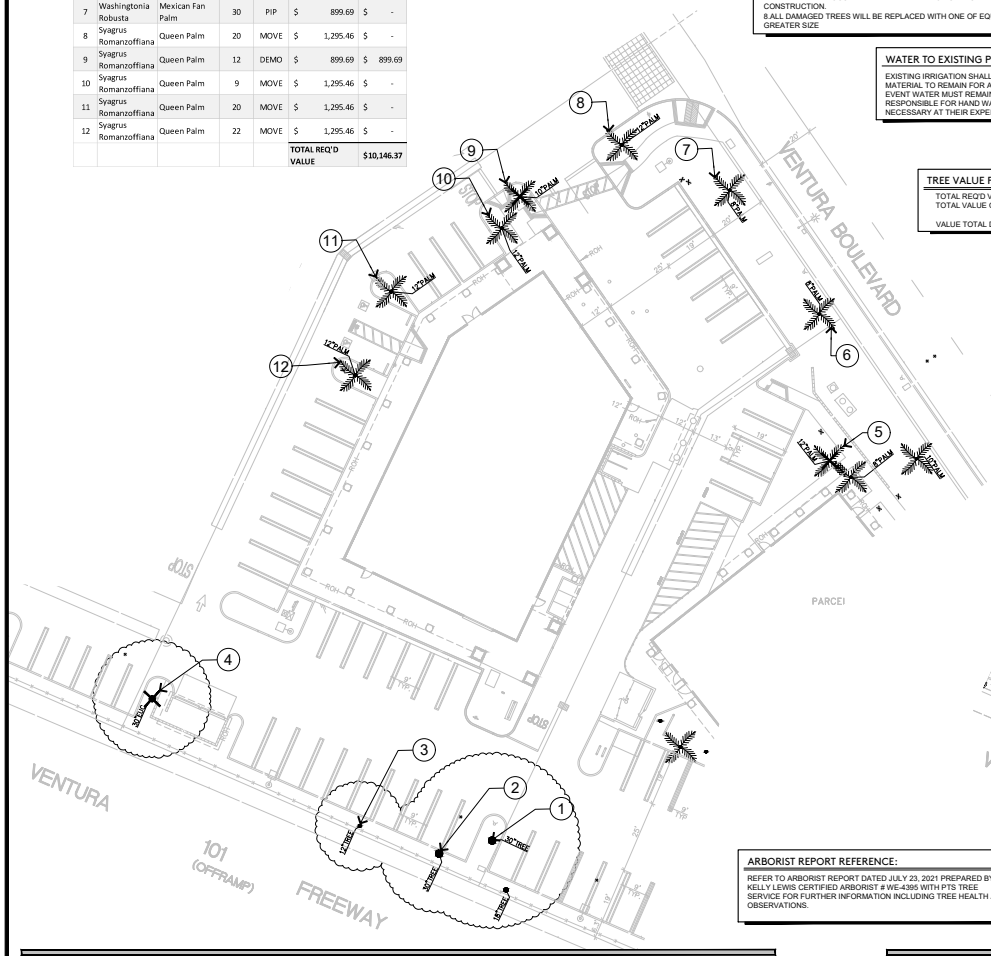
TOTAL REQ'D VALUE:	$ 10,146.37
TOTAL VALUE OF TREES PROVIDED:	$ 13,600.00
VALUE TOTAL DIFFERENCE (+/-):	$ 3,453.63

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
	EUCALYPTUS CINEREA	SILVER DOLLAR TREE	24" BOX
	ARBUTUS X 'MARINA'	MARINA STRAWBERRY TREE	24" BOX
	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	24" BOX
	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE FLOWERING PEAR	24" BOX

PROPOSED TREE COST BREAKDOWN

TREE #	BOTANICAL NAME	COMMON NAME	SIZE	QU	PRICE	TOTAL
1	EUCALYPTUS CINEREA	SILVER DOLLAR TREE	24" box	4	$ 800.00	$ 3,200.00
2	ARBUTUS X 'MARINA'	MARINA STRAWBERRY TREE	24" box	8	$ 800.00	$ 6,400.00
3	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	24" box	4	$ 800.00	$ 3,200.00
4	PYRUS CALLERYANA 'REDSPIRE'	REDSPRE FLOWERING PEAR	24" box	1	$ 800.00	$ 800.00
					Total	$13,600.00

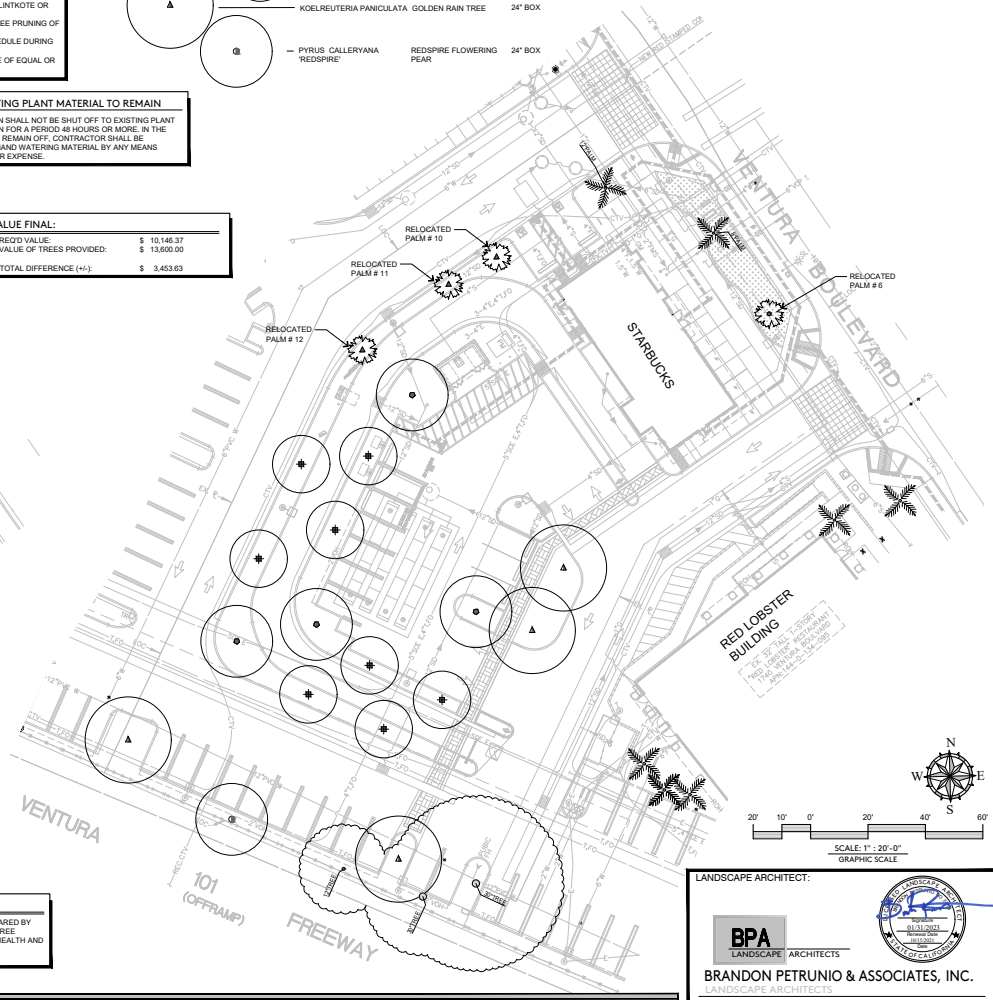


EXISTING TREE PLAN

SCALE: 1" : 20'-0"

ARBORIST REPORT REFERENCE:

REFER TO ARBORIST REPORT DATED JULY 23, 2021 PREPARED BY KELLY LEWIS CERTIFIED ARBORIST # WE-4395 WITH PTS TREE SERVICE FOR FURTHER INFORMATION INCLUDING TREE HEALTH AND OBSERVATIONS.



PROPOSED TREE PLAN

SCALE: 1" : 20'-0"

LANDSCAPE ARCHITECT:

BPA LANDSCAPE ARCHITECTS

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SANTA BARBARA, CA 93111
PHONE: 805-680-9898
Darrel.wright550@gmail.com

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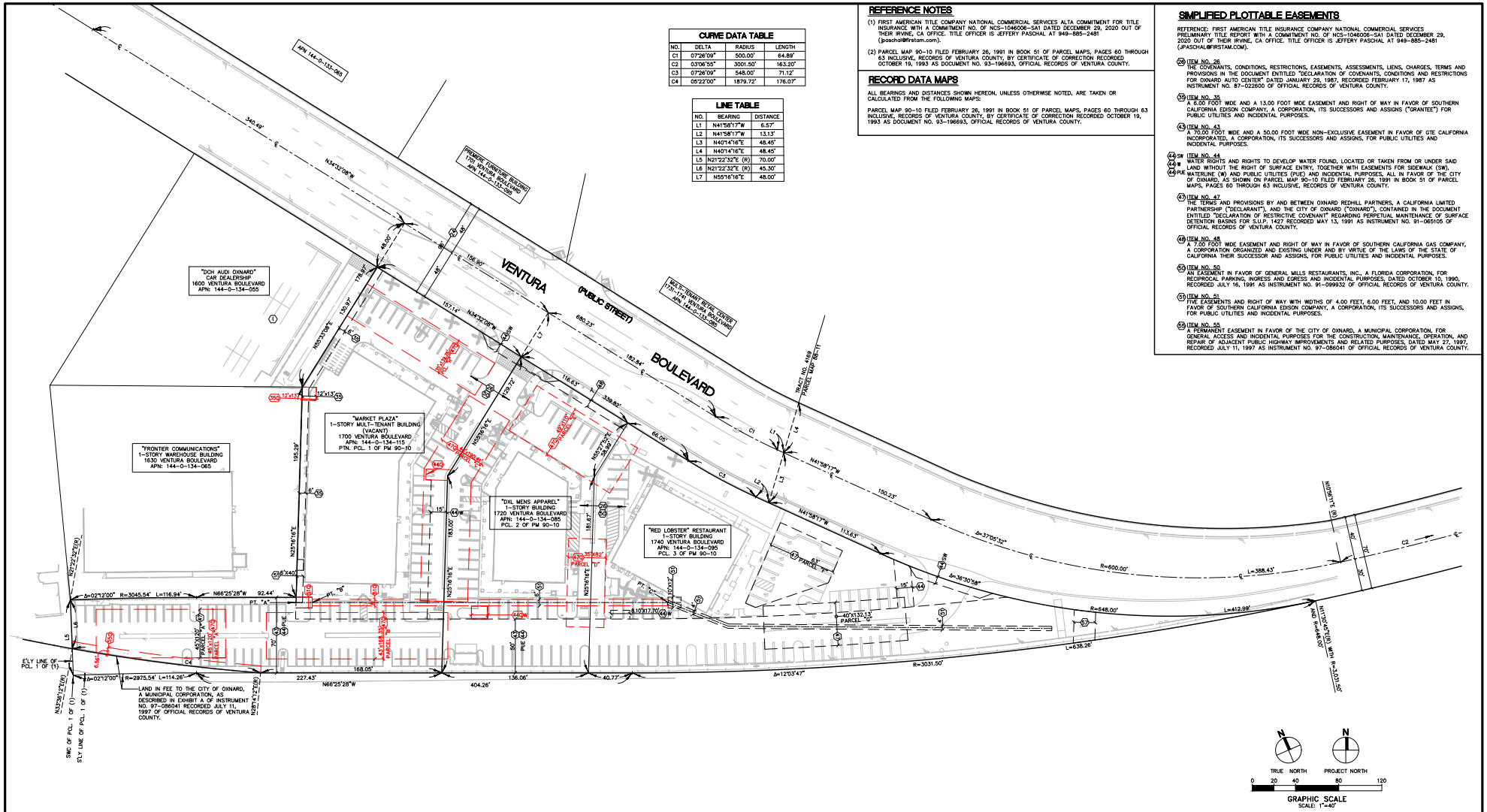
REVISIONS

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 10-15-2021 DATE

STARBUCKS
PLAZA DEL NORTE
1720 VENTURA BOULEVARD
OXNARD, CA 93036

TREE EXHIBIT PLAN

LTP.1



CURVE DATA TABLE			
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C4	05°22'00"	1879.72'	176.07'

LINE TABLE		
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L4	N40°14'16"E	48.45'
L5	N21°22'32"E (R)	70.00'
L6	N21°22'32"E (R)	45.30'
L7	N55°16'16"E	48.00'

REFERENCE NOTES

(1) FIRST AMERICAN TITLE COMPANY NATIONAL COMMERCIAL SERVICES ALTA COMMITMENT FOR TITLE INSURANCE WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (jpascha@firstam.com).

(2) PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

RECORD DATA MAPS

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SIMPLIFIED PLOTTABLE EASEMENTS

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(26) ITEM NO. 26
THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS IN THE DOCUMENT ENTITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED JANUARY 29, 1987, RECORDED FEBRUARY 17, 1987 AS INSTRUMENT NO. 87-022600 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(39) ITEM NO. 39
A 6.00 FOOT WIDE AND A 13.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS ("GRANTEE") FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(43) ITEM NO. 43
A 70.00 FOOT WIDE AND A 50.00 FOOT WIDE NON-EXCLUSIVE EASEMENT IN FAVOR OF GTE CALIFORNIA INCORPORATED, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(44 SW) (44 W) (44 PUE) ITEM NO. 44
WATER RIGHTS AND RIGHTS TO DEVELOP WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, TOGETHER WITH EASEMENTS FOR SIDEWALK (SW), WATERLINE (W) AND PUBLIC UTILITIES (PUE) AND INCIDENTAL PURPOSES, ALL IN FAVOR OF THE CITY OF OXNARD, AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.

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THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), AND THE CITY OF OXNARD ("OXNARD"), CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF RESTRICTIVE COVENANT" REGARDING PERPETUAL MAINTENANCE OF SURFACE DETENTION BASINS FOR S.U.P. 1427 RECORDED MAY 13, 1991 AS INSTRUMENT NO. 91-065105 OF OFFICIAL RECORDS OF VENTURA COUNTY.

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BOUNDARY AND EASEMENT EXHIBIT PARTIAL LEGEND

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(47a) EASEMENT TO BE QUITCLAIMED (DESCRIPTIONS SHOWN HEREON).

IN-N-OUT BURGER

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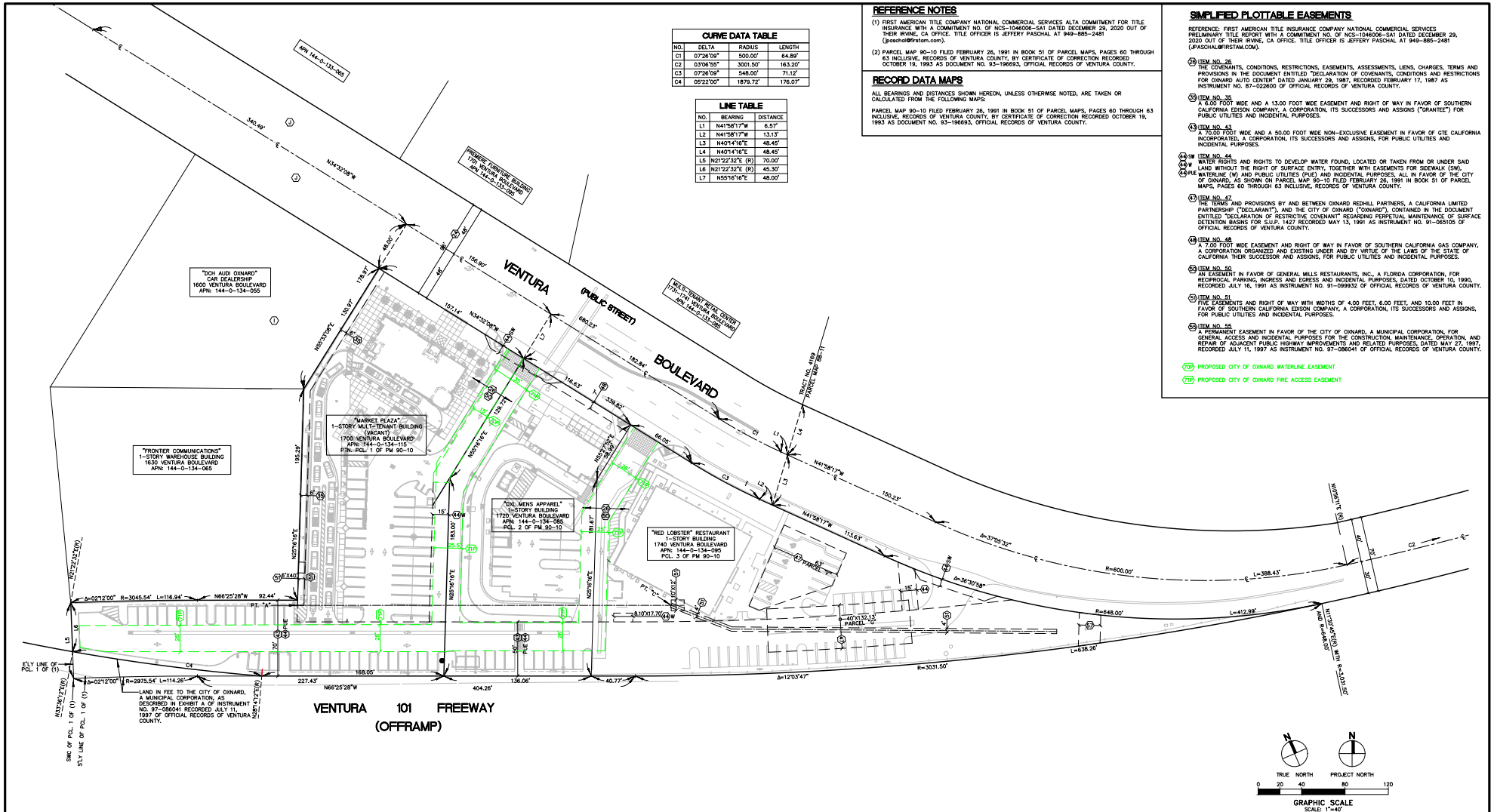
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT BOUNDARY AND EASEMENT EXHIBIT EXISTING

C39A

JN 20309-20309 Oldbedbank

10/15/2021 10:31:17 AM, MSL ENGINEERING, INC., AP



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70P PROPOSED CITY OF OXNARD WATERLINE EASEMENT

71P PROPOSED CITY OF OXNARD FIRE ACCESS EASEMENT

BOUNDARY AND EASEMENT EXHIBIT PARTIAL LEGEND

59 EASEMENT TO REMAIN (DESCRIPTIONS SHOWN HEREON).

70P PROPOSED EASEMENT (DESCRIPTIONS SHOWN HEREON).

IN-N-OUT BURGER

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IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLMENT BOUNDARY AND EASEMENT EXHIBIT PROPOSED

C39B

JN 20099-20099 CMbwebsite

10/15/2021 11:21:17 AM, MSL ENGINEERING, INC., AP

ATTACHMENT
C

REDUCED PROJECT PLANS
(IN-N-OUT) (21-500-04)

GENERAL NOTES

1. THE AREA OF THIS SUBJECT PROPERTY IS 63,930 SQUARE FEET OR 1.468 ACRES.
2. EXISTING CITY ZONE: ROSE-SANTA CLARA CORRIDOR SPECIFIC PLAN.
3. GENERAL PLAN LAND USE DESIGNATION: REGIONAL COMMERCIAL (CR).
4. ASSESSOR PARCEL NUMBER: 144-0134-115.
5. EXISTING LAND USE: ONE STORY 18,190 SQUARE FOOT MULT-TENANT BUILDING WITH 82 STRIPED SURFACE PAVED PARKING SPACES.

   PROPOSED LAND USE: NEW IN-N-OUT BURGER SIT DOWN RESTAURANT WITH A DRIVE-THRU LANE PERMITTED IN CITY ZONE WITH CONDITIONAL USE PERMIT.
6. PARKING REQUIREMENTS: 1 SPACE PER 50 SQUARE FEET OF 3,885 S.F. GROSS FLOOR AREA FOR 78 SPACES. STACKING CREDIT IN DRIVE-THROUGH LANE MAY COUNT TOWARD THE REQUIRED PARKING AT A BASIS OF ONE AUTO PER EACH 23 LINEAL FEET OF STRIPED STACKING LANE (22). A MAXIMUM CREDIT NOT-TO-EXCEED 30% OF TOTAL REQUIREMENT (23) OR NO MORE THAN 20 SPACES MAY BE APPLIED FOR STACKING CREDIT (WHICHEVER IS LESS). REQUIRED PARKING = 78-20 = 58 SPACES.
7. PROPOSED IN-N-OUT BURGER BUILDING AREA = 3,885 S.F.
   INDOOR SEATING = 74 SEATS.
   OUTDOOR SEATING = 52 SEATS (16 TABLES).
   OUTDOOR SEATING AREA = 0 S.F. STRUCTURE PLUS 64 S.F. EACH FOR 10-4 SEAT TABLES (640 S.F.) PLUS 20 S.F. FOR 6-2 SEAT TABLES (120 S.F.) = 760 S.F.
8. REQUIRED LANDSCAPE AREA WITHIN THE PROPERTY (15%) = 9,590 S.F.
9. LANDSCAPE AREA PROVIDED WITHIN THE PROPERTY = 11,639 S.F. (18.2%).
10. ALL NEW SIGNS SHALL BE APPROVED BY A SEPARATE CITY PERMIT.
11. THERE WILL BE PROPOSED RECIPROCAL VEHICULAR ACCESS BETWEEN INOB, STARBUCKS AND PROPERTY TO THE EAST.
12. IN-N-OUT BURGER PARKING SPACE DETAILED SUMMARY TABLE

DESCRIPTION	REQUIRED	PROPOSED
1. STANDARD SPACE (9'x19')	46	21
2. STANDARD SPACE (9'x17' PLUS A 2' VOH))	0	38
3. COMPACT SPACE (8'x17' WITH 8'x16' MINIMUM)	0	2
4. ACCESSIBLE VAN (17'x19' PLUS A 1' VOH)	1	1
5. ACCESSIBLE SPACE (14'x19' PLUS A 1' VOH)	2	2
6. FUTURE ACCESSIBLE VAN EV PARKING (17'x19' PLUS A 1' VOH)	1	1
7. FUTURE EV PARKING (9'x17' PLUS A 2' VOH)	3	3
8. CLEAN AIR/VAN POOL/EV (9'x17 PLUS A 2' VOH)	2	2
9. MOTORCYCLE PARKING SPACE (5'x7' AT 1 PER 25 VEHICLES)	3	3
10. TOTAL	58	73
11. IN-N-OUT BURGER DRIVE THRU VEHICLE QUEUE OF 510' LONG (20' LONG INOB VEHICLE WITH 3 VEHICLES BETWEEN MENU BOARD AND PICK UP WINDOW AND 5 VEHICLES BEHIND MENU BOARD REQUIRED)	8	23
12. SHORT-TERM BICYCLE PARKING WITHIN DESIGNATED BIKE RACK (5 BIKE SPACES ARE REQUIRED AT 2.5'x6' EACH)	5	5
13. LONG-TERM BICYCLE PARKING WITHIN A LOCKABLE PERMANENTLY ANCHORED LOCKER ON A CONCRETE SLAB.	0	0

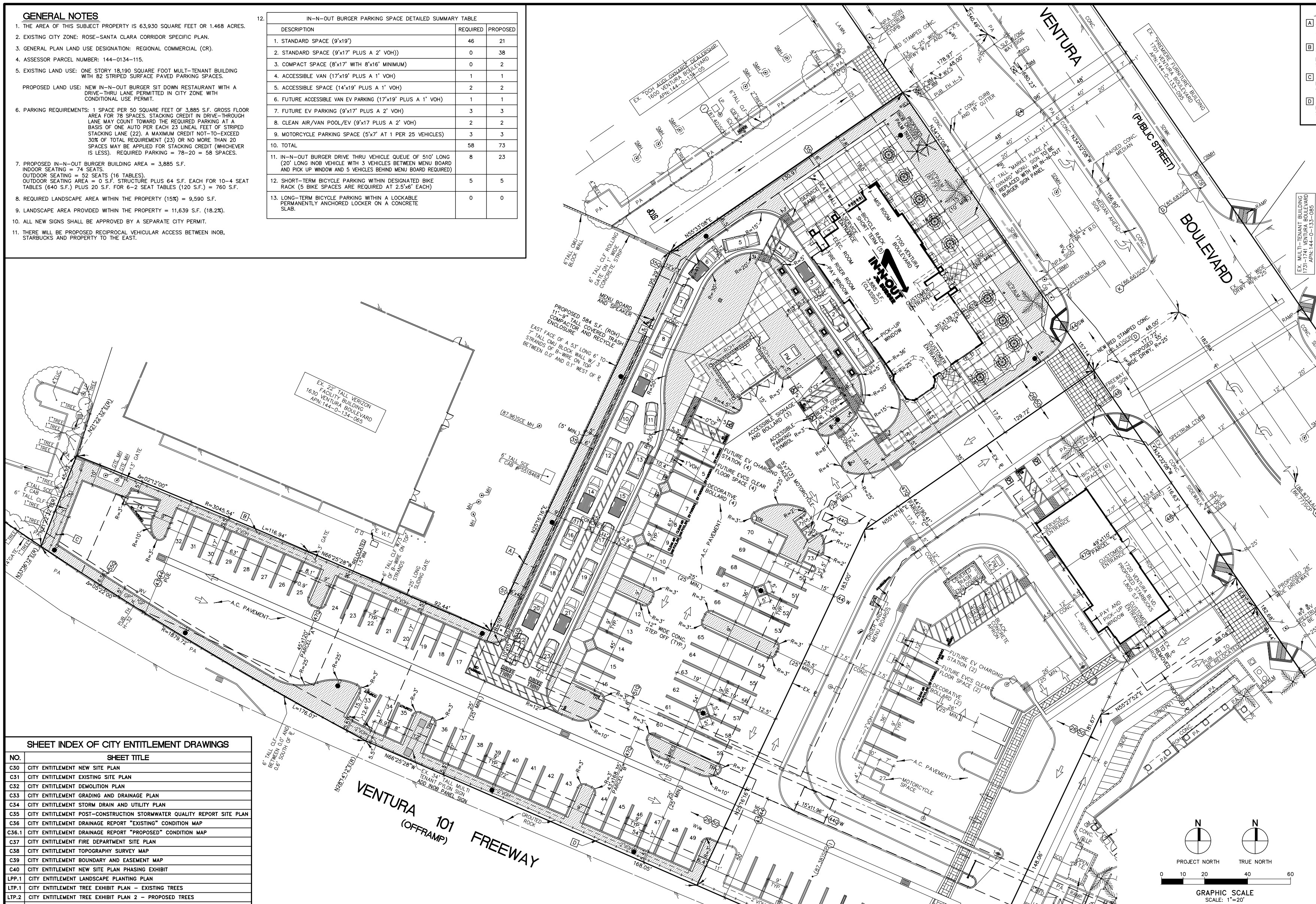
ENCROACHMENT NOTES

A. APPROXIMATELY 116' OF A 6' TO 7' TALL CMU BLOCK WALL ENCROACHES UP TO 0.1' INSIDE AND EAST OF THE SURVEYED PROPERTY LINE.

B. APPROXIMATELY 200' OF A 6' TALL CHAIN LINK FENCE WITH 3 STRANDS OF BARBED WIRE ON TOP ENCROACHES UP TO 1.4' INSIDE AND SOUTH OF THE SURVEYED PROPERTY LINE.

C. APPROXIMATELY 45' OF A 6' TALL CHAIN LINK FENCE ENCROACHES BETWEEN 4.0' TO 4.7' INSIDE AND EAST OF THE SURVEYED PROPERTY LINE.

D. APPROXIMATELY 191' OF A 6' TALL CHAIN LINK FENCE ENCROACHES UP TO 1.5' INSIDE AND NORTH OF THE SURVEYED PROPERTY LINE.



LEGEND

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- PROPOSED INOB INSTALLED AND MAINTAINED 22'-6" TALL FIXTURE HEIGHT LED LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- OUTDOOR SEATING PATIO TABLE WITH UMBRELLA (4 SEATS).
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA (4 SEATS).
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA (2 SEATS).
- PL PROPERTY LINE.
- 1 NEW 3' TALL 18"x24" LIT "DRIVE THRU" DIRECTIONAL SIGN.
- 2 NEW 3' TALL 18"x24" LIT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- 3 NEW PEDESTRIAN CROSSWALK SIGN.
- 4 NEW ACCESSIBILITY ENTRY SIGN.
- 5 NEW STOP SIGN, LEGEND AND BAR.
- INOB IN-N-OUT BURGER.
- CF CURB FACE.
- TR PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- NEW CONCRETE SIDEWALK.
- D REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
- 47 SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOWN ON SHEET C38.
- 47Q EASEMENT TO BE QUITCLAIMED.
- LOC INOB LIMITS OF CONSTRUCTION.
- VOH VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- ADA ACCESSIBLE PATH OF TRAVEL. ACCESSIBLE PATH OF TRAVEL IS NOT LESS THAN 4 FEET WIDE, AND DOES NOT EXCEED A RUNNING SLOPE OF 1:20 (5%) OR A CROSS SLOPE IN EXCESS OF 1:50 (2%). REFER TO SHEET C33 FOR SPECIFIC SLOPES AND GRADES.
- PM SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.
- US DRIVE-THRU CATWALK CONCRETE PAD WITH UMBRELLA STAND.
- PROPOSED 18" TO 27" TALL 22" WIDE STUCCO COVERED SEAT/SCREEN WALL WITH A PRECAST CONCRETE CAP.
- 24" WIDE MATTED INOB ASSOCIATE WALKWAY CONSISTING OF APPROXIMATELY 300 SQUARE FEET.
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 11,639 SQUARE FEET (18.2%).

SHEET INDEX OF CITY ENTITLEMENT DRAWINGS

NO.	SHEET TITLE
C30	CITY ENTITLEMENT NEW SITE PLAN
C31	CITY ENTITLEMENT EXISTING SITE PLAN
C32	CITY ENTITLEMENT DEMOLITION PLAN
C33	CITY ENTITLEMENT GRADING AND DRAINAGE PLAN
C34	CITY ENTITLEMENT STORM DRAIN AND UTILITY PLAN
C35	CITY ENTITLEMENT POST-CONSTRUCTION STORMWATER QUALITY REPORT SITE PLAN
C36	CITY ENTITLEMENT DRAINAGE REPORT "EXISTING" CONDITION MAP
C36.1	CITY ENTITLEMENT DRAINAGE REPORT "PROPOSED" CONDITION MAP
C37	CITY ENTITLEMENT FIRE DEPARTMENT SITE PLAN
C38	CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP
C39	CITY ENTITLEMENT BOUNDARY AND EASEMENT MAP
C40	CITY ENTITLEMENT NEW SITE PLAN PHASING EXHIBIT
LPP.1	CITY ENTITLEMENT LANDSCAPE PLANTING PLAN
LTP.1	CITY ENTITLEMENT TREE EXHIBIT PLAN - EXISTING TREES
LTP.2	CITY ENTITLEMENT TREE EXHIBIT PLAN 2 - PROPOSED TREES

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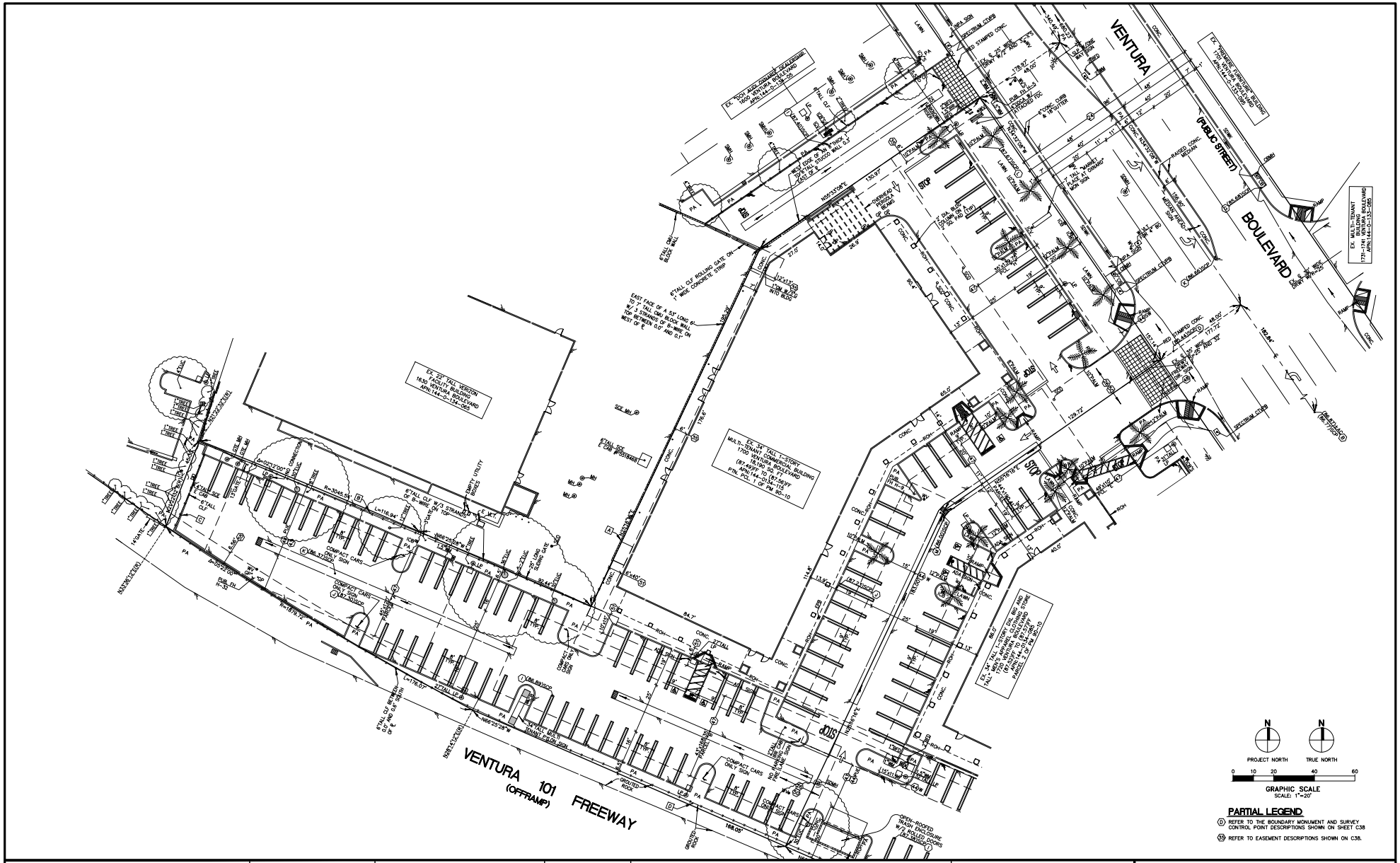
CITY ENTITLMENT NEW SITE PLAN

C30

JN 20053-20053 C30cesp

12/9/2021 1:03:25 PM, MSL ENGINEERING, INC., (SA)



PARTIAL LEGEND

(B) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C3B

(EA) REFER TO EASEMENT DESCRIPTIONS SHOWN ON C3B.

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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REVISIONS

GHA PROJECT NO. ------
GHA Architecture/Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-8884
Fax: (972) 239-5054

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

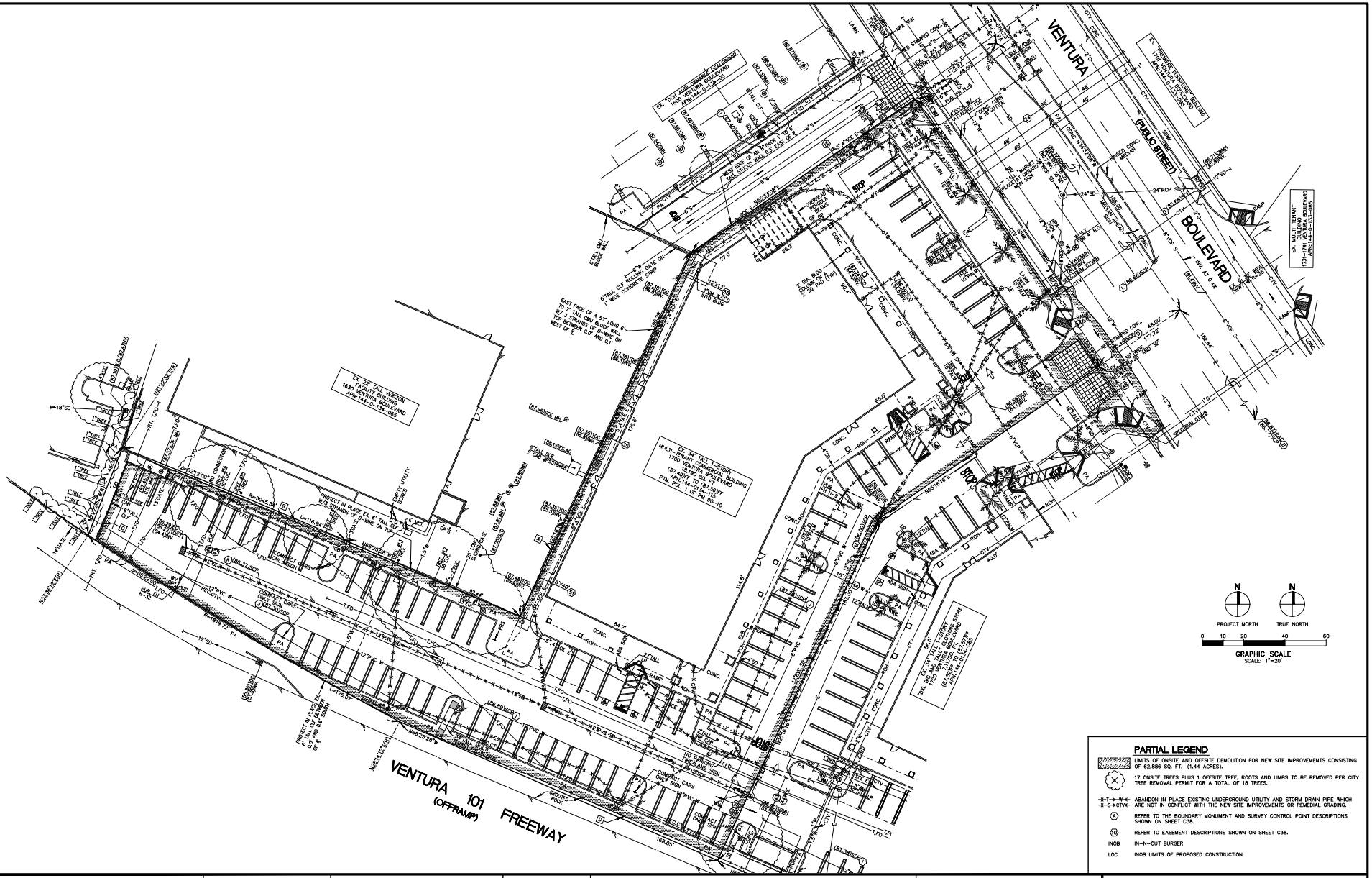
IN-N-OUT BURGER

PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT EXISTING SITE PLAN

C31

JN 20055-20055 CXlayout
12/09/2021 11:13:55 AM, MSL ENGINEERING, INC., CAA



PARTIAL LEGEND

	LIMITS OF ONSITE AND OFFSITE DEMOLITION FOR NEW SITE IMPROVEMENTS CONSISTING OF 62,866 SQ. FT. (1.44 ACRES).
	17 ONSITE TREES PLUS 1 OFFSITE TREE, ROOTS AND LIMBS TO BE REMOVED PER CITY TREE REMOVAL PERMIT FOR A TOTAL OF 18 TREES.
	ABANDON IN PLACE EXISTING UNDERGROUND UTILITY AND STORM DRAIN PIPE WHICH ARE NOT IN CONFLICT WITH THE NEW SITE IMPROVEMENTS OR REMEDIAL GRADING.
(A)	REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C38.
(10)	REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEET C38.
INOB	IN-N-OUT BURGER
LOC	INOB LIMITS OF PROPOSED CONSTRUCTION

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
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CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2295 FAX (909) 305-2307
MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE
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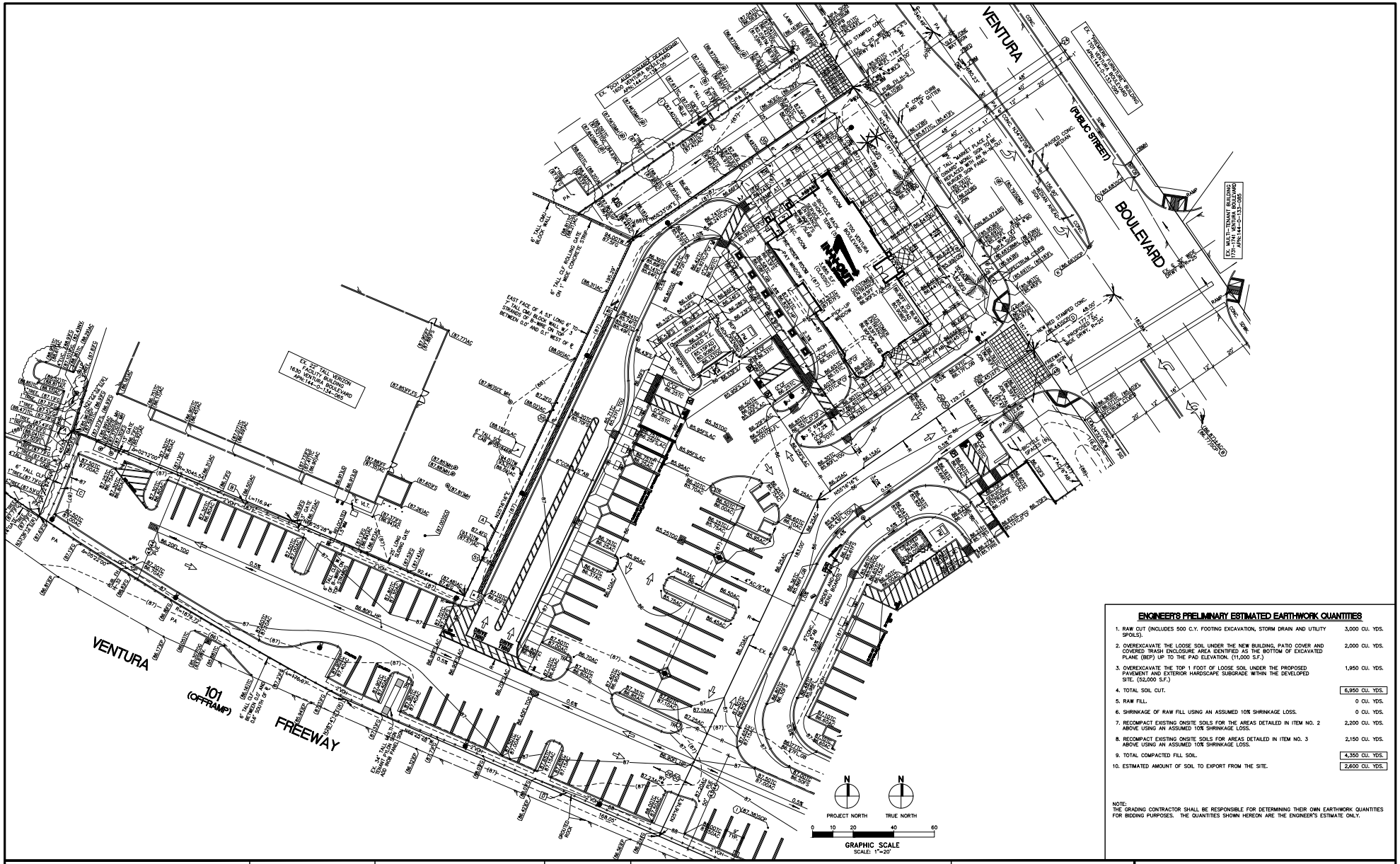
IN-N-OUT BURGER

PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT DEMOLITION PLAN

C32

JN 2005-2006 Oldsmobile
12/09/2021 11:34:15 AM, MSL ENGINEERING, INC., (SA)



ENGINEER'S PRELIMINARY ESTIMATED EARTHWORK QUANTITIES

1.	RAW CUT (INCLUDES 500 C.Y. FOOTING EXCAVATION, STORM DRAIN AND UTILITY SPOILS).	3,000 CU. YDS.
2.	OVEREXCAVATE THE LOOSE SOIL UNDER THE NEW BUILDING, PATIO COVER AND COVERED TRASH ENCLOSURE AREA IDENTIFIED AS THE BOTTOM OF EXCAVATED PLANE (BEP) UP TO THE PAD ELEVATION. (11,000 S.F.)	2,000 CU. YDS.
3.	OVEREXCAVATE THE TOP 1 FOOT OF LOOSE SOIL UNDER THE PROPOSED PAVEMENT AND EXTERIOR HARDSCAPE SUBGRADE WITHIN THE DEVELOPED SITE. (52,000 S.F.)	1,950 CU. YDS.
4.	TOTAL SOIL CUT.	6,950 CU. YDS.
5.	RAW FILL.	0 CU. YDS.
6.	SHRINKAGE OF RAW FILL USING AN ASSUMED 10% SHRINKAGE LOSS.	0 CU. YDS.
7.	RECOMPACT EXISTING ONSITE SOILS FOR THE AREAS DETAILED IN ITEM NO. 2 ABOVE USING AN ASSUMED 10% SHRINKAGE LOSS.	2,200 CU. YDS.
8.	RECOMPACT EXISTING ONSITE SOILS FOR AREAS DETAILED IN ITEM NO. 3 ABOVE USING AN ASSUMED 10% SHRINKAGE LOSS.	2,150 CU. YDS.
9.	TOTAL COMPACTED FILL SOIL.	4,350 CU. YDS.
10.	ESTIMATED AMOUNT OF SOIL TO EXPORT FROM THE SITE.	2,600 CU. YDS.

NOTE:
THE GRADING CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THEIR OWN EARTHWORK QUANTITIES FOR BIDDING PURPOSES. THE QUANTITIES SHOWN HEREON ARE THE ENGINEER'S ESTIMATE ONLY.

IN-N-OUT BURGER

DEVELOPER:
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13502 HAMBURGER LANE
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MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

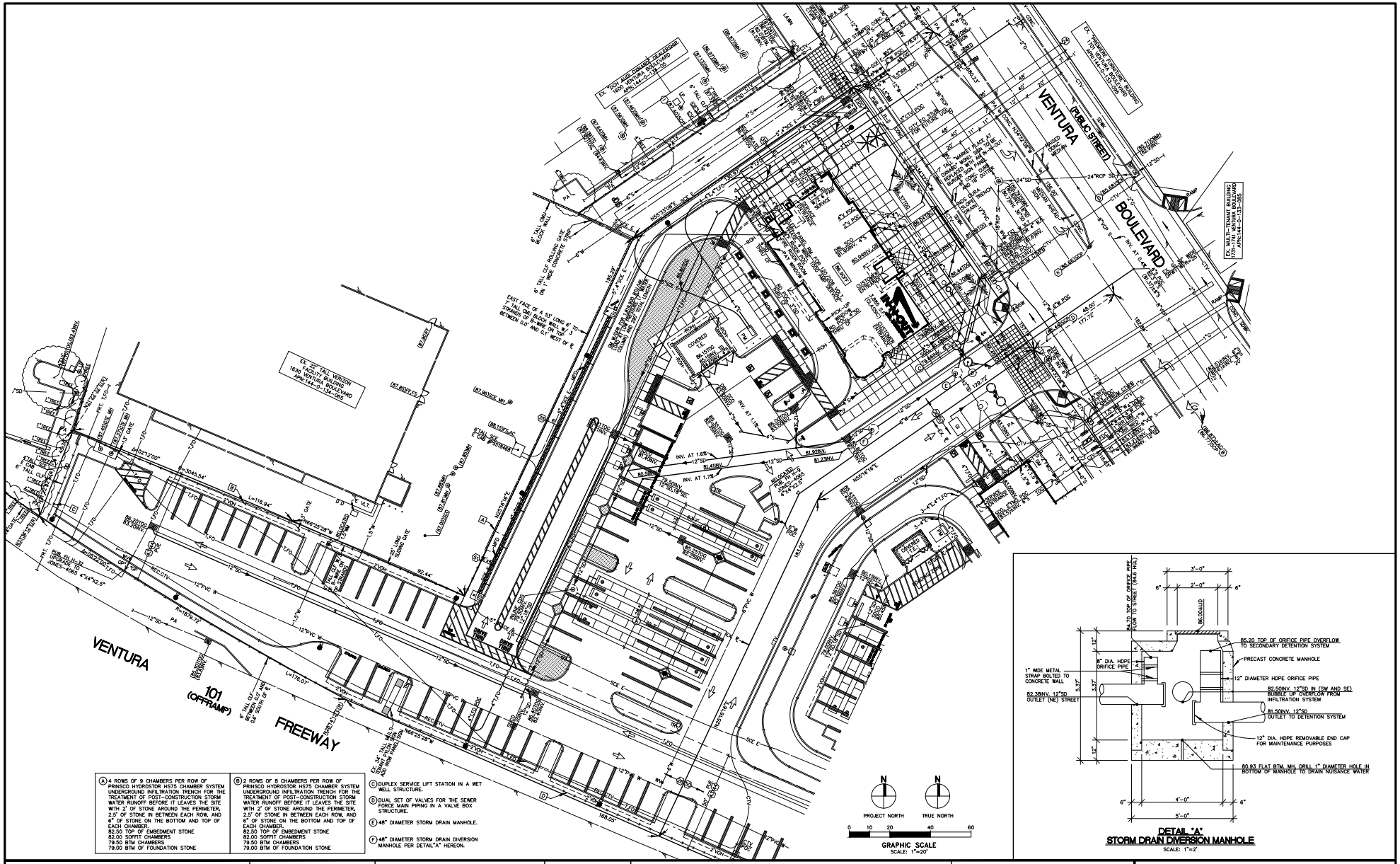
IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLMENT GRADING AND DRAINAGE PLAN

C33

JN 2009-2008 CBlocopb

12/09/2021 11:54:49 PM, MSL ENGINEERING, INC., SAI



(A) 4 ROWS OF 9 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER.
82.50 TOP OF EMBEDMENT STONE
82.00 SOFFIT CHAMBERS
79.50 BTM CHAMBERS
79.00 BTM OF FOUNDATION STONE

(B) 2 ROWS OF 8 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER.
82.50 TOP OF EMBEDMENT STONE
82.00 SOFFIT CHAMBERS
79.50 BTM CHAMBERS
79.00 BTM OF FOUNDATION STONE

(C) DUPLEX SERVICE LIFT STATION IN A WET WELL STRUCTURE.

(D) DUAL SET OF VALVES FOR THE SEWER FORCE MAIN PIPING IN A VALVE BOX STRUCTURE.

(E) 48" DIAMETER STORM DRAIN MANHOLE.

(F) 48" DIAMETER STORM DRAIN DIVERSION MANHOLE PER DETAIL"A" HEREON.

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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Architecture/Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-8884
Fax: (972) 239-5054

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MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLMENT STORM DRAIN AND UTILITY PLAN

C34

JN 90030-90035 CD&Grad

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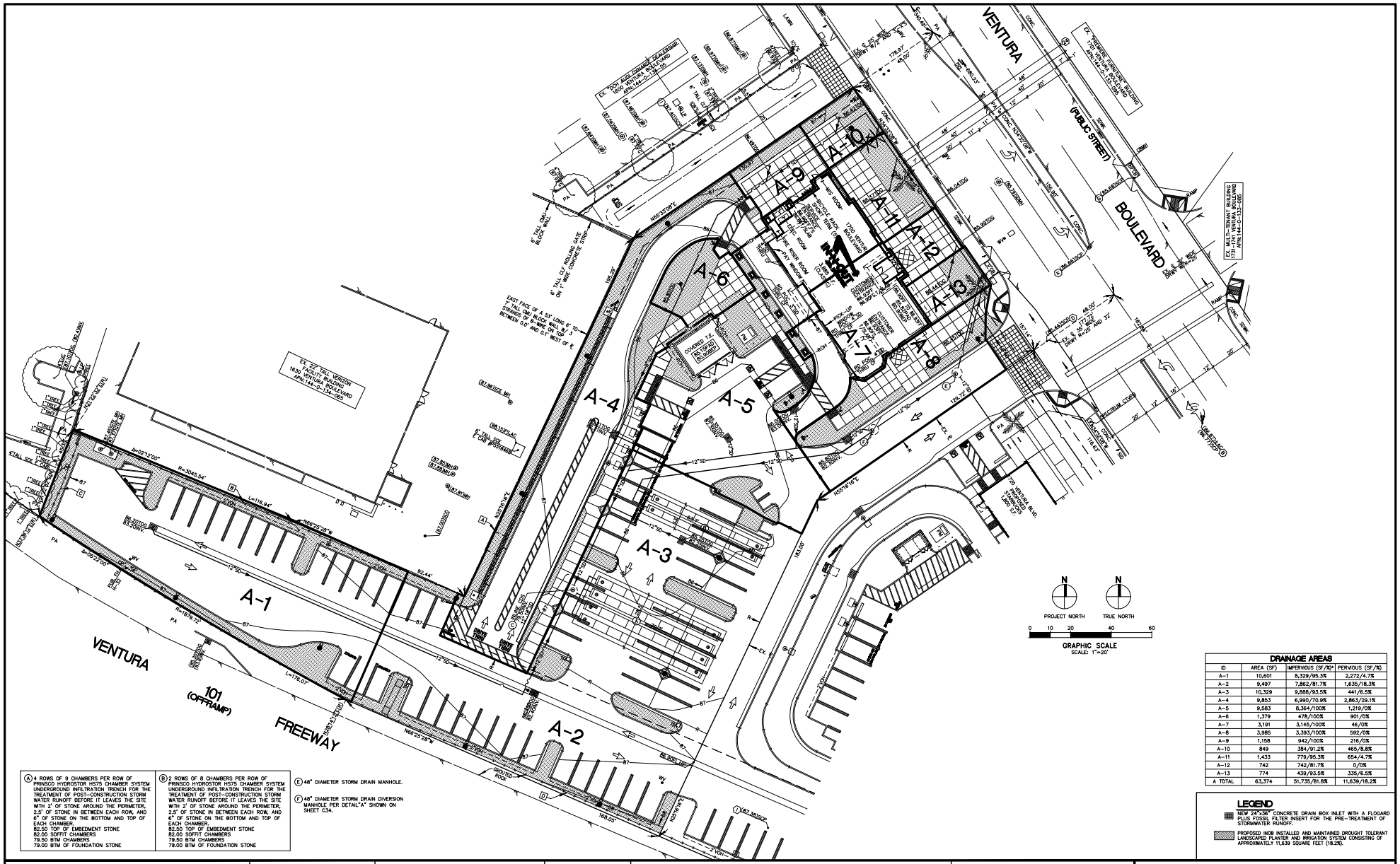

DRAINAGE AREAS			
ID	AREA (SF)	IMPERVIOUS (SF/%)*	PERVIOUS (SF/%)
A-1	10,601	8,329/95.3%	2,272/4.7%
A-2	9,497	7,862/81.7%	1,635/18.3%
A-3	10,329	9,888/93.5%	441/6.5%
A-4	9,853	6,990/70.9%	2,863/29.1%
A-5	9,583	8,364/100%	1,219/0%
A-6	1,379	478/100%	901/0%
A-7	3,191	3,145/100%	46/0%
A-8	3,985	3,393/100%	592/0%
A-9	1,158	942/100%	216/0%
A-10	849	384/91.2%	465/8.8%
A-11	1,433	779/95.3%	654/4.7%
A-12	742	742/81.7%	0/0%
A-13	774	439/93.5%	335/6.5%
A TOTAL	63,374	51,735/81.8%	11,639/18.2%

LEGEND

NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.

PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 11,639 SQUARE FEET (18.2%).

(A) 4 ROWS OF 9 CHAMBERS PER ROW OF PRINSCO HYDROSTOR HS75 CHAMBER SYSTEM UNDERGROUND INFILTRATION TRENCH FOR THE TREATMENT OF POST-CONSTRUCTION STORM WATER RUNOFF BEFORE IT LEAVES THE SITE WITH 2' OF STONE AROUND THE PERIMETER, 2.5' OF STONE IN BETWEEN EACH ROW, AND 6" OF STONE ON THE BOTTOM AND TOP OF EACH CHAMBER.
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82.50 TOP OF EMBEDMENT STONE
82.00 SOFFIT CHAMBERS
79.50 BTM CHAMBERS
79.00 BTM OF FOUNDATION STONE

(E) 48" DIAMETER STORM DRAIN MANHOLE.

(F) 48" DIAMETER STORM DRAIN DIVERSION MANHOLE PER DETAIL "A" SHOWN ON SHEET C34.

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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GHA Architecture/Development
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Dallas Texas 75254
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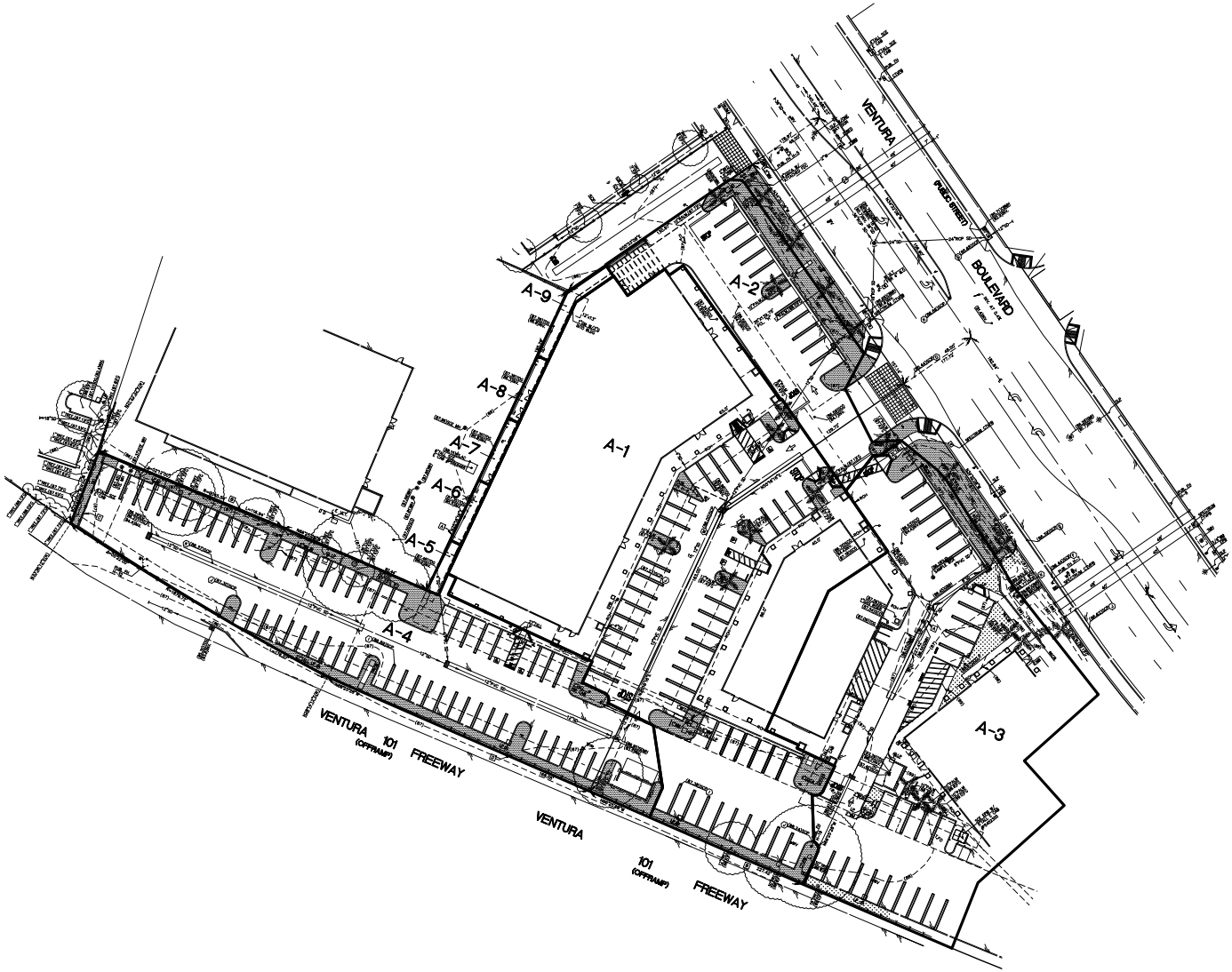
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT POST-CONSTRUCTION STORMWATER QUALITY REPORT SITE PLAN

C35

12/09/2021 12:25:42 PM, MSL ENGINEERING, INC., C.A.D.



N PROJECT NORTH

N TRUE NORTH

0 15 30 60 90

GRAPHIC SCALE
SCALE: 1"=30'

DRAINAGE AREAS			
ID	AREA (SF)	IMPERVIOUS (SF/%)*	PERVIOUS (SF/%)
A-1	48,744	46,474/95.3%	2,270/4.7%
A-2	10,127	8,277/81.7%	1,850/18.3%
A-3	31,660	29,623/93.5%	2,037/6.5%
A-4	23,592	19,606/83.1%	3,986/16.9%
A-5	231	231/100%	0/0%
A-6	275	275/100%	0/0%
A-7	284	284/100%	0/0%
A-8	284	284/100%	0/0%
A-9	479	479/100%	0/0%
TOTAL	115,676	105,533/91.2%	10,143/8.8%

IN-N-OUT BURGER

DEVELOPER:
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13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
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MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE

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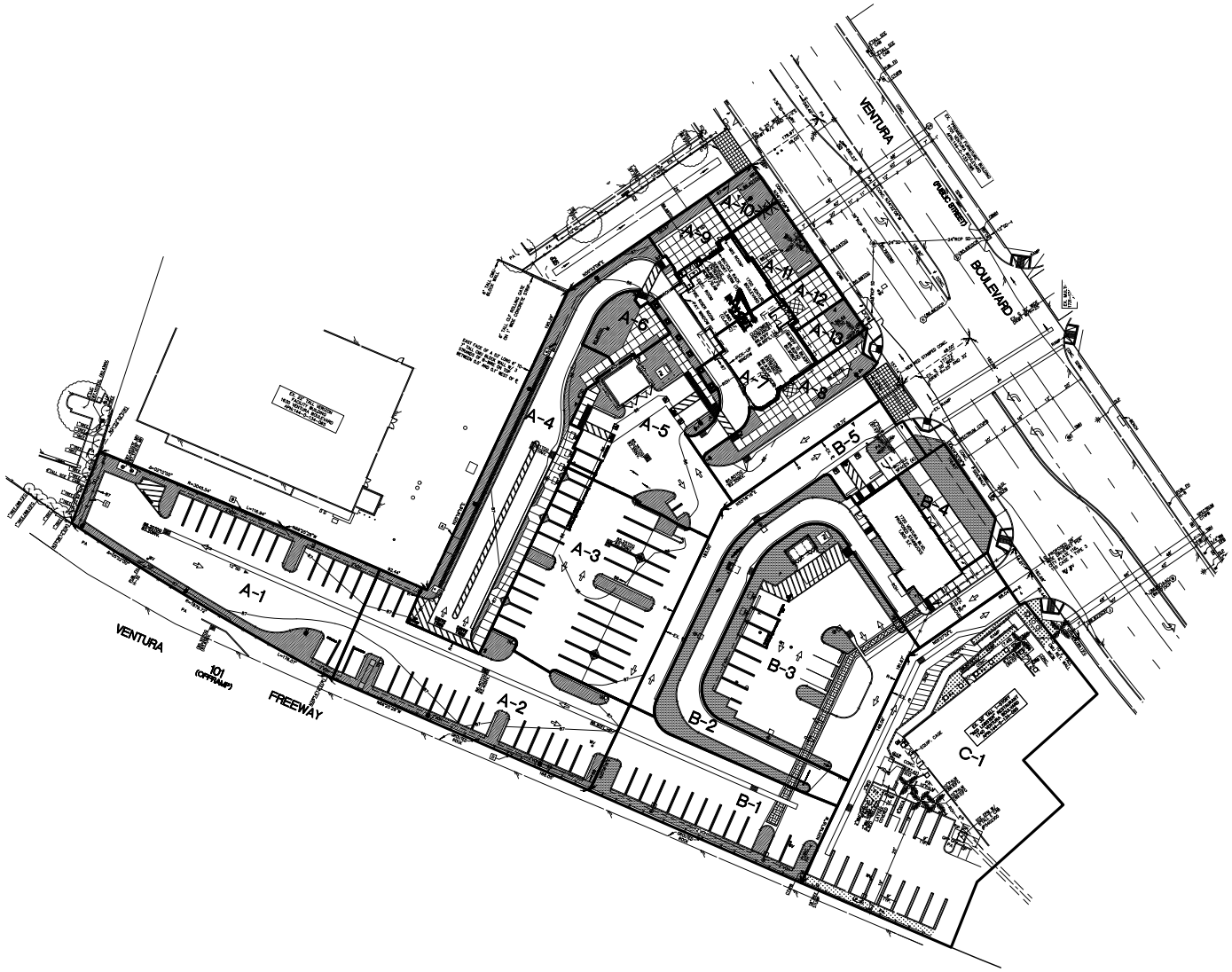
IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT DRAINAGE REPORT "EXISTING" CONDITION MAP

C36

JN 8009-8005 CitiesDrives

12/09/2021 11:34:47 AM, MSL ENGINEERING, INC., CAD



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A-4	9,853	6,990/70.9%	2,863/29.1%
A-5	9,583	8,364/87.2%	1,219/12.8%
A-6	1,379	478/34.6%	901/65.4%
A-7	3,191	3,145/98.5%	46/1.5%
A-8	3,985	3,393/85.1%	592/14.9%
A-9	1,158	942/81.3%	216/18.7%
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A-11	1,433	779/54.3%	654/45.7%
A-12	742	742/100%	0/0%
A-13	774	439/56.7%	335/43.3%
A TOTAL	63,374	51,735/81.8%	11,639/18.2%
B-1	6,842	5,816/81.9%	1,026/15.0%
B-2	10,244	8,269/80.7%	1,975/19.3%
B-3	11,749	9,238/78.6%	2,511/21.4%
B-4	2,143	717/33.4%	1,426/66.6%
B-5	4,939	4,700/95.2%	239/4.8%
B TOTAL	35,917	28,740/80.3%	7,177/19.7%
C-1	3,837	3,627/94.5%	210/5.5%
C-2	15,181	17,219/93.7%	962/6.3%
C TOTAL	19,018	17,846/93.8%	1,172/6.2%
B-C TOTAL	54,935	46,586/84.8%	8,349/15.2%
A-C TOTAL	118,309	98,321/83.1%	19,988/16.9%

N PROJECT NORTH

N TRUE NORTH

0 15 30 60 90

GRAPHIC SCALE
SCALE: 1"=30'

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE

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IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT DRAINAGE REPORT "PROPOSED" CONDITION MAP

C36.1

JN 20099-20099 C36Dwndrpm

12/09/2021 12:56:21 PM, MSL ENGINEERING, INC., SAI

ENCROACHMENT NOTES

A. APPROXIMATELY 116' OF A 6' TO 7' TALL CMU BLOCK WALL ENCROACHES UP TO 0.1' INSIDE AND EAST OF THE SURVEYED PROPERTY LINE.

B. APPROXIMATELY 200' OF A 6' TALL CHAIN LINK FENCE WITH 3 STRANDS OF BARBED WIRE ON TOP ENCROACHES UP TO 1.4' INSIDE AND SOUTH OF THE SURVEYED PROPERTY LINE.

C. APPROXIMATELY 45' OF A 6' TALL CHAIN LINK FENCE ENCROACHES BETWEEN 4.0' TO 4.7' INSIDE AND EAST OF THE SURVEYED PROPERTY LINE.

D. APPROXIMATELY 191' OF A 6' TALL CHAIN LINK FENCE ENCROACHES UP TO 1.5' INSIDE AND NORTH OF THE SURVEYED PROPERTY LINE.

PARTIAL LEGEND

(D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C39.

(EA) REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEETS C39.

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IN-N-OUT BURGER

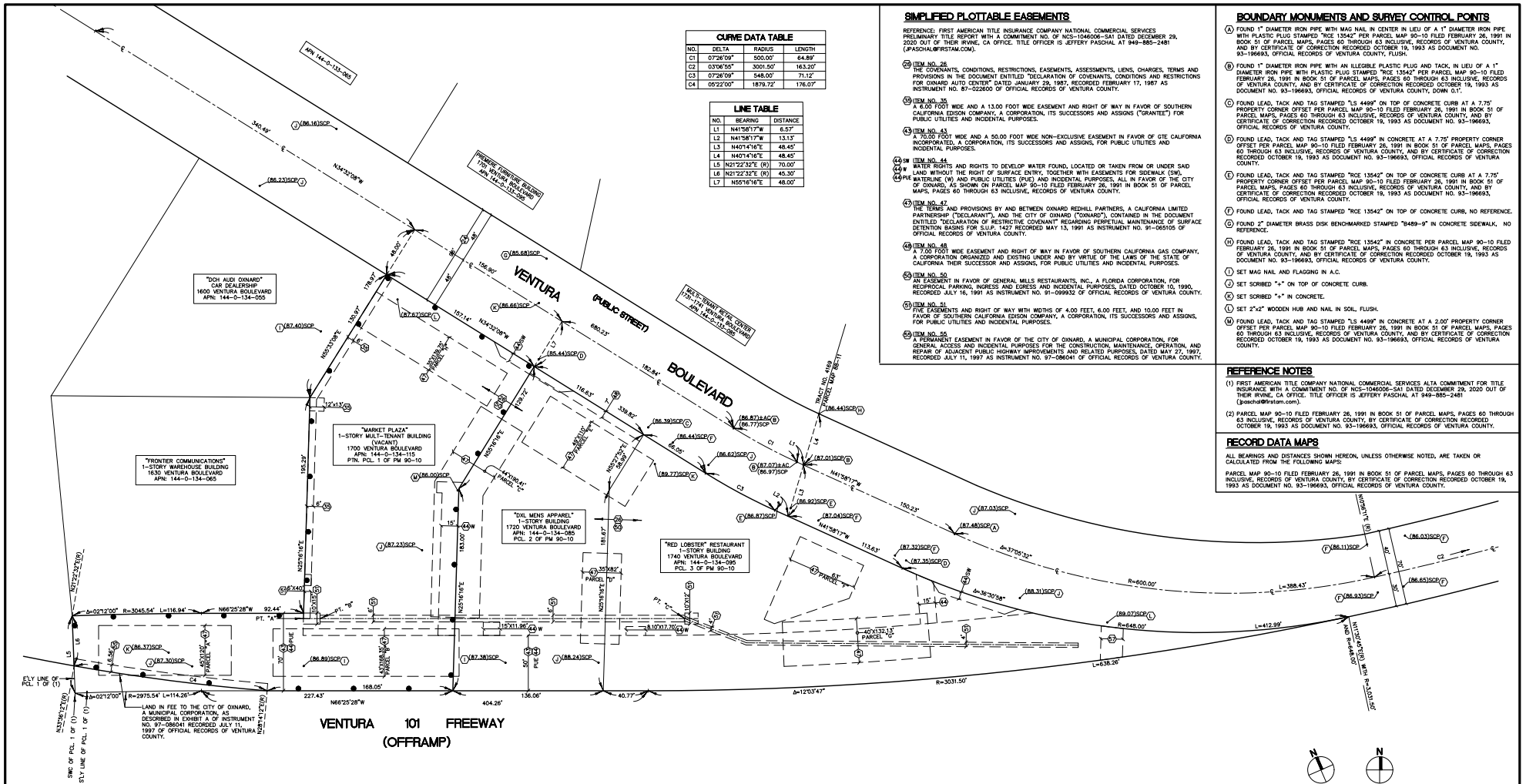
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT TOPOGRAPHY SURVEY MAP

C38

JB 20005-20008 CBlowden

12/09/2021 11:15:12 AM, MSL ENGINEERING, INC., CAD



CURVE DATA TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	07°26'09"	500.00'	64.89'
C2	03°06'55"	3001.50'	163.20'
C3	07°26'09"	548.00'	71.12'
C4	05°22'00"	1879.72'	176.07'

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N41°58'17"W	6.57'
L2	N41°58'17"W	13.13'
L3	N40°14'16"E	48.45'
L4	N40°14'16"E	48.45'
L5	N21°22'32"E (R)	70.00'
L6	N21°22'32"E (R)	45.30'
L7	N55°16'16"E	48.00'

SIMPLIFIED PLOTTABLE EASEMENTS

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (JPASCHAL@FIRSTAM.COM).

29 ITEM NO. 26
THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS IN THE DOCUMENT ENTITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED JANUARY 29, 1987, RECORDED FEBRUARY 17, 1987 AS INSTRUMENT NO. 87-022600 OF OFFICIAL RECORDS OF VENTURA COUNTY.

35 ITEM NO. 35
A 6.00 FOOT WIDE AND A 13.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS ("GRANTEE") FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

43 ITEM NO. 43
A 70.00 FOOT WIDE AND A 50.00 FOOT WIDE NON-EXCLUSIVE EASEMENT IN FAVOR OF GTE CALIFORNIA INCORPORATED, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

44 SW, 44 W, 44 PUE ITEM NO. 44
WATER RIGHTS AND RIGHTS TO DEVELOP WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, TOGETHER WITH EASEMENTS FOR SIDEWALK (SW), WATERLINE (W) AND PUBLIC UTILITIES (PUE) AND INCIDENTAL PURPOSES, ALL IN FAVOR OF THE CITY OF OXNARD, AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.

47 ITEM NO. 47
THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), AND THE CITY OF OXNARD ("OXNARD"), CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF RESTRICTIVE COVENANT" REGARDING PERPETUAL MAINTENANCE OF SURFACE DETENTION BASINS FOR S.U.P. 1427 RECORDED MAY 13, 1991 AS INSTRUMENT NO. 91-065105 OF OFFICIAL RECORDS OF VENTURA COUNTY.

48 ITEM NO. 48
A 7.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF CALIFORNIA THEIR SUCCESSOR AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

50 ITEM NO. 50
AN EASEMENT IN FAVOR OF GENERAL MILLS RESTAURANTS, INC., A FLORIDA CORPORATION, FOR RECIPROCAL PARKING, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, DATED OCTOBER 10, 1990, RECORDED JULY 16, 1991 AS INSTRUMENT NO. 91-099932 OF OFFICIAL RECORDS OF VENTURA COUNTY.

51 ITEM NO. 51
FIVE EASEMENTS AND RIGHT OF WAY WITH WIDTHS OF 4.00 FEET, 6.00 FEET, AND 10.00 FEET IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

55 ITEM NO. 55
A PERMANENT EASEMENT IN FAVOR OF THE CITY OF OXNARD, A MUNICIPAL CORPORATION, FOR GENERAL ACCESS AND INCIDENTAL PURPOSES FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, AND REPAIR OF ADJACENT PUBLIC HIGHWAY IMPROVEMENTS AND RELATED PURPOSES, DATED MAY 27, 1997, RECORDED JULY 11, 1997 AS INSTRUMENT NO. 97-086041 OF OFFICIAL RECORDS OF VENTURA COUNTY.

BOUNDARY MONUMENTS AND SURVEY CONTROL POINTS

(A) FOUND 1" DIAMETER IRON PIPE WITH MAG NAIL IN CENTER IN LIEU OF A 1" DIAMETER IRON PIPE WITH PLASTIC PLUG STAMPED "RCE 13542" PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY, FLUSH.

(B) FOUND 1" DIAMETER IRON PIPE WITH AN ILLEGIBLE PLASTIC PLUG AND TACK, IN LIEU OF A 1" DIAMETER IRON PIPE WITH PLASTIC PLUG STAMPED "RCE 13542" PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY, DOWN 0.1'.

(C) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" ON TOP OF CONCRETE CURB AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(D) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" IN CONCRETE AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(E) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" ON TOP OF CONCRETE CURB AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(F) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" ON TOP OF CONCRETE CURB, NO REFERENCE.

(G) FOUND 2" DIAMETER BRASS DISK BENCHMARKED STAMPED "B489-9" IN CONCRETE SIDEWALK, NO REFERENCE.

(H) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" IN CONCRETE PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(I) SET MAG NAIL AND FLAGGING IN A.C.

(J) SET SCRIBED "+" ON TOP OF CONCRETE CURB.

(K) SET SCRIBED "+" IN CONCRETE.

(L) SET 2"x2" WOODEN HUB AND NAIL IN SOIL, FLUSH.

(M) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" IN CONCRETE AT A 2.00' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

REFERENCE NOTES

(1) FIRST AMERICAN TITLE COMPANY NATIONAL COMMERCIAL SERVICES ALTA COMMITMENT FOR TITLE INSURANCE WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (jpaschal@firstam.com).

(2) PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

RECORD DATA MAPS

ALL BEARINGS AND DISTANCES SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE TAKEN OR CALCULATED FROM THE FOLLOWING MAPS:

PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

BOUNDARY AND EASEMENT MAP PARTIAL LEGEND

INDICATES THE BOUNDARY OF THIS BOUNDARY AND EASEMENT MAP CONSISTING OF 63,930 SQUARE FEET OR 1.468 ACRES.

(D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON HEREON.

(55) REFER TO EASEMENT DESCRIPTIONS SHOWN HEREON.

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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REVISIONS

GHA PROJECT NO. ------
GHA Architecture/Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-8884
Fax: (972) 239-5054

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 DATE 10-15-2021
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

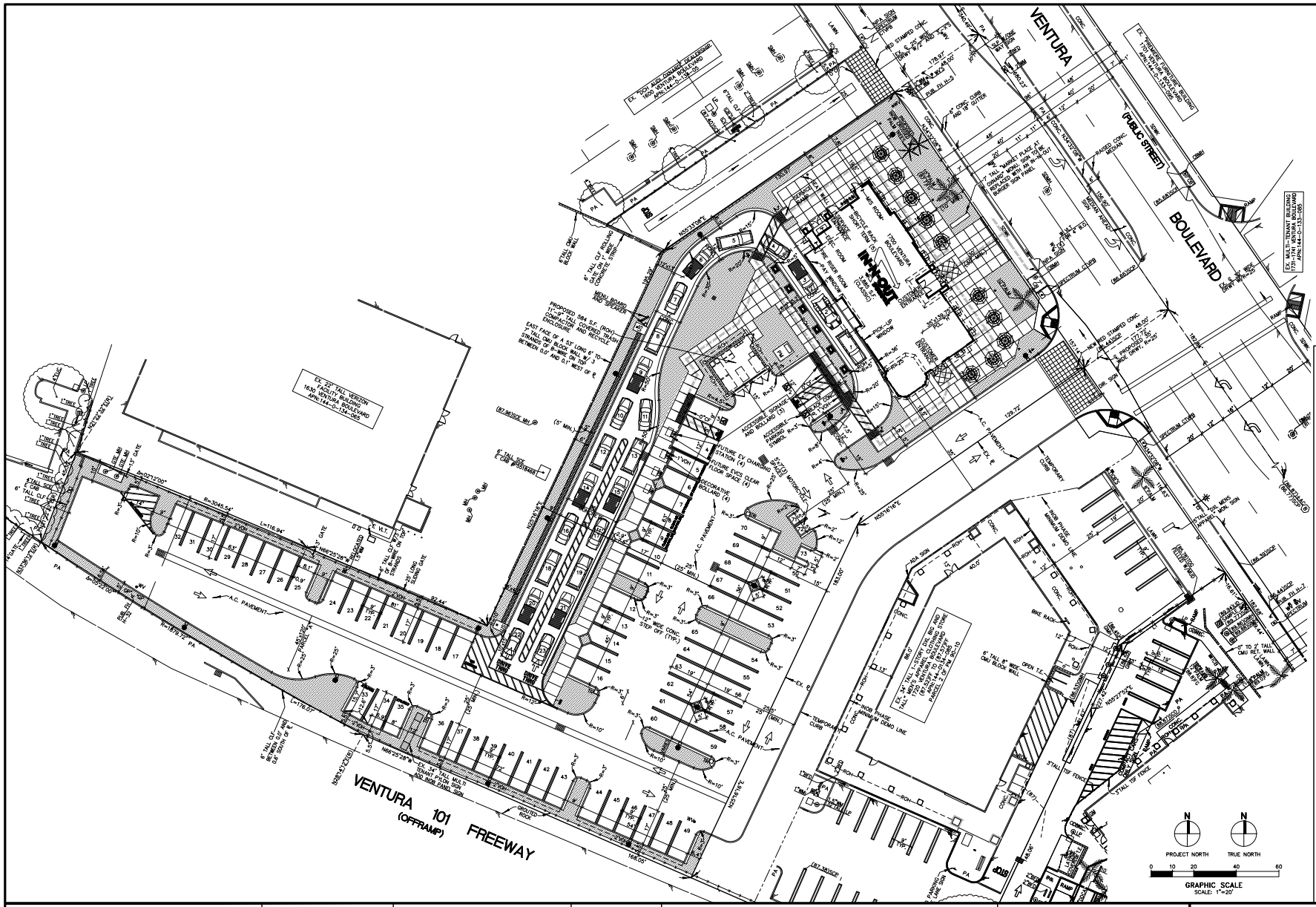
IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLMENT BOUNDARY AND EASEMENT MAP

C39

JN 20099-20099 CitiWebsite

12/9/2021 11:13:24 AM, MSL ENGINEERING, INC., (SA)



PHASING NOTES

1. PHASING SHOWN FOR IN-N-OUT BURGER CONSTRUCTION PRIOR TO WORK AT 1720 VENTURA BOULEVARD.
2. ALL UTILITIES SHOWN ON STORM DRAIN AND UTILITY PLAN SHEET 34 ARE REQUIRED DURING IN-N-OUT PHASE.

LEGEND

- NEW 24"x36" CONCRETE DRAIN BOX INLET WITH A FLOGARD PLUS FOSSIL FILTER INSERT FOR THE PRE-TREATMENT OF STORMWATER RUNOFF.
- PROPOSED INOB INSTALLED AND MAINTAINED 22'-6" TALL FIXTURE HEIGHT LED LIGHT POLE ON TOP OF A 30" TALL 24" DIAMETER CONCRETE BASE FOR A TOTAL HEIGHT OF 25' TALL.
- BLACK TRUNCATED DOMES DETECTABLE WARNING STRIP.
- VEHICLE DETECTOR LOOP.
- OUTDOOR SEATING PATIO TABLE WITH UMBRELLA (4 SEATS).
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA (4 SEATS).
- OUTDOOR SEATING PATIO TABLE WITH NO UMBRELLA (2 SEATS).
- PROPERTY LINE.
- NEW 3' TALL 18"x24" LIT "DRIVE THRU" DIRECTIONAL SIGN.
- NEW 3' TALL 18"x24" LIT "THANK YOU, DO NOT ENTER" DIRECTIONAL SIGN.
- NEW PEDESTRIAN CROSSWALK SIGN.
- NEW ACCESSIBILITY ENTRY SIGN.
- NEW STOP SIGN, LEGEND AND BAR.
- INOB — IN-N-OUT BURGER.
- CF — CURB FACE.
- TR — PORTABLE TRASH RECEPTACLE ON A MINIMUM 24"x24"x4" CONCRETE PAD.
- NEW CONCRETE SIDEWALK.
- REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C3B.
- 47 — SIMPLIFIED PLOTTABLE EASEMENT DESCRIPTION SHOWN ON SHEET C3B.
- 47Q — EASEMENT TO BE QUITCLAIMED.
- LOC — INOB LIMITS OF CONSTRUCTION.
- VOH — VEHICLE OVERHANG WITH NO OBSTRUCTIONS INCLUDING LIGHT POLES, TREES AND SIGNAGE.
- ADA ACCESSIBLE PATH OF TRAVEL. ACCESSIBLE PATH OF TRAVEL IS NOT LESS THAN 4 FEET WIDE, AND DOES NOT EXCEED A RUNNING SLOPE OF 1:20 (5%) OR A CROSS SLOPE IN EXCESS OF 1:50 (2%). REFER TO SHEET C33 FOR SPECIFIC SLOPES AND GRADES.
- PM — SCE ELECTRIC PAD MOUNT TRANSFORMER WITH BOLLARDS.
- DRIVE-THRU CATWALK CONCRETE PAD WITH UMBRELLA STAND.
- PROPOSED 18" TO 27" TALL 22" WIDE STUCCO COVERED SEAT/SCREEN WALL WITH A PRECAST CONCRETE CAP.
- 24" WIDE MATTED INOB ASSOCIATE WALKWAY CONSISTING OF APPROXIMATELY 300 SQUARE FEET.
- PROPOSED INOB INSTALLED AND MAINTAINED DROUGHT TOLERANT LANDSCAPED PLANTER AND IRRIGATION SYSTEM CONSISTING OF APPROXIMATELY 11,639 SQUARE FEET (18.2%).

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
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(909) 305-2295 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE

REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLEMENT NEW SITE PLAN PHASING EXHIBIT

C40

JN 20209-20209 C40exhibit

12/09/2021 1:08:42 PM, MSL ENGINEERING INC., CAD

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QUANTITY	REMARKS	WUCOLS ZONE 3
TREES							
	EXISTING PALMS TREE TO REMAIN. CONTRACTOR SHALL HIRE CERTIFIED ARBORIST TO SKIN TRUNKS TO INDUSTRY STANDARD DOCUMENT ANSI Z60.1						
	ARBUTUS X 'MARINA'	MARINA STRAWBERRY TREE	36" BOX	PER PLAN	+/- 6	STANDARDS MATCHED	LOW
	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	48" BOX	PER PLAN	+/-7	STANDARDS MATCHED	LOW
	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE FLOWERING PEAR	36" BOX	PER PLAN	+/- 8	STANDARDS MATCHED	LOW
	RELOCATED EXISTING ONSITE QUEEN PALMS	SYAGRUS ROMANZOFFIANA	VARIES	PER PLAN	+/- 5	SKIN TRUNKS TO INDUSTRY STANDARD DOCUMENT ANSI Z60.1	MED
	EUCALYPTUS CINEREA	SILVER DOLLAR TREE	36" BOX	PER PLAN	+/- 5	STANDARDS MATCHED	LOW
	WASHINGTONIA ROBUSTA IN N OUT CROSS PLAMS	MEXICAN FAN PALM	20' CBT	PER PLAN	+/- 2	SKIN TRUNKS TO INDUSTRY STANDARD DOCUMENT ANSI Z60.1	LOW

NOTE:
1. CONTRACTOR SHALL CONTACT IN-N-OUT PERSONNEL FOR FIELD LOCATION OF SAID BOULDERS. REFER TO BOULDER DETAIL.
2. QUANTITIES SHOWN ARE APPROXIMATE, CONTRACTOR SHALL VERIFY COUNTAND ADJUST BASED ON ACTUAL FIELD CONDITIONS AND SIZE OF PLANTERS.
3. ALL PLANT MATERIAL SHALL BE REVIEWED AND APPROVED BY IN-N-OUT REP. AND LANDSCAPE ARCHITECT.
4. ALIGN TREES WITH PARKING STALLS STRIPING.
5. CONTRACTOR SHALL INSTALL 2 AERATION TUBES, 48" IN LENGTH FOR ALL TREES INCLUDING PALMS. INSTALL 4 DEVICES FOR EXISTING TREES GREATER THAN 6" TRUNK DIAMETER.

LANDSCAPE BOULDER LEGEND

BOULDER #	SIZE	TYPE/ COLOR/ MANUFACTURER
1	1' X 2' X 3'	DECORATIVE STONE SOLUTIONS BOULDER/ COLOR: AMBER CLOUD PH: 800-699-1878
2	2' X 4' X 3'	DECORATIVE STONE SOLUTIONS BOULDER/ COLOR: AMBER CLOUD PH: 800-699-1878
3	3' X 3' X 3'	DECORATIVE STONE SOLUTIONS BOULDER/ COLOR: AMBER CLOUD PH: 800-699-1878

BOULDER PLACEMENT (GROUPINGS) SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT PRIOR TO PLACEMENT.

LANDSCAPE CONSTRUCTION LEGEND

SYMBOL	MATERIAL	SQ. FT.
NO SYMBOL SHOWN	3" THICK MULCH LAYER TO BE INSTALLED IN ALL PLANTERS WITHOUT DRY STREAM BED,GRAVEL, OR BIOSWALES.	+/- 10,840 S.F.
	4"-8" ANGULAR COBBLE FOR DRY STREAM BED SUBMIT LOCALLY AVAILABLE OR EQUAL BID PURPOSES: AMBER CLOUD BY DECORATIVE STONE SOLUTIONS	+/- 260 S.F.
	6" X 6" MOW CONCRETE BAND TO SEPARATE ALL LAWN AREA FROM PLANTER AREAS	

TREE ROOTBARRIER - FIBERWEB BIO BARRIER:

- CONTRACTOR SHALL INSTALL TREE ROOT BARRIERS FOR ALL TREES WITHIN 6' OF CONCRETE EDGE. INSTALL THE 24" VERSION AND SHALL BE CONTINUOUS FOR 10' ON EITHER SIDE OF TREE.
- STREET TREES AND OTHER TREES LOCATED WITHIN 10-FEET OF THE PUBLIC RIGHT-OF-WAY (WITH THE EXCEPTION OF PALM TREES) SHALL BE PROVIDED WITH A BIO BARRIER.

AGRONOMIC SOILS REPORT REQUIREMENT

AFTER MAJOR GRADING OPERATIONS ARE COMPLETED, CONTRACTOR SHALL OBTAIN SOIL SAMPLES FROM MIN 6" DEPTH AND SUBMIT TO AN APPROVED LABORATORY FOR ANALYSIS AND RECOMMENDATIONS. OBTAIN A MINIMUM OF 1 SAMPLE PER ACRE AND 1 SAMPLE AFTER IMPLEMENTATION OF FIRST REPORT FOR VERIFICATION SOIL MEETS SOILS LAB STANDARDS. REPORTS MUST BE SUBMITTED TO LANDSCAPE ARCHITECT, CITY AND OWNERS REP. FOR REVIEW AND APPROVAL.

TITLE 23 - WATER EFFICIENT LANDSCAPE COMPLIANCE NOTE

I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE (STATE OF CALIFORNIA TITLE 23, DIVISION 2, CHAPTER 2.7) AND APPLIED THEM ACCORDINGLY FOR THE EFFICIENT USE OF LANDSCAPE DESIGN PLAN.

BRANDON PETRUNIO_____ DATE: December 09, 2021
RLA 5894:

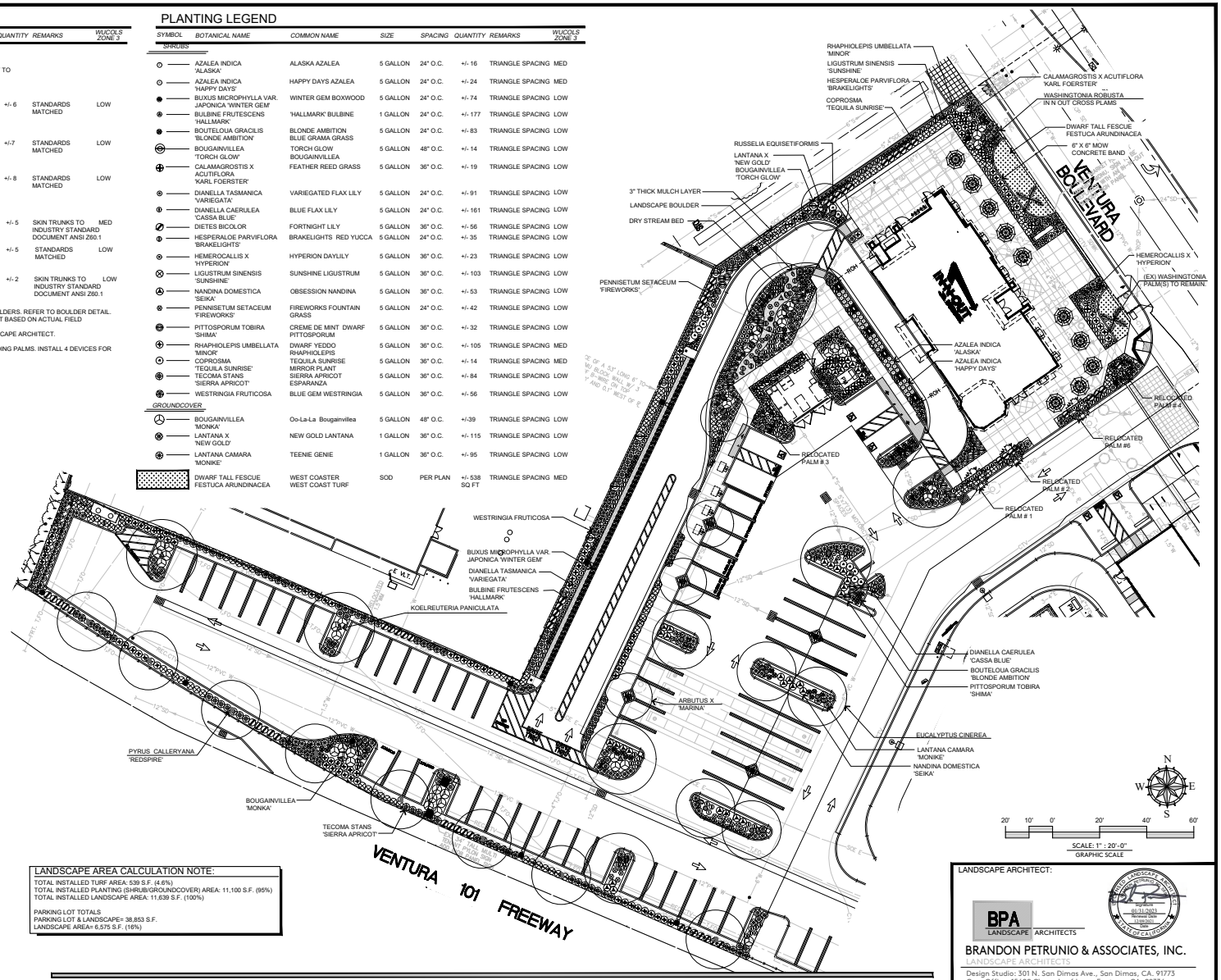
LANDSCAPE IRRIGATION INTENT:

IT IS THE INTENT TO PROVIDE AN IRRIGATION DESIGN UTILIZING DRIP IRRIGATION SYSTEM FOR THE ENTIRE SITE BURIED A CONSTANT 4" BELOW FINISH GRADE AND STAPLED DOWN @ 5' INTERVALS FOR ADDED PROTECTION. THE IRRIGATION SYSTEM SHALL BE CONTROLLED BY A SMART CONTROLLER WITH ONSITE WEATHER SENSOR AND REMOTE OPERATION THROUGH THE INTERNET FROM CENTRAL LOCATION. CONTROLLER SHALL BE A TYPE WHICH AUTOMATICALLY ADJUSTS RUNTIMES AND FREQUENCIES BASED, NOT ONLY ON HISTORICAL ET, BUT ACTUAL ONSITE WEATHER CONDITIONS.

LTP.2

PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QUANTITY	REMARKS	WUCOLS ZONE 3
SHRUBS							
	AZALEA INDICA 'ALASKA'	ALASKA AZALEA	5 GALLON	24" O.C.	+/- 16	TRIANGLE SPACING	MED
	AZALEA INDICA 'HAPPY DAYS'	HAPPY DAYS AZALEA	5 GALLON	24" O.C.	+/- 24	TRIANGLE SPACING	MED
	BUXUS MICROPHYLLA VAR. JAPONICA 'WINTER GEM'	WINTER GEM BOXWOOD	5 GALLON	24" O.C.	+/- 74	TRIANGLE SPACING	LOW
	BULBINE FRUTESCENS 'HALLMARK'	'HALLMARK' BULBINE	1 GALLON	24" O.C.	+/- 177	TRIANGLE SPACING	LOW
	BOUTELOUA GRACILIS 'BLONDE AMBITION'	BLONDE AMBITION BLUE GRAMA GRASS	5 GALLON	24" O.C.	+/- 83	TRIANGLE SPACING	LOW
	BOUGAINVILLEA 'TORCH GLOW'	TORCH GLOW BOUGAINVILLEA	5 GALLON	48" O.C.	+/- 14	TRIANGLE SPACING	LOW
	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	FEATHER REED GRASS	5 GALLON	36" O.C.	+/- 19	TRIANGLE SPACING	LOW
	DIANELLA TASMANICA 'VARIEGATA'	VARIEGATED FLAX LILY	5 GALLON	24" O.C.	+/- 91	TRIANGLE SPACING	LOW
	DIANELLA CAERULEA 'CASSA BLUE'	BLUE FLAX LILY	5 GALLON	24" O.C.	+/- 161	TRIANGLE SPACING	LOW
	DIETES BICOLOR	FORTNIGHT LILY	5 GALLON	36" O.C.	+/- 56	TRIANGLE SPACING	LOW
	HESPERALOE PARVIFLORA 'BRAKELIGHTS'	BRAKELIGHTS RED YUCCA	5 GALLON	24" O.C.	+/- 35	TRIANGLE SPACING	LOW
	HEMEROCALLIS X 'HYPERION'	HYPERION DAYLILY	5 GALLON	36" O.C.	+/- 23	TRIANGLE SPACING	LOW
	LIGUSTRUM SINENSIS 'SUNSHINE'	SUNSHINE LIGUSTRUM	5 GALLON	36" O.C.	+/- 103	TRIANGLE SPACING	LOW
	NANDINA DOMESTICA 'SEIKA'	OBSESSION NANDINA	5 GALLON	36" O.C.	+/- 53	TRIANGLE SPACING	LOW
	PENNISETUM SETACEUM 'FIREWORKS'	FIREWORKS FOUNTAIN GRASS	5 GALLON	24" O.C.	+/- 42	TRIANGLE SPACING	LOW
	PITTOSPORUM TOBIRA 'SHIMA'	CREME DE MINT DWARF PITTOSPORUM	5 GALLON	36" O.C.	+/- 32	TRIANGLE SPACING	LOW
	RHAPHIOLEPIS UMBELLATA 'MINOR'	DWARF YEDDO RHAPHIOLEPIS	5 GALLON	36" O.C.	+/- 105	TRIANGLE SPACING	MED
	COPROSMA 'TEQUILA SUNRISE'	TEQUILA SUNRISE MIRROR PLANT	5 GALLON	36" O.C.	+/- 14	TRIANGLE SPACING	MED
	TECOMA STANS 'SIERRA APRICOT'	SIERRA APRICOT ESPARANZA	5 GALLON	36" O.C.	+/- 84	TRIANGLE SPACING	LOW
	WESTRINGIA FRUTICOSA	BLUE GEM WESTRINGIA	5 GALLON	36" O.C.	+/- 56	TRIANGLE SPACING	LOW
GROUNDCOVER							
	BOUGAINVILLEA 'MONIKA'	Oo-La-La Bougainvillea	5 GALLON	48" O.C.	+/-39	TRIANGLE SPACING	LOW
	LANTANA X 'NEW GOLD'	NEW GOLD LANTANA	1 GALLON	36" O.C.	+/- 115	TRIANGLE SPACING	LOW
	LANTANA CAMARA 'MONIKE'	TEENIE GENIE	1 GALLON	36" O.C.	+/- 95	TRIANGLE SPACING	LOW
	DWARF TALL FESCUE FESTUCA ARUNDINACEA	WEST COASTER WEST COAST TURF	SOD	PER PLAN	+/- 538 SQ FT	TRIANGLE SPACING	MED



LANDSCAPE AREA CALCULATION NOTE:

TOTAL INSTALLED TURF AREA: 539 S.F. (4.6%)
TOTAL INSTALLED PLANTING (SHRUB/GROUNDCOVER) AREA: 11,100 S.F. (95%)
TOTAL INSTALLED LANDSCAPE AREA: 11,639 S.F. (100%)

PARKING LOT TOTALS
PARKING LOT & LANDSCAPE= 38,853 S.F.
LANDSCAPE AREA= 6,575 S.F. (16%)

PLAN VIEW

SCALE: 1" : 20'-0"

LANDSCAPE ARCHITECT:

BPA LANDSCAPE ARCHITECTS

BRANDON PETRUNIO & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
Design Studio: 301 N. San Dimas Ave., San Dimas, CA. 91773
Corp Office: 15699 Cherry Leaf Lane, Fontana, CA. 92336
T: (424) 235-8940, M: (951) 312-9943, E: brandon@bpalas.com

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
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MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE

IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

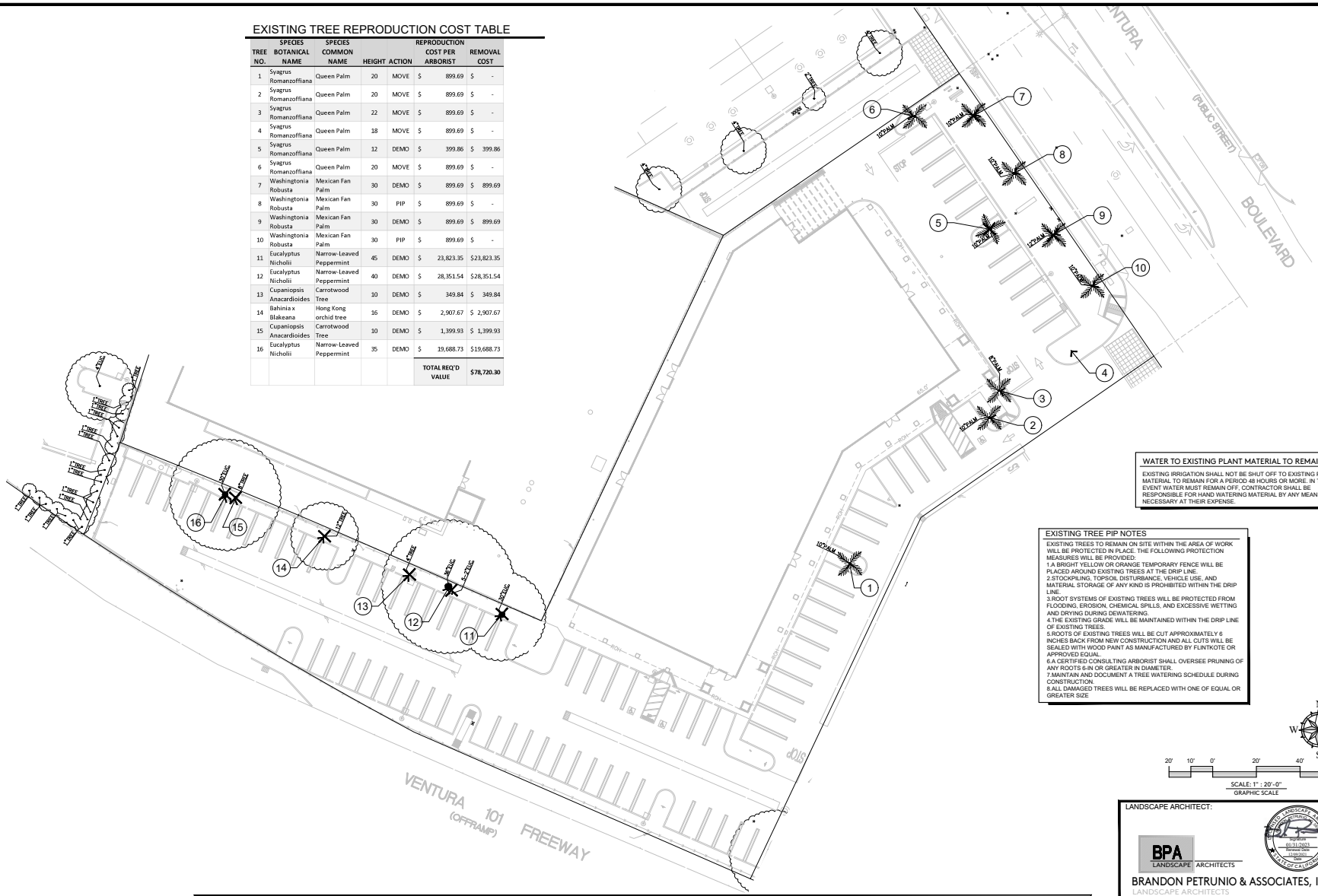
CITY ENTITLEMENT LANDSCAPE PLANTING PLAN

LPP.1

JR 2009-2008 Odowap

EXISTING TREE REPRODUCTION COST TABLE

TREE NO.	SPECIES BOTANICAL NAME	SPECIES COMMON NAME	HEIGHT	ACTION	REPRODUCTION COST PER ARBORIST	REMOVAL COST
1	Syagrus Romanzoffiana	Queen Palm	20	MOVE	$ 899.69	$ -
2	Syagrus Romanzoffiana	Queen Palm	20	MOVE	$ 899.69	$ -
3	Syagrus Romanzoffiana	Queen Palm	22	MOVE	$ 899.69	$ -
4	Syagrus Romanzoffiana	Queen Palm	18	MOVE	$ 899.69	$ -
5	Syagrus Romanzoffiana	Queen Palm	12	DEMO	$ 399.86	$ 399.86
6	Syagrus Romanzoffiana	Queen Palm	20	MOVE	$ 899.69	$ -
7	Washingtonia Robusta	Mexican Fan Palm	30	DEMO	$ 899.69	$ 899.69
8	Washingtonia Robusta	Mexican Fan Palm	30	PIP	$ 899.69	$ -
9	Washingtonia Robusta	Mexican Fan Palm	30	DEMO	$ 899.69	$ 899.69
10	Washingtonia Robusta	Mexican Fan Palm	30	PIP	$ 899.69	$ -
11	Eucalyptus Nicholii	Narrow-Leaved Peppermint	45	DEMO	$ 23,823.35	$23,823.35
12	Eucalyptus Nicholii	Narrow-Leaved Peppermint	40	DEMO	$ 28,351.54	$28,351.54
13	Cupaniopsis Anacardioides	Carrotwood Tree	10	DEMO	$ 349.84	$ 349.84
14	Bahinia x Blakeana	Hong Kong orchid tree	16	DEMO	$ 2,907.67	$ 2,907.67
15	Cupaniopsis Anacardioides	Carrotwood Tree	10	DEMO	$ 1,399.93	$ 1,399.93
16	Eucalyptus Nicholii	Narrow-Leaved Peppermint	35	DEMO	$ 19,688.73	$19,688.73
					TOTAL REQ'D VALUE	$78,720.30



WATER TO EXISTING PLANT MATERIAL TO REMAIN

EXISTING IRRIGATION SHALL NOT BE SHUT OFF TO EXISTING PLANT MATERIAL TO REMAIN FOR A PERIOD 48 HOURS OR MORE. IN THE EVENT WATER MUST REMAIN OFF, CONTRACTOR SHALL BE RESPONSIBLE FOR HAND WATERING MATERIAL BY ANY MEANS NECESSARY AT THEIR EXPENSE.

EXISTING TREE PIP NOTES

EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:
1.A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.
2.STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
3.ROOT SYSTEMS OF EXISTING TREES WILL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, AND EXCESSIVE WETTING AND DRYING DURING DEWATERING.
4.THE EXISTING GRADE WILL BE MAINTAINED WITHIN THE DRIP LINE OF EXISTING TREES.
5.ROOTS OF EXISTING TREES WILL BE CUT APPROXIMATELY 6 INCHES BACK FROM NEW CONSTRUCTION AND ALL CUTS WILL BE SEALED WITH WOOD PAINT AS MANUFACTURED BY FLINTKOTE OR APPROVED EQUAL.
6.A CERTIFIED CONSULTING ARBORIST SHALL OVERSEE PRUNING OF ANY ROOTS 6-IN OR GREATER IN DIAMETER.
7.MAINTAIN AND DOCUMENT A TREE WATERING SCHEDULE DURING CONSTRUCTION.
8.ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE

N W E S

20' 10' 0' 20' 40' 60'

SCALE: 1" : 20'-0"
GRAPHIC SCALE

EXISTING TREE PLAN

SCALE: 1" : 20'-0"

LTP.2

LANDSCAPE ARCHITECT:

BPA LANDSCAPE ARCHITECTS

BRANDON PETRUNIO & ASSOCIATES, INC.
LANDSCAPE ARCHITECTS
Design Studio: 301 N. San Dimas Ave., San Dimas, CA. 91773
Corp Office: 15699 Cherry Leaf Lane, Fontana, CA. 92336
T: (424) 235-8940, M: (951) 312-9943, E: brandon@bpalas.com

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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Call: Toll Free
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REVISIONS

GHA PROJECT NO. -----
GHA Architecture/Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-8884
Fax: (972) 239-5054

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 12-09-2021 DATE

IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

TREE EXHIBIT PLAN - EXISTING TREES

LTP.1

JR 2020-2020 CADwrap

PLANTING LEGEND

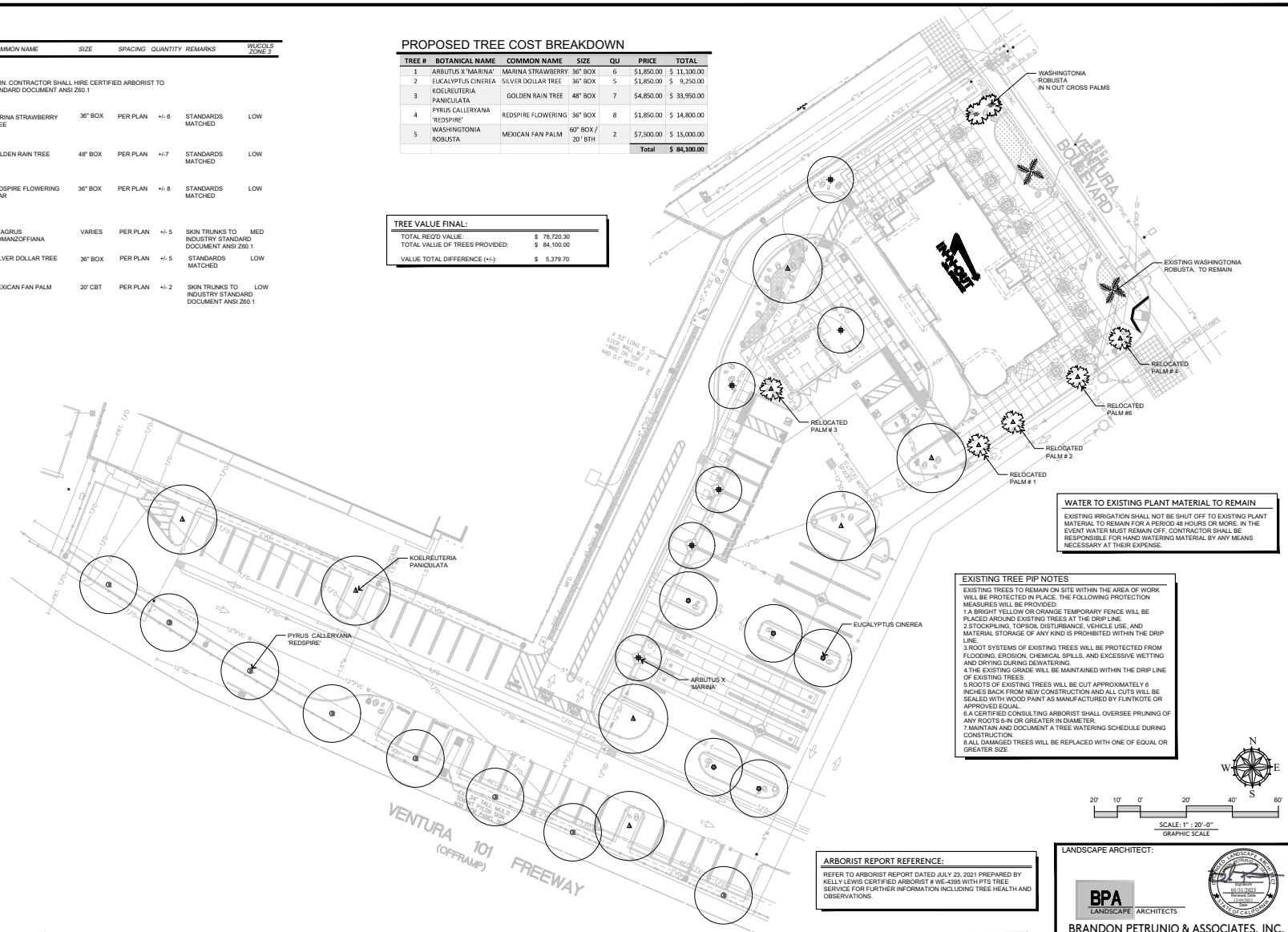
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QUANTITY	REMARKS	WUCOLS ZONE 3
TREES							
	EXISTING PALMS TREE TO REMAIN. CONTRACTOR SHALL HIRE CERTIFIED ARBORIST TO SKIN TRUNKS TO INDUSTRY STANDARD DOCUMENT ANSI Z60.1						
	ARBUTUS X 'MARINA'	MARINA STRAWBERRY TREE	36" BOX	PER PLAN	+/- 6	STANDARDS MATCHED	LOW
	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	48" BOX	PER PLAN	+/-7	STANDARDS MATCHED	LOW
	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE FLOWERING PEAR	36" BOX	PER PLAN	+/- 8	STANDARDS MATCHED	LOW
	RELOCATED EXISTING ONSITE QUEEN PALMS	SYAGRUS ROMANZOFFIANA	VARIES	PER PLAN	+/- 5	SKIN TRUNKS TO INDUSTRY STANDARD DOCUMENT ANSI Z60.1	MED
	EUCALYPTUS CINEREA	SILVER DOLLAR TREE	36" BOX	PER PLAN	+/- 5	STANDARDS MATCHED	LOW
	WASHINGTONIA ROBUSTA IN N OUT CROSS PLAMS	MEXICAN FAN PALM	20' CBT	PER PLAN	+/- 2	SKIN TRUNKS TO INDUSTRY STANDARD DOCUMENT ANSI Z60.1	LOW

PROPOSED TREE COST BREAKDOWN

TREE #	BOTANICAL NAME	COMMON NAME	SIZE	QU	PRICE	TOTAL
1	ARBUTUS X 'MARINA'	MARINA STRAWBERRY	36" BOX	6	$1,850.00	$ 11,100.00
2	EUCALYPTUS CINEREA	SILVER DOLLAR TREE	36" BOX	5	$1,850.00	$ 9,250.00
3	KOELREUTERIA PANICULATA	GOLDEN RAIN TREE	48" BOX	7	$4,850.00	$ 33,950.00
4	PYRUS CALLERYANA 'REDSPIRE'	REDSPIRE FLOWERING	36" BOX	8	$1,850.00	$ 14,800.00
5	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	60" BOX / 20' BTH	2	$7,500.00	$ 15,000.00
					Total	$ 84,100.00

TREE VALUE FINAL:

TOTAL REQ'D VALUE:	$ 78,720.30
TOTAL VALUE OF TREES PROVIDED:	$ 84,100.00
VALUE TOTAL DIFFERENCE (+/-):	$ 5,379.70



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2.STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.
3.ROOT SYSTEMS OF EXISTING TREES WILL BE PROTECTED FROM FLOODING, EROSION, CHEMICAL SPILLS, AND EXCESSIVE WETTING AND DRYING DURING DEWATERING.
4.THE EXISTING GRADE WILL BE MAINTAINED WITHIN THE DRIP LINE OF EXISTING TREES.
5.ROOTS OF EXISTING TREES WILL BE CUT APPROXIMATELY 6 INCHES BACK FROM NEW CONSTRUCTION AND ALL CUTS WILL BE SEALED WITH WOOD PAINT AS MANUFACTURED BY FLINTKOTE OR APPROVED EQUAL.
6.A CERTIFIED CONSULTING ARBORIST SHALL OVERSEE PRUNING OF ANY ROOTS 6-IN OR GREATER IN DIAMETER.
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8.ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE

N W E S

20' 10' 0' 20' 40' 60'

SCALE: 1" : 20'-0"
GRAPHIC SCALE

ARBORIST REPORT REFERENCE:

REFER TO ARBORIST REPORT DATED JULY 23, 2021 PREPARED BY KELLY LEWIS CERTIFIED ARBORIST # WE-4395 WITH PTS TREE SERVICE FOR FURTHER INFORMATION INCLUDING TREE HEALTH AND OBSERVATIONS.

PROPOSED TREE PLAN

SCALE: 1" : 20'-0"

LTP.2

LANDSCAPE ARCHITECT:

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PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

TREE EXHIBIT PLAN 2- PROPOSED TREES

LTP.2

JR 20205-20205 CADcontrip

GENERAL NOTES AND CITY DEVELOPMENT STANDARDS

1. ASSESSOR PARCEL NUMBER: 144-0134-115
2. EXISTING CITY ZONE: ROSE-SANTA CLARA CORRIDOR SPECIFIC PLAN
3. GENERAL PLAN LAND USE DESIGNATION: REGIONAL COMMERCIAL (CR)
4. EXISTING LAND USE: ONE STORY 18,190 SQUARE FOOT MULT-TENANT BUILDING WITH 82 STRIPED SURFACE PAVED PARKING SPACES

   PROPOSED LAND USE: NEW IN-N-OUT BURGER SIT DOWN RESTAURANT WITH A DRIVE-THRU LANE PERMITTED IN CITY ZONE WITH CONDITIONAL USE PERMIT
5. BUILDING SETBACK REQUIREMENTS: FRONT: 30 FEET MINIMUM
   STREET SIDE: NONE
   REAR: 20 FEET MINIMUM
6. COMMUNITY: CITY OF OXNARD
7. INDIAN TRIBAL LANDS: NONE
8. FAULT ZONE: ______ AS STATED IN THE DRAFT GEOTECHNICAL ENGINEERING INVESTIGATION REPORT PREPARED BY KRAZAN AND ASSOCIATES, INC. ON ________ UNDER THEIR PROJECT NO. _______.
9. LIQUEFACTION POTENTIAL: ______ AS STATED IN THE DRAFT GEOTECHNICAL ENGINEERING INVESTIGATION REPORT PREPARED BY KRAZAN AND ASSOCIATES, INC. ON _______ UNDER THEIR PROJECT NO. _______.
10. MAXIMUM BUILDING HEIGHT: 35 FEET
11. PARKING REQUIREMENTS:

    1 SPACE PER 50 SQUARE FEET OF GROSS FLOOR AREA. STACKING CREDIT IN DRIVE-THROUGH LANE MAY COUNT TOWARD THE REQUIRED PARKING AT A BASIS OF ONE AUTO PER EACH 23 LINEAL FEET OF STRIPED STACKING LANE. A MAXIMUM CREDIT NOT-TO-EXCEED 30% OF TOTAL REQUIREMENT OR NO MORE THAN 20 SPACES MAY BE APPLIED FOR STACKING CREDIT (WHICHEVER IS LESS).

    FOR PARKING LOTS WITH 40 OR MORE STALLS, A 40' DEEP DRIVEWAY "THROAT" SHALL BE PROVIDED (MEASURED FROM PROPERTY LINE).

    EACH SPACE LINE SHALL BE DOUBLE STRIPED 3" WIDE WITH 6" CLEAR AREA.

    STANDARD STALL DIMENSIONS: 9'x23' (0 DEGREES)
    9'x19' (20-90 DEGREES)

    COMPACT STALL DIMENSIONS: 8'x20' (0 DEGREES)
    8'x16' (20-90 DEGREES)

    * COMPACT STALLS ARE ALLOWED WITH A MAXIMUM OF 25% OF TOTAL SPACES BEING COMPACT AND LABELED "COMPACT ONLY".

    A VEHICLE MAY OVERHANG A LANDSCAPED PLANTER AREA A MAXIMUM OF 2' PROVIDED THE LANDSCAPE PLANTER HAS A MINIMUM WIDTH OF 5' MEASURED FROM THE INSIDE CURB FACE.

    DRIVING AISLE WIDTH TABLE:

OVERALL DRIVING AISLE DIMENSIONS					
	PARKING ANGLE IN DEGREES				
	0	30	45	60	90
a. ONE-WAY TRAFFIC	12 FT.	11 FT.	13 FT.	18 FT.	25 FT.
b. TWO-WAY TRAFFIC	20 FT.	25 FT.	25 FT.	25 FT.	25 FT.

    LOADING SPACE REQUIREMENT:
    FOR A BUILDING BETWEEN 0 AND 15,000 SQUARE FEET IN GROSS FLOOR AREA, ONE LOADING SPACE IS REQUIRED. THE DIMENSIONS OF THE LOADING SPACE IS 12 FEET IN WIDTH BY 24 FEET.

    MINIMUM DRIVEWAY WIDTH: 30'
    MAXIMUM DRIVEWAY WIDTH: 36'

    MOTORCYCLE PARKING: ONE SPACE (5'x7') IS REQUIRED FOR EACH 25 AUTOMOBILE SPACES. MOTORCYCLE SPACES COUNT TOWARD FULFILLING THE AUTOMOBILE REQUIREMENT.
12. MINIMUM LOT SIZE: NONE
13. MINIMUM LOT WIDTH: NONE
14. MINIMUM LOT DEPTH: NONE
15. MAXIMUM SITE COVERAGE: 40% OF TOTAL LOT AREA
16. PLANNER TO BE ASSIGNED WHEN PROJECT IS SUBMITTED TO THE CITY AT:
    CITY OF OXNARD
    214 S. "C" STREET
    OXNARD, CA 93030
    (805) 385-7858
17. MAXIMUM PARKING LOT LIGHT POLE HEIGHT: NONE
18. LANDSCAPE REQUIREMENTS:
    – A MINIMUM OF 5% OF INDIVIDUAL PARCEL AREAS SHALL BE LANDSCAPED IN ADDITION TO THE REQUIRED PARKING LOT LANDSCAPING.
    – A MINIMUM OF TWO 36" BOX TREES SHALL BE INCORPORATED INTO THE LANDSCAPE TREATMENT AT EACH ENTRY INTO AN INDIVIDUAL PARCEL. THE PLACEMENT OF THESE TREES SHALL CONFORM TO THE CITY LANDSCAPE STANDARDS.
19. BICYCLE PARKING: 5 SPACES (AT 2.5'x6' EACH) FOR A RESTAURANT USE IS REQUIRED.
20. DRIVE-THRU LANE REQUIREMENTS:
    1. EACH DRIVE-THROUGH LANE SHALL BE SEPARATED FROM THE CIRCULATION ROUTES NECESSARY FOR INGRESS OR EGRESS FROM THE PROPERTY, OR ACCESS TO ANY PARKING SPACE.
    2. EACH DRIVE-THROUGH LANE SHALL BE STRIPED, MARKED OR OTHERWISE DISTINCTLY DELINEATED.
    3. THE PRINCIPAL PEDESTRIAN ACCESS TO THE ENTRANCE OF THE DRIVE-THROUGH FACILITY SHALL NOT CROSS THE DRIVE-THROUGH LANE.
    4. THE VEHICLE STACKING CAPACITY FOR USES CONTAINING DRIVE-THROUGH FACILITIES SHALL BE AS FOLLOWS:
    FAST-FOOD RESTAURANT USE – STACKING FOR THREE CARS BETWEEN THE ORDER BOARD AND THE PICKUP WINDOW AND STACKING FOR FIVE CARS BEHIND THE ORDER BOARD.
21. PARKING LOT LANDSCAPING REQUIREMENTS:
    A. MINIMUM TEN-FOOT WIDE LANDSCAPE STRIP SHALL BE PROVIDED ALONG THE PROPERTY LINES PARALLEL TO ANY PUBLIC OR PRIVATE STREET AND ALLEY (EXCEPT WITHIN THE APPROVED EXIT AND ENTRANCE WAYS) WHEN THE PARKING OR CIRCULATION AREA ABUTS SUCH STREET OR ALLEY. FIVE PERCENT OF THE OFF-STREET PARKING AND ACCESS AREA, EXCLUSIVE OF ANY OTHER REQUIRED LANDSCAPED AREA ABUTTING A STREET OR ALLEY, SHALL ALSO BE LANDSCAPED.
    B. FOR EVERY TEN PARKING SPACES IN SINGLE-LOADING PARKING BAY ROW, AT LEAST ONE PERPENDICULAR OR DIAGONAL LANDSCAPE PLANTER SHALL BE PROVIDED, HAVING MINIMUM DIMENSIONS OF 9 FEET BY 20 FEET MEASURED FROM OUTSIDE CURB FACE TO OUTSIDE CURB FACE, AND CONTAINING TWO TREES. FOR EVERY 20 PARKING SPACES IN DOUBLE-LOADED PARKING BAYS AT LEAST ONE LANDSCAPE PLANTER SHALL BE PROVIDED, HAVING MINIMUM DIMENSIONS OF 9 FEET BY 40 FEET MEASURED FROM OUTSIDE CURB FACE TO OUTSIDE CURB FACE. CONFIGURATIONS OTHER THAN PERPENDICULAR OR DIAGONAL PLANTERS MAY BE APPROVED BY THE PARKS AND FACILITIES SUPERINTENDENT, PLANNING DIRECTOR OR PLANNING COMMISSION.
    C. FOR COMMERCIAL AND INDUSTRIAL PARKING LOTS CONTAINING 20 OR MORE SPACES, PERIPHERAL LANDSCAPING SHALL BE PROVIDED ALONG ANY INTERIOR (SIDE) PROPERTY LINE NOT ALONG A PUBLIC RIGHT-OF-WAY. PERIPHERAL LANDSCAPING SHALL:
    (1) HAVE A FIVE-FOOT WIDE LANDSCAPE STRIP LOCATED BETWEEN THE PARKING AREA AND THE ABUTTING PROPERTY LINE;
    (2) HAVE AT LEAST ONE TREE PLANTED FOR EACH 40 LINEAR FEET OF PROPERTY LINE;
    (3) BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.

BASIS OF BEARINGS

THE BEARING OF N41°58'17"W OF THE CENTERLINE OF VENTURA BOULEVARD HAVING A DISTANCE OF 156.80' BETWEEN FOUND MONUMENTS AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY WAS USED AS THE BASIS OF BEARINGS OF THIS MAP.

BENCH MARK 111-3

COUNTY OF VENTURA – PUBLIC WORKS AGENCY
VENTURA COUNTY BRASS DISK STAMPED "111-3 1986" ON TOP OF CONCRETE CURB AT THE SOUTHEAST CORNER OF ROSE AVENUE AND ORANGE DRIVE AT THE SCHOOL ENTRANCE, 49' EASTERLY FROM THE CENTER OF ROSE AVENUE, 5' EASTERLY FROM THE WESTERLY END OF A CONCRETE SIDEWALK CORNER.

ELEVATION = 97.98 FEET
NAVD 88
REVISED MAY 20, 2014

FLOOD ZONE INFORMATION

THE SUBJECT PROPERTY IS LOCATED IN "ZONE X – AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" PER THE FEMA FLOOD INSURANCE RATE MAP NUMBER 06111C0910E PANEL 910 OF 1275 DATED JANUARY 20, 2010 FOR VENTURA COUNTY, CALIFORNIA AND INCORPORATED AREAS.

FLOOD ZONE DESIGNATION PROVIDED BY FEDERAL EMERGENCY MANAGEMENT AGENCY.

RECORD OWNERS

CHANNEL ISLANDS MARKETPLACE, LP, A CALIFORNIA LIMITED PARTNERSHIP

GENERAL SITE NOTES

1. THE AREA OF THIS SUBJECT PROPERTY IS 63,930 SQUARE FEET OR 1.468 ACRES.
2. THERE IS NO OBSERVABLE EVIDENCE OF THIS SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
3. THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK WITHIN RECENT MONTHS.
4. THERE IS NO OBSERVABLE EVIDENCE OF BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
5. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WITHIN RECENT MONTHS.
6. THERE IS ONE DRIVEWAY WHICH PROVIDES PHYSICAL ACCESS TO AND FROM THE SITE ONTO VENTURA BOULEVARD.
7. THERE IS A 18,190 SQUARE FOOT ONE STORY MULTI-TENANT BUILDING LOCATED WITHIN THE PROPERTY.
8. THERE ARE NO PARKING STRUCTURES ON THE SITE.
9. THERE ARE 82 SURFACE PAVED STRIPED PARKING SPACES ONSITE WITH THE FOLLOWING BREAKDOWN:
   4 STANDARD 9'x20' SPACES
   22 STANDARD 9'x19' SPACES
   3 COMPACT 8'x19' SPACES
   50 COMPACT 8'x16' SPACES
   1 VAN ACCESSIBLE 18'x20' SPACE
   2 ACCESSIBLE 16'x19' SPACES
10. THE PROPERTY IS CURRENTLY DEVELOPED WITH A 18,190 SQUARE FOOT ONE STORY MULTI-TENANT BUILDING WITH 82 STRIPED PAVED SURFACE PARKING SPACES.

21. PARKING LOT LANDSCAPING REQUIREMENTS (CONTINUED):
    D. PARKING LOT LANDSCAPING DESIGN SHALL:
    (1) HAVE TREES AS THE PRIMARY LANDSCAPING MATERIAL;
    (2) HAVE SHRUBS AND GROUND COVER TO COMPLIMENT TREES;
    (3) EFFECTIVELY USE EARTHEN BERMS AND EXISTING TOPOGRAPHY AS A COMPONENT OF THE LANDSCAPE PLAN;
    (4) BE UNIFORMLY DISPERSED THROUGHOUT THE PARKING LOT;
    (5) IF APPROVED BY THE PARKS AND FACILITIES SUPERINTENDENT, USE EXISTING LANDSCAPING THAT MEETS THE REQUIREMENTS OF THIS ARTICLE;.
    (6) HAVE ALL PLANTING AREAS BOUNDED BY A CONCRETE CURB AT LEAST SIX INCHES HIGH. THE FINISHED GRADE OF THE PLANTED AREA SHALL BE AT LEAST THREE INCHES BELOW THE TOP OF THE PLANTER CURBING WHERE CURBING ABUTS A PUBLIC RIGHT-OF-WAY;
    (7) HAVE ALL PLANT MATERIAL WITHIN A 30-FOOT TRIANGLE AT THE INTERSECTION OF TWO STREETS NO MORE THAN THREE FEET IN HEIGHT AT MATURITY ABOVE CURB LEVEL;
    (8) NOT PROPOSE LANDSCAPE MATERIALS CONTIGUOUS TO CURB CUTS IN A MANNER THAT WILL HAMPER THE LINE OF SIGHT OF DRIVERS OF VEHICLES ENTERING OR LEAVING PARKING LOT AREAS;
    (9) HAVE A LOW WALL AND/OR LANDSCAPE BERM OR HEDGE, AN AVERAGE OF THREE FEET HIGH, CAPABLE OF SCREENING FRONTS OF VEHICLES FROM PUBLIC STREETS.

ALTA / NSPS LAND TITLE SURVEY MAP

A PORTION OF PARCEL 1 OF PARCEL MAP 90-10, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF SAID COUNTY, AND CORRECTED BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693 OF OFFICIAL RECORDS OF SAID COUNTY

IN-N-OUT BURGER TABLE A: OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS

THE FOLLOWING OPTIONAL ITEMS ARE TO BE INCLUDED IN THE ALTA/NSPS LAND TITLE SURVEY, EXCEPT AS OTHERWISE NEGOTIATED:

1. MONUMENTS PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY EXISTING MONUMENTS OR WITNESSES IN CLOSE PROXIMITY TO THE CORNER.
2. ADDRESS(ES) OF THE SURVEYED PROPERTY IF DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR, OR OBSERVED WHILE CONDUCTING THE FIELDWORK.
3. FLOOD ZONE CLASSIFICATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT) DEPICTED BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY.
4. GROSS LAND AREA (AND OTHER AREAS IF SPECIFIED BY THE CLIENT).
5. VERTICAL RELIEF WITH THE SOURCE OF INFORMATION (E.G., GROUND SURVEY, AERIAL MAP), CONTOUR INTERVAL, DATUM, AND ORIGINATING BENCHMARK IDENTIFIED.
6. (A) IF SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, LIST THE CURRENT ZONING CLASSIFICATION, SETBACK REQUIREMENTS, THE HEIGHT AND FLOOR SPACE AREA RESTRICTIONS, AND PARKING REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER.
   (B) IF THE ZONING SETBACK REQUIREMENTS ARE SET FORTH IN A ZONING REPORT OR LETTER PROVIDED TO THE SURVEYOR BY THE CLIENT, AND IF THOSE REQUIREMENTS DO NOT REQUIRE AN INTERPRETATION BY THE SURVEYOR, GRAPHICALLY DEPICT THE BUILDING SETBACK REQUIREMENTS. IDENTIFY THE DATE AND SOURCE OF THE REPORT OR LETTER.
7. (A) EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL.
   (B) SQUARE FOOTAGE OF EXTERIOR FOOTPRINT OF ALL BUILDINGS AT GROUND LEVEL.
   (C) MEASURED HEIGHT OF ALL BUILDINGS ABOVE GRADE AT A LOCATION SPECIFIED BY THE CLIENT. IF NO LOCATION IS SPECIFIED, THE POINT OF MEASUREMENT SHALL BE IDENTIFIED.
8. SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK (IN ADDITION TO THE IMPROVEMENTS AND FEATURES REQUIRED PURSUANT TO SECTION 5 OF THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS) (E.G., PARKING LOTS, BILLBOARDS, SIGNS, SWIMMING POOLS, LANDSCAPED AREAS, SUBSTANTIAL AREAS OF REFUSE).
9. NUMBER AND TYPE (E.G., DISABLED, MOTORCYCLE, REGULAR AND OTHER MARKED SPECIALIZED TYPES) OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS, LOTS AND IN PARKING STRUCTURES. STRIPING OF CLEARLY IDENTIFIABLE PARKING SPACES ON SURFACE PARKING AREAS AND LOTS.
10. (A) IF APPLICABLE, A DETERMINATION OF THE RELATIONSHIP AND LOCATION OF DIVISION OR PARTY WALLS WITH RESPECT TO ADJOINING PROPERTIES (CLIENT TO OBTAIN NECESSARY PERMISSIONS).
    (B) IF APPLICABLE, A DETERMINATION OF WHETHER WALLS ARE PLUMB (CLIENT TO OBTAIN NECESSARY PERMISSIONS).
11. LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY:
    • OBSERVED EVIDENCE COLLECTED PURSUANT TO SECTION 5.E.IV. OF THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS,
    • EVIDENCE FROM PLANS REQUESTED BY THE SURVEYOR AND OBTAINED FROM UTILITY COMPANIES, OR PROVIDED BY CLIENT (WITH REFERENCE AS TO THE SOURCES OF INFORMATION), AND
    • MARKINGS REQUESTED BY THE SURVEYOR PURSUANT TO AN 811 UTILITY LOCATE OR SIMILAR REQUEST
    REPRESENTATIVE EXAMPLES OF SUCH UTILITIES INCLUDE, BUT ARE NOT LIMITED TO:
    • MANHOLES, CATCH BASINS, VALVE VAULTS AND OTHER SURFACE INDICATIONS OF SUBTERRANEAN USES;
    • WIRES AND CABLES (INCLUDING THEIR FUNCTION, IF READILY IDENTIFIABLE) CROSSING THE SURVEYED PROPERTY, AND ALL POLES ON OR WITHIN TEN FEET OF THE SURVEYED PROPERTY. WITHOUT EXPRESSING A LEGAL OPINION AS TO THE OWNERSHIP OR NATURE OF THE POTENTIAL ENCROACHMENT, THE DIMENSIONS OF ALL ENCROACHING UTILITY POLE CROSS MEMBERS OR OVERHANGS; AND
    • UTILITY COMPANY INSTALLATIONS ON THE SURVEYED PROPERTY.
    NOTE – WITH REGARD TO TABLE A, ITEM 11, SOURCE INFORMATION FROM PLANS AND MARKINGS WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.IV. OF THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAT OR MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.
12. IF APPLICABLE, GOVERNMENTAL AGENCY SURVEY-RELATED REQUIREMENTS (E.G., HUD SURVEYS, SURVEYS FOR LEASES ON BUREAU OF LAND MANAGEMENT MANAGED LANDS).
13. NAMES OF ADJOINING OWNERS ACCORDING TO CURRENT TAX RECORDS. IF MORE THAN ONE OWNER, IDENTIFY THE FIRST OWNER'S NAME LISTED IN THE TAX RECORDS FOLLOWED BY "ET. AL."
14. DISTANCE TO THE NEAREST INTERSECTING STREET.
15. IF REQUESTED, RECTIFIED ORTHOPHOTOGRAPHY, PHOTOGRAMMETRIC MAPPING, REMOTE SENSING, AIRBORNE/MOBILE LASER SCANNING AND OTHER SIMILAR PRODUCTS, TOOLS OR TECHNOLOGIES AS THE BASIS FOR THE SHOWING THE LOCATION OF CERTAIN FEATURES (EXCLUDING BOUNDARIES) WHERE GROUND MEASUREMENTS ARE NOT OTHERWISE NECESSARY TO LOCATE THOSE FEATURES TO AN APPROPRIATE AND ACCEPTABLE ACCURACY RELATIVE TO A NEARBY BOUNDARY. THE SURVEYOR SHALL (A) DISCUSS THE RAMIFICATIONS OF SUCH METHODOLOGIES (E.G., THE POTENTIAL PRECISION AND COMPLETENESS OF THE DATA GATHERED THEREBY) WITH THE INSURER, LENDER, AND CLIENT PRIOR TO THE PERFORMANCE OF THE SURVEY, AND (B) PLACE A NOTE ON THE FACE OF THE SURVEY EXPLAINING THE SOURCE, DATE, PRECISION, AND OTHER RELEVANT QUALIFICATIONS OF ANY SUCH DATA.
16. EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
17. PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, IF SUCH INFORMATION IS MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION. EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
18. IF THERE HAS BEEN A FIELD DELINEATION OF WETLANDS CONDUCTED BY A QUALIFIED SPECIALIST HIRED BY THE CLIENT, THE SURVEYOR SHALL LOCATE ANY DELINEATION MARKERS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK AND SHOW THEM ON THE FACE OF THE PLAT OR MAP. IF NO MARKERS WERE OBSERVED, THE SURVEYOR SHALL SO STATE.
19. INCLUDE ANY PLOTTABLE OFFSITE (I.E., APPURTENANT) EASEMENTS OR SERVITUDES DISCLOSED IN DOCUMENTS PROVIDED TO OR OBTAINED BY THE SURVEYOR AS A PART OF THE SURVEY PURSUANT TO SECTIONS 5 AND 6 (AND APPLICABLE SELECTED TABLE A ITEMS) (CLIENT TO OBTAIN NECESSARY PERMISSIONS).
20. PROFESSIONAL LIABILITY INSURANCE POLICY OBTAINED BY THE SURVEYOR IN THE AMOUNT REQUIRED BY THE STANDARD TERMS AND CONDITIONS OF IN-N-OUT BURGERS, A CALIFORNIA CORPORATION, WHICH HAVE BEEN AGREED TO AND ACCEPTED BY SURVEYOR. CERTIFICATE OF INSURANCE TO BE FURNISHED UPON REQUEST, BUT THIS ITEM SHALL NOT BE ADDRESSED ON THE FACE OF THE PLAT OR MAP.
21. LEGAL DESCRIPTION AND EASEMENTS/ENCUMBRANCES FROM IN-N-OUT PROVIDED PRELIMINARY TITLE REPORT.
22. ITEMS LISTED IN THE ATTACHED IN-N-OUT BURGER SURVEY CRITERIA.
23. VICINITY MAP SHOWING THE PROPERTY SURVEYED IN REFERENCE TO NEARBY HIGHWAY(S) OR MAJOR STREET INTERSECTION(S).

IN-N-OUT BURGER EXHIBIT "A" CERTIFICATE OF SURVEYOR

TO: FIRST AMERICAN TITLE INSURANCE COMPANY AND IN-N-OUT BURGERS, A CALIFORNIA CORPORATION

THE UNDERSIGNED HEREBY CERTIFIES THAT:

THE UNDERSIGNED PREPARED THE ATTACHED PRINT OF SURVEY, DRAWING JOB NO. 20053, DATED JANUARY 26, 2021 (THE "SURVEY") OF THE PROPERTY REFLECTED IN THE SURVEY.

THE SURVEY WAS MADE ON THE GROUND FOR THE PROPERTY LEGALLY DESCRIBED ON THE SURVEY AND IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY DESCRIBED ON THE SURVEY.

EXCEPT AS SHOWN, THE TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME.

THE SURVEY CORRECTLY SHOWS:

A. A FIXED AND DETERMINABLE POSITION AND LOCATION OF THE PERIMETER OF THE PROPERTY DESCRIBED THEREON BY COURSES AND DISTANCES (INCLUDING THE POSITION OF THE POINT OF BEGINNING IF THE PROPERTY IS DESCRIBED BY METES AND BOUNDS);
B. THE SIZE, LOCATION (INCLUDING DISTANCE FROM THE NEAREST FACING EXTERIOR PROPERTY LINES) AND TYPE OF BUILDINGS AND IMPROVEMENTS ON THE PROPERTY AND ALL OTHER IMPROVEMENTS REQUIRED TO BE SHOWN THEREON IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2016 (THE "MINIMUM STANDARDS");
C. ALL DEDICATED PUBLIC STREETS AND ALLEYS ABUTTING THE PROPERTY AND PROVIDING ACCESS THERETO, TOGETHER WITH THE WIDTH THEREOF AND ALL DRIVEWAYS OR OTHER CURB CUTS IN THE CURB ALONG ANY SUCH STREETS; AND
D. THE LOCATION OF ALL EASEMENTS, ENCROACHMENTS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD (WITH RECORDING REFERENCE) BASED ON PRELIMINARY TITLE REPORT NO. NCS-1046006-SA1 FROM FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES DATED DECEMBER 29, 2020 AND THE LOCATION OF ALL EASEMENTS, ENCROACHMENTS AND RIGHTS-OF-WAY OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD.
E. THE PARKING AREAS (INCLUDING STRIPING, IF STRIPED) AND THE TYPE (E.G. HANDICAPPED, MOTORCYCLE, REGULAR, ETC.) AND THE NUMBER OF PARKING SPACES BY EACH TYPE.

THERE IS NO VISIBLE EVIDENCE OF EASEMENTS AND/OR SERVITUDES OF ANY KIND WHICH ACTUALLY SERVICE OR CROSS THE PROPERTY, OR RIGHTS-OF-WAY OR USES AFFECTING THE PROPERTY APPEARING FROM A CAREFUL PHYSICAL INSPECTION OF THE PROPERTY, OTHER THAN THOSE SHOWN AND DEPICTED ON THE SURVEY.

THERE ARE NO VISIBLE DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, PARTY WALLS, ENCROACHMENTS OF STRUCTURAL APPURTENANCES AND PROJECTIONS BY OR ON ABUTTING STREETS, ON ANY EASEMENTS OR OVER SETBACK LINES, EXCEPT AS SHOWN AND DEPICTED ON THE SURVEY.

INGRESS TO AND EGRESS FROM THE SUBJECT PROPERTY IS PROVIDED BY ONE DRIVEWAY WHICH OUTLETS TO VENTURA BOULEVARD WITH VENTURA BOULEVARD, THE SAME BEING A PAVED PUBLICLY DEDICATED RIGHT-OF-WAY.

THE BOUNDARY LINES OF THE DESCRIBED PROPERTY FORM A MATHEMATICALLY CLOSED EQUATION.

ALL ZONING, INCLUDING PARKING REQUIREMENTS, USE AND DENSITY CLASSIFICATIONS ARE PROPERLY SHOWN HEREON.

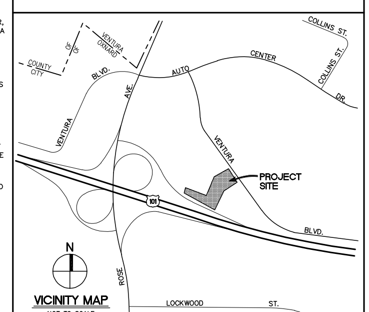
THE PROPERTY DESCRIBED HEREIN DOES FALL WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA AND HAS A DESIGNATED FLOOD ZONE OF "X" WHICH MEANS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

ALL UTILITY SERVICES REQUIRED FOR THE OPERATION OF THE PROPERTY EITHER ENTER THE PROPERTY THROUGH ADJOINING PUBLIC STREETS, OR THE SURVEY SHOWS THE POINT OF ENTRY AND LOCATION OF ANY UTILITIES WHICH PASS THROUGH OR ARE LOCATED ON ADJOINING PRIVATE LAND.

THE SURVEY WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS AND INCLUDE ALL ITEMS OF THE IN-N-OUT BURGER TABLE "A" ATTACHED HERETO AND IS BASED ON FIELD WORK PERFORMED ON DECEMBER 30, 2020.

PROFESSIONAL LAND SURVEYOR MARK STEVEN LAMOUREUX No. 5794 STATE OF CALIFORNIA

Mark S. Lamoureux JANUARY 26, 2021
MARK S. LAMOUREUX P.L.S. 5794
REGISTRATION EXPIRES JUNE 30, 2022



VICINITY MAP
NOT TO SCALE

UTILITY CONTACTS

NATURAL GAS
SOUTHERN CALIFORNIA GAS COMPANY
9400 OAKDALE AVENUE
CHATSWORTH, CA 91311
MARK LAVIN
PLANNING ASSOCIATE
(818) 701-3902
mlavin@socalgas.com

DOMESTIC WATER
CITY OF OXNARD
214 SOUTH "C" STREET
OXNARD, CA 93030
ROSHEIL MEARA RAMIREZ
(805) 385-8209
rosheil.ramirez@oxnard.org

SEWER
CITY OF OXNARD
214 SOUTH "C" STREET
OXNARD, CA 93030
ROSHEIL MEARA RAMIREZ
(805) 385-8209
rosheil.ramirez@oxnard.org

STORM DRAIN
CITY OF OXNARD
214 SOUTH "C" STREET
OXNARD, CA 93030
ROSHEIL MEARA RAMIREZ
(805) 385-8209
rosheil.ramirez@oxnard.org

ELECTRICAL
SOUTHERN CALIFORNIA EDISON
...
SCE PLANNING SUPERVISOR

TELEPHONE
FRONTIER COMMUNICATIONS
...

CABLE TELEVISION
CHARTER COMMUNICATIONS
1529 VALLEY DRIVE
HERMOSA BEACH, CA 90254
ANTHONY XANTHIS
CONSTRUCTION MANAGER – ZONE 7N
(310) 750-9185
anthony.xanthis@charter.com

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN ON THIS ALTA MAP HAVE BEEN LOCATED FROM FIELD SURVEY AND AS BUILT INFORMATION FURNISHED TO THE SURVEYOR BY THE UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

IN-N-OUT BURGER SURVEY CRITERIA

INITIAL SURVEY
• A CERTIFIED CURRENT BOUNDARY AND TOPOGRAPHICAL SURVEY SHALL BE PREPARED IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AS SHOWN IN EXHIBIT A AND TABLE A SHOWING THE PROPERTY SEPARATELY BY METES AND BOUNDS; AND SHOWING, WITHOUT LIMITATION, THE LOCATION OF ALL BUILDINGS AND DIMENSIONS THEREOF; ALL SET-BACK LINES; ALL IMPROVEMENTS AND PARKING AREAS (INCLUDING THE NUMBER OF PARKING SPACES THEREIN), AND THE LOCATION THEREOF; LANDSCAPED AREA AND EXISTING TREES (INCLUDE LOCATION, TRUNK DIAMETER, LIMB SPREAD, AND NAME OF ALL TREES 3" IN DIAMETER AND GREATER AT CHEST HEIGHT); THE EXTENT OF ALL EXISTING UTILITIES, ENCROACHMENTS AND OTHER EASEMENTS ON THE PREMISES THAT ARE SHOWN ON THE TITLE COMMITMENT, OR ARE VISIBLE FROM THE SURFACE; AND FLOOD HAZARD CERTIFICATION. THE EXTENT OF THE TOPOGRAPHIC SURVEY WILL BE TO THE OPPOSITE SIDE OF THE ADJOINING ROADWAYS, INCLUDE ALL LANE STRIPING AND IMPROVEMENTS IN SAID RIGHT OF WAY AND HAVE AT LEAST A 50 FEET OVERLAP OF THE PROPERTY LINE THAT IS NOT ADJOINED BY A PUBLIC RIGHT OF WAY. IN-N-OUT WILL PROVIDE A PRELIMINARY TITLE REPORT FOR THE PROPERTY FOR YOUR USE.
• THE SURVEY IS TO INCLUDE ALL ABOVE AND BELOW GROUND UTILITIES (INCLUDING BUT NOT LIMITED TO POTABLE WATER, RECLAIMED WATER, STORM WATER, SANITARY SEWER, ELECTRIC, COMMUNICATION, GAS AND CABLE TV), SANITARY AND STORM SEWER STRUCTURES, WHICH ARE ON OR ADJACENT TO THE SUBJECT SITE. ALL UNDERGROUND UTILITIES WILL BE SHOWN AS IDENTIFIED BY A UTILITY LOCATING SERVICE HIRED BY YOU OR LOCAL UTILITY SERVICE PROVIDER OR AVAILABLE UTILITY MAPS. THE SANITARY AND STORM SEWER STRUCTURE WILL BE SHOWN WITH RIM, INVERT ELEVATIONS, PIPE SIZE AND TYPE OF MATERIAL. STRUCTURES THAT CANNOT BE DIRECTLY ACCESSED ARE TO BE SHOWN TO THE EXTENT OF AVAILABLE INFORMATION. LOCATE THE NEAREST HYDRANT TO THE SUBJECT SITE WITH DISTANCE TO THE NEAREST PROPERTY LINE. UTILITY SERVICE PLANNER CONTACT INFORMATION SHALL BE PROVIDED.
• VERTICAL DATUM WILL BE BASED ON AN ADOPTED BENCHMARK. SPOT ELEVATIONS ARE TO BE PROVIDED IN SUFFICIENT DETAIL TO PROVIDE THE DESIGN ENGINEER ADEQUATE DATA TO PREPARE A WELL DESIGNED GRADING PLAN. SPOT ELEVATIONS ARE TO BE PROVIDED ON A MAXIMUM OF TWENTY-FIVE FEET (25') APART IN OPEN AREAS, AT ALL SITE IMPROVEMENTS, AND CHANGES IN GRADE. THE CONTOUR INTERVAL IS TO BE ONE (1) FOOT. SPOT ELEVATIONS ON HARDSCAPE TO BE SHOWN TO THE NEAREST 0.01 FOOT AND ON SOFTSCAPE TO THE NEAREST 0.1 FOOT AT LOCATIONS REQUIRED TO ACCURATELY DEPICT THE SITE AND AIDE IN THE DESIGN OF ANY NEW IMPROVEMENTS.
• ZONING DATA IS TO BE PROVIDED INCLUDING THE BULK ZONING RESTRICTIONS, WHICH SHOULD INCLUDE DENSITY REQUIREMENTS PERTAINING TO THE MAXIMUM LAND COVERAGE OF BUILDINGS AND/OR IMPERVIOUS AREAS, ANY PARKING SPACE REQUIREMENTS SUCH AS THE NUMBER REQUIRED PER COMMERCIAL ZONING OR THE NUMBER REQUIRED PER AREA OF BUILDING(S); ZONING HEIGHT RESTRICTIONS; THE ZONING PARKING RESTRICTIONS; AND REPORT THE SOURCE OF YOUR ZONING INFORMATION INCLUDING THE ZONING AUTHORITIES NAME, CONTACT PERSON, ADDRESS, AND PHONE NUMBER.
• YOU SHALL PROVIDE A STATEMENT OF ENCROACHMENTS UPON THE PROPERTY WITH CIRCLED IDENTIFIERS THAT LABEL THE LOCATION OF EACH ENCROACHMENT; STATE WHETHER IT IS A SUBJECT IMPROVEMENT ENCROACHMENT UPON OTHERS OR WHETHER IT IS OWNED BY OTHERS ENCROACHING UPON THE SUBJECT PROPERTY; AND GIVE THE DIMENSIONAL EXTENT OF THE ENCROACHMENT TO THE PROPERTY LINES.
• YOU SHALL PROVIDE A LISTING OF "NOTES CORRESPONDING TO SCHEDULE B SECTION 2" WITH A STATEMENT AFTER EACH ADVISING WHETHER THE ITEM IS OR IS NOT PLOTTED, IF NOT PLOTTED THEN STATE WHY; STATE IF THE ITEM EFFECTS THE PROPERTY AND IF SO WHAT PORTION. IF NO EASEMENTS OR SURVEY MATTERS EXIST IN THE TITLE COMMITMENT, THEN BENEATH THIS HEADING ADD "NO EASEMENT OR SURVEY MATTERS ARE CITED WITHIN THE TITLE COMMITMENT AND THEREFORE NONE ARE REPORTED HEREON." EACH ITEM SHOULD BE LISTED IN THE SAME NUMERICAL ORDER AS ON THE TITLE COMMITMENT WITH CIRCLED IDENTIFIERS PLACED ON THE DRAWING WITH LEADER LINES AND ARROWS POINTING TO THE LIMITS OF EACH EASEMENT.
• YOU SHALL CERTIFY THE INITIAL SURVEY TO ENTITIES REQUESTED BY IN-N-OUT. PRIOR TO FINAL PREPARATION OF THE INITIAL SURVEY, CONSULTANT SHALL REQUEST FROM IN-N-OUT THE LIST OF CERTIFIED PARTIES. PROVIDE IN-N-OUT FOUR (4) SIGNED COPIES OF THE SURVEY ALONG WITH AN ELECTRONIC VERSION OF THE SURVEY IN AUTOCAD.

SURVEY UPDATE
• IN-N-OUT MAY REQUEST CONSULTANT UPDATE TO INITIAL SURVEY TO REFLECT AN UPDATED SCHEDULE B SECTION 2 LIST OF EXCEPTIONS FROM AN AMENDMENT TO THE PRELIMINARY TITLE REPORT. THIS AMENDMENT WILL ELIMINATE EXCEPTIONS PREVIOUSLY NOTED. PROVIDE IN-N-OUT FOUR (4) SIGNED COPIES OF THE SURVEY ALONG WITH AN ELECTRONIC VERSION OF THE SURVEY IN AUTOCAD.
• PLEASE PROVIDE LINE ITEM, NOT TO EXCEED PRICING FOR THE ABOVE LISTED SERVICES. CONSULTANTS ESTIMATE SHOULD INCLUDE THE COST OF SINGLE COPIES OF MATERIALS PREPARED BY CONSULTANT FOR OWNER REVIEW, UNLESS SPECIFICALLY STATED OTHERWISE.

CERTIFICATE OF SURVEYOR
• THE INITIAL SURVEY AND ALL UPDATES THERETO SHALL CONTAIN A CERTIFICATE OF SURVEYOR IN THE FORM ATTACHED HERETO AS EXHIBIT A, DULY EXECUTED BY YOU.

LEGEND

TC	TOP OF CONCRETE CURB
FS	FINISHED CONCRETE SURFACE
AC	ASPHALTIC CEMENT PAVEMENT
FL	FLOW LINE
FG	FINISHED GRADE OF DIRT
FF	FINISHED FLOOR OF BUILDING
BS	BACK OF SIDEWALK
EG	EDGE OF GUTTER
INV.	INVERT
GB	GRADE BREAK
HP	HIGH POINT
TB	TOP OF BERM
EP	EDGE OF A.C. PAVEMENT
ℙ	PROPERTY LINE
℄	CENTER LINE
TW	TOP OF WALL
TRW	TOP OF RETAINING WALL
TF	TOP OF FOOTING
TOG	TOP OF DRAIN BOX GRATE
	EDGE OF A.C. PAVEMENT
	CONCENTRATED FLOW LINE
	SHEET FLOW DRAINAGE
T/HDWL.	TOP OF HEADWALL
(02.20)	EXISTING ELEVATION
– –(02)– –	EXISTING CONTOUR ELEVATION
02.20	PROPOSED ELEVATION
——02——	PROPOSED CONTOUR ELEVATION
ID	INSIDE DIAMETER
OD	OUTSIDE DIAMETER
——G——	GAS MAIN
——W——	WATER MAIN
——S——	SANITARY SEWER
——E——	UNDERGROUND ELECTRICAL CONDUIT
——T——	UNDERGROUND TELEPHONE CONDUIT
——SD——	STORM DRAIN
——CTV——	UNDERGROUND CABLE TELEVISION CONDUIT
——TSC——	TRAFFIC SIGNAL CONDUIT
WV	WATER VALVE
WM	WATER METER
FH	FIRE HYDRANT
GM	GAS METER
SMH	SANITARY SEWER MANHOLE
PP	POWER POLE
SL	STREET LIGHT
CL	CLEANOUT
IP	IRON PIPE
LP	LIGHT POLE
SDMH	STORM DRAIN MANHOLE
RCP	REINFORCED CONCRETE PIPE
CLF	CHAIN LINK FENCE
ICV	IRRIGATION CONTROL VALVE
ICB	IRRIGATION CONTROL BOX
GP	GUARD POST
WF	WROUGHT IRON FENCE
ROH	BUILDING ROOF OVERHANG
TSP	TRAFFIC SIGNAL POLE
PB	PULL BOX
PA	LANDSCAPED PLANTER AREA
TPB	TELEPHONE PULL BOX
TMH	TELEPHONE MANHOLE
EPB	ELECTRIC PULL BOX
TSC	TRAFFIC SIGNAL CONDUIT
SLC	STREET LIGHT CONDUIT
TSPB	TRAFFIC SIGNAL PULL BOX
TS. PED.	TRAFFIC SIGNAL PEDESTAL
BF	BACKFLOW PREVENTION DEVICE
TE	TRASH ENCLOSURE
PM	ELECTRIC PAD MOUNT TRANSFORMER
CB	CATCH BASIN
RD	ROOF DRAIN
PRS	PARKING REGULATION SIGN
SLS	SPEED LIMIT SIGN
FP	FLAG POLE
DS	DIRECTIONAL SIGN
FO	FIBEROPTICS
TR	PORTABLE TRASH RECEPTACLE
FSR	FIRE SPRINKLER RISER
CP	CONTAINMENT PIPE
MW	MONITORING WELL
RW	RECLAIMED WATER
RWM	RECLAIMED WATER METER
LL	LEASE LINE
PTR	PRELIMINARY TITLE REPORT
INOB	IN-N-OUT BURGER
TS	TOP OF SIGN
FM	SANITARY SEWER FORCED MAIN
NSA	NO STOPPING ANYTIME
SCP	SURVEY CONTROL POINT
NPA	NO PARKING ANYTIME

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

Underground Service Alert
CALL BEFORE YOU DIG
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TWO WORKING DAYS BEFORE YOU DIG

REVISIONS
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CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
Mark S. Lamoureux JANUARY 26, 2021
MARK S. LAMOUREUX P.L.S. 5794 DATE

PROFESSIONAL LAND SURVEYOR MARK STEVEN LAMOUREUX No. 5794 STATE OF CALIFORNIA

IN-N-OUT BURGER
1700 VENTURA BOULEVARD
OXNARD, CA 93036

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP

SHEET 1 OF 5

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LEGAL DESCRIPTION SHOWN ON TITLE REPORT

WITH MSL RECOMMENDED TEXT CHANGES NOTED IN [BRACKETS] AND TEXT DELETIONS ~~LINED OUT~~ AS THE TEXT STATES, AND WE HAVE CONFIRMED, THAT IT AFFECTS LAND THAT IS OUTSIDE OF THE SURVEYED PROPERTY.

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (jpaschal@firstam.com).

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

~~PARCEL A:~~

~~PARCEL 1:~~

~~PARCEL B AS SHOWN ON CERTIFICATE OF APPROVAL FOR PARCEL MAP WAIVER NO. PZ 11-300-05, AS EVIDENCED BY DOCUMENT RECORDED MARCH 26, 2012 AS INSTRUMENT NO. 20120326-00055226-0 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~THOSE PORTIONS OF LOTS 16 AND 17 OF TRACT NO. 4169, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED FEBRUARY 26, 1987 IN BOOK 109 AT PAGE 27 OF MISCELLANEOUS RECORDS (MAPS), IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING THAT PORTION OF PARCEL 2 PER LOT LINE ADJUSTMENT NO. 87-5 RECORDED ON MARCH 24, 1988 AS DOCUMENT NO. 88-037752 IN OFFICIAL RECORDS OF SAID COUNTY, LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:~~

~~COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 2, SAID POINT BEING ON THE NORTHEASTERLY LINE OF VENTURA BOULEVARD (96 FEET WIDE), THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2, NORTH 40°14'16" EAST, A DISTANCE OF 401.60 FEET TO THE POINT OF BEGINNING; THENCE,~~
~~1ST NORTH 49°46'33" WEST, A DISTANCE OF 115.25 FEET; THENCE,~~
~~2ND SOUTH 40°13'27" WEST, A DISTANCE OF 5.00 FEET; THENCE,~~
~~3RD NORTH 49°46'33" WEST, A DISTANCE OF 4.75 FEET; THENCE,~~
~~4TH SOUTH 40°13'27" WEST, A DISTANCE OF 30.75 FEET; THENCE,~~
~~5TH NORTH 49°46'33" WEST, A DISTANCE OF 29.50 FEET; THENCE,~~
~~6TH SOUTH 40°13'27" WEST, A DISTANCE OF 97.00 FEET; THENCE,~~
~~7TH NORTH 49°46'33" WEST, A DISTANCE OF 94.50 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";~~
~~THENCE CONTINUING,~~
~~8TH NORTH 49°46'33" WEST, A DISTANCE OF 68.68; THENCE,~~
~~9TH NORTH 34°31'12" WEST, A DISTANCE OF 63.39 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF SAID PARCEL 2.~~

~~EXCEPT THAT PORTION LYING NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:~~

~~BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "A", THENCE,~~
~~1ST SOUTH 40°12'27" WEST A DISTANCE OF 206.35 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID PARCEL 2, ALSO BEING SAID NORTHEASTERLY LINE OF VENTURA BOULEVARD~~

~~EXCEPTING THEREFROM A PORTION OF SAID LAND AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES LYING IN, ON OR UNDER SAID LAND AS RESERVED BY J. ROBERT DOUD, ET AL., IN DEED RECORDED IN BOOK 1081, PAGE 88 OF OFFICIAL RECORDS.~~

~~ALSO EXCEPTING THEREFROM A PORTION OF SAID LAND AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL,GAS, AND OTHER HYDROCARBON SUBSTANCES LYING IN, ON OR UNDER SAID LAND AS RESERVED BY J. ROBERT DOUD, ET AL., IN DEED RECORDED IN BOOK 1081, PAGE 67 OF OFFICIAL RECORDS.~~

~~ALSO EXCEPTING THEREFROM A PORTION OF SAID LAND ALL REMAINING OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN OR UNDER SAID LAND, BUT WITHOUT ANY RIGHT TO ENTER UPON OR TO DISTURB THE GROUND WITHIN 500 FEET OF THE SURFACE, BUT WITH THE RIGHT TO ENTER BELOW THE DEPTH FROM ADJACENT AREA, FOR THE PURPOSES OF PROSPECTING FOR, DEVELOPING, EXTRACTION AND REMOVAL THEREOF, AS SET FORTH IN DEED RECORDED FEBRUARY 28, 1986 AS DOCUMENT NO. 86-023874 OF OFFICIAL RECORDS.~~

~~PARCEL 1A:~~

~~A NON-EXCLUSIVE EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, PARKING, SHARED ACCESS, DRAINAGE AND UTILITIES, OVER PORTION OF PARCEL A OF PARCEL MAP WAIVER NO. 11-300-05, RECORDED MARCH 26, 2012, AS INSTRUMENT NO. 20120326-00055226-0 OF OFFICIAL RECORDS, AS SHOWN AND DESCRIBED IN THAT "DECLARATION OF RECIPROCAL ASSESS AND PARKING DECLARATION" RECORDED MARCH 30, 2012 AS INSTRUMENT NO. 20120330-00059043-0 OF OFFICIAL RECORDS.~~

~~PARCEL 1B:~~

~~A NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITY PURPOSES OVER THE NORTHWESTERLY 15 FEET OF LOTS 3 AND 7 OF TRACT 4386, RECORDED IN BOOK 111, PAGE 79 TO 81 OF MAPS.~~

~~PARCEL 1C:~~

~~A NON-EXCLUSIVE EASEMENT FOR ACCESS PURPOSES OVER THE SOUTHEASTERLY 15 FEET OF LOT 13 OF TRACT 4169 RECORDED IN BOOK 109, PAGES 27 TO 30 OF MAPS.~~

~~PARCEL 2:~~

~~PARCEL C AS SHOWN ON CERTIFICATE OF APPROVAL FOR PARCEL MAP WAIVER NO. PZ 11-300-05, AS EVIDENCED BY DOCUMENT RECORDED MARCH 26, 2012 AS INSTRUMENT NO. 20120326-00055226-0 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~THOSE PORTIONS OF LOTS 16 AND 17 OF TRACT NO. 4169, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED FEBRUARY 26, 1987 IN BOOK 109 AT PAGE 27 OF MISCELLANEOUS RECORDS (MAPS), IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING THAT PORTION OF PARCEL 2 PER LOT LINE ADJUSTMENT NO. 87-5 RECORDED ON MARCH 24, 1988 AS DOCUMENT NO. 88-037752 IN OFFICIAL RECORDS OF SAID COUNTY, LYING SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:~~
~~COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 2, SAID POINT BEING ON THE NORTHEASTERLY LINE OF VENTURA BOULEVARD (96 FEET WIDE), THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2, NORTH 40°14'16" EAST, A DISTANCE OF 401.60 FEET TO THE POINT OF BEGINNING; THENCE,~~
~~1ST NORTH 49°46'33" WEST, A DISTANCE OF 115.25 FEET; THENCE,~~
~~2ND SOUTH 40°13'27" WEST, A DISTANCE OF 5.00 FEET; THENCE,~~
~~3RD NORTH 49°46'33" WEST, A DISTANCE OF 4.75 FEET; THENCE,~~
~~4TH SOUTH 40°13'27" WEST, A DISTANCE OF 30.75 FEET; THENCE,~~
~~5TH NORTH 49°46'33" WEST, A DISTANCE OF 29.50 FEET; THENCE,~~
~~6TH SOUTH 40°13'27" WEST, A DISTANCE OF 97.00 FEET; THENCE,~~
~~7TH NORTH 49°46'33" WEST, A DISTANCE OF 94.50 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A";~~
~~THENCE CONTINUING,~~
~~8TH NORTH 49°46'33" WEST, A DISTANCE OF 68.68 FEET; THENCE,~~
~~9TH NORTH 34°31'12" WEST, A DISTANCE OF 63.39 FEET, MORE OR LESS, TO THE NORTHWESTERLY LINE OF SAID PARCEL 2.~~

~~EXCEPT THAT PORTION LYING SOUTHEASTERLY OF THE FOLLOWING DESCRIBED LINE:~~
~~BEGINNING AT THE HEREINBEFORE DESCRIBED POINT "A", THENCE,~~
~~1ST SOUTH 40°12'27" WEST A DISTANCE OF 206.35 FEET, MORE OR LESS, TO THE SOUTHWESTERLY LINE OF SAID PARCEL 2, ALSO BEING SAID NORTHEASTERLY LINE OF VENTURA BOULEVARD.~~

~~EXCEPTING THEREFROM A PORTION OF SAID LAND AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES LYING IN, ON OR UNDER SAID LAND AS RESERVED BY J. ROBERT DOUD, ET AL., IN DEED RECORDED IN BOOK 1081, PAGE 88 OF OFFICIAL RECORDS.~~

~~ALSO EXCEPTING THEREFROM A PORTION OF SAID LAND AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES LYING IN, ON OR UNDER SAID LAND AS RESERVED BY J. ROBERT DOUD, ET AL., IN DEED RECORDED IN BOOK 1081, PAGE 67 OF OFFICIAL RECORDS.~~

~~ALSO EXCEPTING THEREFROM A PORTION OF SAID LAND ALL REMAINING OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN OR UNDER SAID LAND, BUT WITHOUT ANY RIGHT TO ENTER UPON OR TO DISTURB THE GROUND WITHIN 500 FEET OF THE SURFACE, BUT WITH THE RIGHT TO ENTER BELOW THE DEPTH FROM ADJACENT AREA, FOR THE PURPOSES OF PROSPECTING FOR, DEVELOPING, EXTRACTION AND REMOVAL THEREOF, AS SET FORTH IN DEED RECORDED FEBRUARY 28, 1986 AS DOCUMENT NO. 86-023874 OF OFFICIAL RECORDS.~~

~~PARCEL 2A:~~

~~A NON-EXCLUSIVE EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS, PARKING, SHARED ACCESS, DRAINAGE AND UTILITIES, OVER PORTION OF PARCEL A OF PARCEL MAP WAIVER NO. 11-300-05, RECORDED MARCH 26, 2012, AS INSTRUMENT NO. 20120326-00055226-0 OF OFFICIAL RECORDS, AS SHOWN AND DESCRIBED IN THAT "DECLARATION OF RECIPROCAL ASSESS AND PARKING DECLARATION" RECORDED MARCH 30, 2012 AS INSTRUMENT NO. 20120330-00059043-0 OF OFFICIAL RECORDS.~~

~~PARCEL 2B:~~

~~A NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITY PURPOSES OVER THE NORTHWESTERLY 15 FEET OF LOTS 3 AND 7 OF TRACT 4386, RECORDED IN BOOK 111, PAGE 79 TO 81 OF MAPS.~~

~~PARCEL 2C:~~
~~A NON-EXCLUSIVE EASEMENT FOR ACCESS PURPOSES OVER THE SOUTHEASTERLY 15 FEET OF LOT 13 OF TRACT 4169 RECORDED IN BOOK 109, PAGES 27 TO 30 OF MAPS.~~

PARCEL B:

PARCEL~~S~~ 1~~, 2 AND 3~~ OF PARCEL MAP 90-10, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP THEREOF FILED IN BOOK 51, PAGE 60 OF PARCEL MAPS, AND CORRECTED OCTOBER 19, 1993, AS DOCUMENT NO. 93-196693 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF OXNARD IN DOCUMENT RECORDED JULY 11, 1997, AS DOCUMENT NO. 97-086041 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM A PORTION OF SAID LAND AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES LYING IN, ON OR UNDER SAID LAND AS RESERVED BY J. ROBERT DOUD, ET AL., IN DEED RECORDED IN BOOK 1081, PAGE 67 OF OFFICIAL RECORDS.

ALSO EXCEPTING FROM A PORTION OF PARCEL~~S~~ 1 ~~AND 2,~~ AN UNDIVIDED 1/2 INTEREST IN ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES IN OR UNDER SAID LAND, BUT WITHOUT ANY RIGHT TO ENTER UPON OR TO DISTURB THE GROUND WITHIN 500 FEET OF THE SURFACE, BUT WITH THE RIGHT TO ENTER BELOW THE DEPTH FROM ADJACENT AREA, FOR THE PURPOSES OF PROSPECTING FOR, DEVELOPING, EXTRACTION AND REMOVAL THEREOF, AS RESERVED BY ERWIN PAUL MARON, TRUSTEE, ET AL., IN DEED RECORDED FEBRUARY 28, 1986, AS DOCUMENT NO. 86-023874 OF OFFICIAL RECORDS.

~~ALSO EXCEPTING FROM A PORTION OF PARCELS 2 AND 3, AN UNDIVIDED 1/2 INTEREST IN AND TO ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES LYING IN, ON OR UNDER SAID LAND AS RESERVED BY J. ROBERT DOUD, ET AL., IN DEED RECORDED IN BOOK 1081, PAGE 88 OF OFFICIAL RECORDS.~~

~~ALSO EXCEPTING FROM A PORTION OF PARCEL 3, ONE-HALF OF ALL OIL, GAS, AND OTHER HYDROCARBON SUBSTANCES AND MINERALS IN AND UNDER SAID PARCEL, WITHOUT, HOWEVER, ANY RIGHT OF SURFACE ENTRY THEREOF OR WITHIN 550 FEET BENEATH THE SURFACE, AS RESERVED BY DEEDS RECORDED IN BOOK 3471, PAGE 52, AND IN BOOK 3471, PAGE 62 AND IN BOOK 3889, PAGE 132, ALL OF OFFICIAL RECORDS.~~

FOR CONVEYANCING PURPOSES ONLY: APN 144-0-134-115 (AFFECTS: PARCEL 1 OF PARCEL B)
~~APN: 144-0-134-095 (AFFECTS: PARCEL 3 OF PARCEL B)~~
~~APN: 144-0-134-085 (AFFECTS: PARCEL 2 OF PARCEL B)~~
~~APN: 144-0-133-095 (AFFECTS: PARCEL 2 OF PARCEL A)~~
~~APN: 144-0-133-085 (AFFECTS: PARCEL 1 OF PARCEL A)~~

EXCEPTIONS TO COVERAGE FROM TITLE REPORT SCHEDULE B, PART II

WITH MSL RECOMMENDED TEXT CHANGES NOTED IN [BRACKETS] AND TEXT DELETIONS ~~LINED OUT~~ AS THE TEXT STATES, AND WE HAVE CONFIRMED, THAT IT AFFECTS LAND THAT IS OUTSIDE OF THE SURVEYED PROPERTY.

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (jpaschal@firstam.com).

ITEM NO. 1
ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET.

ITEM NO. 2
(A) TAXES OR ASSESSMENTS THAT ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS; (B) PROCEEDINGS BY A PUBLIC AGENCY THAT MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.

ITEM NO. 3
ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS THAT ARE NOT SHOWN BY THE PUBLIC RECORDS BUT THAT COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR THAT MAY BE ASSERTED BY PERSONS IN POSSESSION OF THE LAND.

ITEM NO. 4
EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, NOT SHOWN BY THE PUBLIC RECORDS.

ITEM NO. 5
ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND AND NOT SHOWN BY THE PUBLIC RECORDS.

ITEM NO. 6
(A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B), OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

ITEM NO. 7
GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2021-2022, A LIEN NOT YET DUE OR PAYABLE.

ITEM NO. 8
GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020-2021.

FIRST INSTALLMENT:	$20,760.16, PAID
PENALTY:	$0.00
SECOND INSTALLMENT:	$20,760.16, OPEN
PENALTY:	$0.00
TAX RATE AREA:	03320
A. P. NO.:	144-0-134-115

(AFFECTS PARCEL 1 OF PARCEL B)

~~ITEM NO. 9~~
~~GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020-2021.~~

~~FIRST INSTALLMENT:~~	~~$16,504.53, PAID~~
~~PENALTY:~~	~~$0.00~~
~~SECOND INSTALLMENT:~~	~~$16,504.53, OPEN~~
~~PENALTY:~~	~~$0.00~~
~~TAX RATE AREA:~~	~~03320~~
~~A. P. NO.:~~	~~144-0-134-095~~

~~(AFFECTS PARCEL 3 OF PARCEL B)~~

~~ITEM NO. 10~~
~~GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020-2021.~~

~~FIRST INSTALLMENT:~~	~~$11,400.16, PAID~~
~~PENALTY:~~	~~$0.00~~
~~SECOND INSTALLMENT:~~	~~$11,400.16, OPEN~~
~~PENALTY:~~	~~$0.00~~
~~TAX RATE AREA:~~	~~03320~~
~~A. P. NO.:~~	~~144-0-134-085~~

~~(AFFECTS PARCEL 2 OF PARCEL B)~~

~~ITEM NO. 11~~
~~GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020-2021.~~

~~FIRST INSTALLMENT:~~	~~$7,270.50, PAID~~
~~PENALTY:~~	~~$0.00~~
~~SECOND INSTALLMENT:~~	~~$7,270.50, OPEN~~
~~PENALTY:~~	~~$0.00~~
~~TAX RATE AREA:~~	~~03212~~
~~A. P. NO.:~~	~~144-0-133-095~~

~~(AFFECTS PARCEL 2 OF PARCEL A)~~

~~ITEM NO. 12~~
~~GENERAL AND SPECIAL TAXES AND ASSESSMENTS FOR THE FISCAL YEAR 2020-2021.~~

~~FIRST INSTALLMENT:~~	~~$23,352.42, PAID~~
~~PENALTY:~~	~~$0.00~~
~~SECOND INSTALLMENT:~~	~~$23,352.42, OPEN~~
~~PENALTY:~~	~~$0.00~~
~~TAX RATE AREA:~~	~~03212~~
~~A. P. NO.:~~	~~144-0-133-085~~

~~(AFFECTS PARCEL 1 OF PARCEL A)~~

ITEM NO. 13
ASSESSMENT LIENS, IF APPLICABLE, COLLECTED WITH THE GENERAL AND SPECIAL TAXES, INCLUDING BUT NOT LIMITED TO THOSE DISCLOSED BY THE REFLECTION OF THE FOLLOWING ON THE TAX ROLL:

1915 BOND FOR CITY OF OXNARD 86-4.
1915 BOND FOR CITY OF OXNARD 96-1.

ITEM NO. 14
A NOTICE OF ASSESSMENT EXECUTED BY UNITED WATER CONSERVATION DISTRICT IN THE DOCUMENT ENTITLED "NOTICE OF REASSESSMENT UNITED WATER CONSERVATION DISTRICT SEAWATER INTRUSION ABATEMENT DISTRICT 1994 REFUNDING IMPROVEMENT BONDS" DATED JULY 26, 1994, RECORDED AUGUST 01, 1994 AS INSTRUMENT NO. 94-127414 OF OFFICIAL RECORDS OF VENTURA COUNTY.

ITEM NO. 15
A NOTICE OF ASSESSMENT EXECUTED BY THE CITY CLERK OF THE CITY OF OXNARD IN THE DOCUMENT ENTITLED "NOTICE OF REASSESSMENT CITY OF OXNARD ASSESSMENT DISTRICT NO. 96-1 (ROSE AVENUE/HIGHWAY 101 INTERCHANGE IMPROVEMENTS)" DATED AUGUST 04, 2005, RECORDED AUGUST 11, 2005 AS INSTRUMENT NO. 20050811-0199066 OF OFFICIAL RECORDS OF VENTURA COUNTY.

ITEM NO. 16
THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, ASSESSED PURSUANT TO CHAPTER 3.5 COMMENCING WITH SECTION 75 OF THE CALIFORNIA REVENUE AND TAXATION CODE.

ITEM NO. 17
A WAIVER OF ANY CLAIMS FOR DAMAGES BY REASON OF THE LOCATION, CONSTRUCTION, LANDSCAPING OR MAINTENANCE OF A CONTIGUOUS FREEWAY, HIGHWAY OR ROADWAY, AS CONTAINED IN THE DOCUMENT ENTITLED "DEED - HIGHWAY" DATED FEBRUARY 28, 1934 AND FEBRUARY 27, 1934, RECORDED MARCH 13, 1934 AS BOOK 393, PAGES 354 AND 356 RESPECTIVELY, AND IN THE DOCUMENT ENTITLED "GRANT DEED (INDIVIDUAL)" DATED SEPTEMBER 28, 1953 AND OCTOBER 02, 1953, RECORDED NOVEMBER 16, 1953, IN BOOK 1168, PAGES 452 AND 455 RESPECTIVELY, ALL OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[WE RECOMMEND THAT THE REFERENCES TO ALL BUT DOCUMENT RECORDED MARCH 13, 1934 AS BOOK 393, PAGE 356 BE DELETED IN THIS ITEM AS THEY AFFECT LAND THAT IS LOCATED SOUTH AND SOUTHEAST OF THE SURVEYED PROPERTY AND THE ADJOINING FREEWAY.]

ITEM NO. 18
THE PRIVILEGE AND RIGHT TO EXTEND AND MAINTAIN DRAINAGE STRUCTURAL AND EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF THE STATE HIGHWAY KNOWN AS VENTURA FREEWAY WHERE REQUIRED FOR THE CONSTRUCTION AND MAINTENANCE OF SAID STATE HIGHWAY, AS GRANTED TO THE STATE OF CALIFORNIA IN THE DEED ENTITLED "DEED-HIGHWAY" DATED FEBRUARY 28, 1934 AND FEBRUARY 27, 1934, RECORDED MARCH 13, 1934, IN BOOK 393, PAGES 354 AND 356 RESPECTIVELY, OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[WE RECOMMEND THAT THIS ITEM BE DELETED AS THE FREEWAY IS FULLY CONSTRUCTED 87 YEARS LATER ADJOINING AND SOUTH OF THE SURVEYED PROPERTY. IN ADDITION, WE ALSO RECOMMEND THAT THE REFERENCE TO DOCUMENT RECORDED MARCH 13, 1934 AS BOOK 393, PAGE 354 BE DELETED IN THIS ITEM AS IT AFFECTS LAND THAT IS LOCATED SOUTHEAST OF THE SURVEYED PROPERTY.]

ITEM NO. 19
ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM THE FREEWAY (EXCEPT AT DESIGNATED COURSE) HAVE BEEN RELINQUISHED IN THE DOCUMENT ENTITLED "GRANT DEED (INDIVIDUAL)" DATED SEPTEMBER 28, 1953, RECORDED NOVEMBER 16, 1953 AS BOOK 1168, PAGE 452 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[WE RECOMMEND THAT THIS ITEM BE DELETED AS THE PROPERTY DESCRIBED IN THIS DOCUMENT IS LOCATED SOUTHEAST OF THE SURVEYED PROPERTY AND THE ADJOINING FREEWAY.]

ITEM NO. 20
ABUTTER'S RIGHTS OF INGRESS AND EGRESS TO OR FROM THE FREEWAY HAVE BEEN RELINQUISHED IN THE DOCUMENT ENTITLED "GRANT DEED (INDIVIDUAL)" DATED OCTOBER 02, 1953, RECORDED NOVEMBER 16, 1953 AS BOOK 1168, PAGES 455 THROUGH 458 INCLUSIVE OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[WE RECOMMEND THAT THIS ITEM BE DELETED AS THE PROPERTY DESCRIBED IN THIS DOCUMENT IS LOCATED SOUTHEAST OF THE SURVEYED PROPERTY AND THE ADJOINING FREEWAY.]

~~ITEM NO. 21~~
~~AN OIL AND GAS LEASE EXECUTED BY ALVIN DIEDRICH, A MARRIED MAN, DEALING WITH HIS SEPARATE PROPERTY; VIRGINIA D. KESTING, A MARRIED WOMAN, DEALING WITH HER SEPARATE PROPERTY, ALSO KNOWN AS VIRGINIA DIEDRICH KESTING AND AS VIRGINIA M. KESTING; AND ALVIN L. DIEDRICH AND VIRGINIA D. KESTING, AS TRUSTEES UNDER THE WILL OF EVELYN M. RICHARDSON, DECEASED, AND OF THE TRUSTS CREATED THEREBY ("LESSORS"), AND FLEET OIL CO., A CALIFORNIA CORPORATION ("LESSEE"), IN THE DOCUMENT ENTITLED "MEMORANDUM OIL AND GAS LEASE" DATED FEBRUARY 14, 1971, RECORDED DECEMBER 30, 1971 AS BOOK 3902, PAGE 448 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.~~

~~(AFFECTS A PORTION OF PARCEL 3 OF PARCEL B)~~

~~ITEM NO. 22~~
~~AN OIL AND GAS LEASE EXECUTED BY HITOSHI NITTA AND MARY K. NITTA, ALSO KNOWN AS MARY NITTA, HUSBAND AND WIFE; MINORU NITTA AND FUSAYE NITTA, HUSBAND AND WIFE; AND MITSUO NITTA AND TOKI K. NITTA, ALSO KNOWN AS TOKI NITTA, HUSBAND AND WIFE ("LESSORS"), AND MCCULLOGH OIL CORPORATION, A DELAWARE CORPORATION ("LESSEE"), IN THE DOCUMENT ENTITLED "MEMORANDUM OIL AND GAS LEASE" DATED NOVEMBER 05, 1971, RECORDED FEBRUARY 08, 1972 AS BOOK 3917, PAGE 722 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.~~

~~(AFFECTS A PORTION OF PARCEL 3 OF PARCEL B)~~

ITEM NO. 23
THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND AND OTHER PROPERTY, FILED MAY 16, 1985, IN BOOK 42, PAGE 60 OF RECORD OF SURVEYS, RECORDS OF VENTURA COUNTY.

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THE SURVEYED PROPERTY IS LOCATED OUTSIDE THE BOUNDARY OF THE RECORD OF SURVEY MAP BUT WITHIN A PORTION OF THE 70.00' WIDE OLD CONEJO ROAD AND WITHIN A PORTION OF THE EXCEPTION PROPERTY PER 2107-OR-32 AS SHOWN ON SAID RECORD OF SURVEY MAP.]

(24) ITEM NO. 24
A PERPETUAL EASEMENT AND RIGHT-OF-WAY IN FAVOR OF THE CITY OF OXNARD, A MUNICIPAL CORPORATION, FOR STREET AND PUBLIC UTILITY PURPOSES AND INCIDENTAL PURPOSES, IN THE DOCUMENT ENTITLED "GRANT DEED (EASEMENT)" DATED OCTOBER 07, 1986, RECORDED OCTOBER 08, 1986 AS INSTRUMENT NO. 86-139695 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: AS DESCRIBED THEREIN

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT IS LOCATED WITHIN THE 96' WIDE VENTURA BOULEVARD PUBLIC STREET ADJOINING THE SURVEYED PROPERTY TO THE NORTHEAST.]

ITEM NO. 25
THE TERMS AND PROVISIONS BY AND BETWEEN THE CITY OF OXNARD ("CITY") AND CONTINENTAL HERITAGE CORPORATION, A CALIFORNIA CORPORATION ("DEVELOPER"), AS CONTAINED IN THE DOCUMENT ENTITLED "CITY OF OXNARD DEVELOPMENT AGREEMENT FOR PARKWAY AUTO CENTER" DATED DECEMBER 05, 1986, RECORDED DECEMBER 10, 1986 AS INSTRUMENT NO. 86-180248 OF OFFICIAL RECORDS OF VENTURA COUNTY.

ITEM NO. 25 (CONTINUED)
AN ASSIGNMENT AND ASSUMPTION OF AGREEMENT EXECUTED BY AND BETWEEN DCH INVESTMENTS, INC. CALIFORNIA ("ASSIGNOR"), AND DAH CHONG HONG, LTD. ("ASSIGNEE"), IN THE DOCUMENT ENTITLED "ASSIGNMENT AND ASSUMPTION OF CITY OF OXNARD DEVELOPMENT AGREEMENT FOR PARKWAY AUTO CENTER" DATED SEPTEMBER 30, 1991, RECORDED APRIL 24, 1992 AS DOCUMENT NO. 92-071689 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AN ASSIGNMENT AND ASSUMPTION OF AGREEMENT EXECUTED BY AND BETWEEN C. BERNERD LUNSFORD AND CORINNE K. LUNSFORD, HUSBAND AND WIFE ("ASSIGNOR"), AND DCH INVESTMENTS, INC. (CALIFORNIA) ("ASSIGNEE"), IN THE DOCUMENT ENTITLED "ASSIGNMENT AND ASSUMPTION OF CITY OF OXNARD DEVELOPMENT AGREEMENT FOR PARKWAY AUTO CENTER" DATED APRIL 18, 1991, RECORDED MAY 8, 1992, AS DOCUMENT NO. 92-081499 OF OFFICIAL RECORDS OF VENTURA COUNTY.

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THIS AGREEMENT SHALL CONTINUE IN FULL FORCE AND EFFECT UNTIL ALL OF THE PROPERTY TO BE DEVELOPED HAS BEEN SOLD AND/OR LEASED AND ALL PAYMENTS THROUGH SALES TAX REVENUE REIMBURSEMENTS HAVE BEEN MADE IN ACCORDANCE WITH THE TERMS OF THIS AGREEMENT AND IN NO EVENT LONGER THAN 30 YEARS FROM THE DATE HEREOF.]

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT EXPIRED ON DECEMBER 05, 2016.]

(26) ITEM NO. 26
THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS IN THE DOCUMENT ENTITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED JANUARY 29, 1987, RECORDED FEBRUARY 17, 1987 AS INSTRUMENT NO. 87-022600 OF OFFICIAL RECORDS OF VENTURA COUNTY, WHICH PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT OR RENDER INVALID THE LIEN OF ANY FIRST MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE BUT DELETING ANY COVENANT, CONDITION, OR RESTRICTION, IF ANY, INDICATING A PREFERENCE, LIMITATION, OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, VETERAN OR MILITARY STATUS, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955, OR ANCESTRY, TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE APPLICABLE STATE OR FEDERAL LAWS. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

THE DOCUMENT DECLARING MODIFICATIONS THEREOF ENTITLED "AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED APRIL 27, 1987, RECORDED APRIL 29, 1987 AS INSTRUMENT NO. 064658; THE DOCUMENT ENTITLED "SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED MAY 27, 1987, RECORDED MAY 28, 1987 AS INSTRUMENT NO. 87-082439; THE DOCUMENT ENTITLED "THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED MARCH 23, 1988, RECORDED AUGUST 12, 1988 AS INSTRUMENT NO. 88-115268; THE DOCUMENT ENTITLED "FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED NOVEMBER 16, 1988, RECORDED JANUARY 3, 1989, AS INSTRUMENT NO. 89-000114; AND THE DOCUMENT ENTITLED "FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER ASSOCIATION" DATED FEBRUARY 24, 1999, RECORDED AUGUST 8, 2001 AS INSTRUMENT NO. 01-0154911, ALL OF OFFICIAL RECORDS OF VENTURA COUNTY.

THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION AND DESIGNATION" DATED MARCH 13, 2012, RECORDED MARCH 26, 2012 AS INSTRUMENT NO. 20120326-00055227-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THE PARKING AREA OF ANY LOT SHALL CONTAIN LANDSCAPED ISLANDS COVERING A PERCENTAGE OF SUCH AREA EQUAL TO A PERCENTAGE NOT LESS THAN THE GREATER OF: (x) 5%; OR (y) THE PERCENTAGE REQUIRED UNDER THE SPECIFIC PLAN; (2) EASEMENTS OVER THE PROPERTY FOR THE INSTALLATION MAINTENANCE, RECONSTRUCTION AND REPLACEMENT OF ELECTRIC, TELEPHONE, CABLE TELEVISION, WATER, GAS, SANITARY SEWER AND DRAINAGE FACILITIES AND COMMON DRIVEWAYS AND OTHER ACCESS WAYS AS ARE NEEDED TO SERVE THE PROPERTY OR AS ARE SHOWN ON ANY RECORDED SUBDIVISION MAP OR MAPS OR PARCEL MAP OR MAPS OF THE PROPERTY ARE HEREBY RESERVED BY THE DECLARANT, TOGETHER WITH THE RIGHT TO GRANT AND TRANSFER THE SAME, TO THE ASSOCIATION, THE CITY, COUNTY, OR ANY PUBLIC OR PRIVATE UTILITY OR COGENERATION OR OTHER SUITABLE UTILITY PURPOSES; (3) AN EASEMENT FOR ACCESS IS HEREBY GRANTED TO THE ASSOCIATION OVER LOTS 18 AND 20 FOR ACCESS TO THE DISPLAY AREA PROPERTY, AS SET FORTH ON EXHIBIT "D"; (4) DISPLAYS AND OTHER STRUCTURES ON BOTH LOTS 20 AND 18 SHALL BE SUBJECT TO THE APPROVAL OF THE ASSOCIATION TO ASSURE A HARMONIOUS BLEND OF LOT STRUCTURE AND DISPLAY WITH THE DISPLAY ON THE DISPLAY AREA PROPERTY; (5) "FRONTAGE ROAD" IS CURRENTLY SCHEDULED TO BE ABANDONED BY THE CITY AND CONVEYED IN FEE TO THE OWNERS OF THE ADJOINING LOTS, AND IT SHALL BE REFERRED TO AS "DISPLAY AREA PROPERTY"; (6) UPON THE ABANDONMENT OF THE DISPLAY AREA PROPERTY, DECLARANT SHALL CONSTRUCT A JOINT DISPLAY AREA UPON SUCH DISPLAY AREA PROPERTY AND THEREAFTER GRANT THE ASSOCIATION (AND THE ASSOCIATION SHALL ACCEPT) AN EASEMENT FOR AUTO DEALERS TO USE SUCH AREA FOR THE DISPLAY OF CARS AND OTHER VEHICLES OFFERED FOR SALE A THE OXNARD AUTO CENTER, AND FOR SUCH OTHER PURPOSES AS THE DECLARANT AND THE ASSOCIATION MAY DECIDE FROM TIME TO TIME; AND (7) MINIMUM AND MAXIMUM BUILDING SETBACKS SHALL CONFORM TO THE SPECIFIC PLAN.]

~~ITEM NO. 27~~
~~WATER RIGHTS AND RIGHTS TO DEVELOP ALL WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF OXNARD AS SHOWN ON THE MAP OF TRACT NO. 4162, RECORDED FEBRUARY 20, 1987 AND ON FILE IN BOOK 109 OF MISCELLANEOUS RECORDS (MAPS) AT PAGES 14 THROUGH 18 INCLUSIVE, RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS A PORTION OF PARCEL 3 OF PARCEL B)~~

ITEM NO. 28
THE TERMS AND PROVISIONS BY AND BETWEEN MIC OXNARD, A CALIFORNIA LIMITED PARTNERSHIP, AND THE CITY OF OXNARD CONTAINED IN THE DOCUMENT ENTITLED "CITY OF OXNARD SUBDIVISION IMPROVEMENT AGREEMENT" FOR TRACT NO. 4162 DATED FEBRUARY 03, 1987, RECORDED FEBRUARY 23, 1987 AS INSTRUMENT NO. 87-025515 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS A PORTION OF PARCEL B)

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT IS LOCATED AT LEAST APPROXIMATELY 250' EASTERLY OF THE SURVEYED PROPERTY, AND AT LEAST 96' NORTHEASTERLY OF THE SURVEYED PROPERTY ON THE OPPOSITE SIDE OF THE ADJOINING VENTURA BOULEVARD PUBLIC STREET.]

ITEM NO. 29
WATER RIGHTS AND RIGHTS TO DEVELOP ALL WATER FOUND, LOCATED, OR TAKEN FROM OR UNDER SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF OXNARD, SHOWN ON THE MAP OF TRACT NO. 4169 RECORDED FEBRUARY 26, 1987 AND ON FILE IN BOOK 109 OF MISCELLANEOUS RECORDS (MAPS) AT PAGES 27 THROUGH 30 INCLUSIVE, RECORDS OF VENTURA COUNTY.

ITEM NO. 30
THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS IN THE DOCUMENT ENTITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PLAZA DEL NORTE BUSINESS CENTER" BY MIC/OXNARD, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), DATED MARCH 09, 1987, RECORDED MARCH 13, 1987 AS INSTRUMENT NO. 87-037248 OF OFFICIAL RECORDS OF VENTURA COUNTY, WHICH PROVIDE THAT A VIOLATION THEREOF SHALL NOT DEFEAT OR RENDER INVALID THE LIEN OF ANY FIRST MORTGAGE OR DEED OF TRUST MADE IN GOOD FAITH AND FOR VALUE BUT DELETING ANY COVENANT, CONDITION, OR RESTRICTION, IF ANY, INDICATING A PREFERENCE, LIMITATION, OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, VETERAN OR MILITARY STATUS, GENETIC INFORMATION, NATIONAL ORIGIN, SOURCE OF INCOME AS DEFINED IN SUBDIVISION (P) OF SECTION 12955, OR ANCESTRY, TO THE EXTENT THAT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE APPLICABLE STATE OR FEDERAL LAWS. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.

THE DOCUMENT DECLARING MODIFICATIONS THEREOF ENTITLED "AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PLAZA DEL NORTE BUSINESS CENTER" DATED JANUARY 25, 1988, RECORDED FEBRUARY 01, 1988 AS INSTRUMENT NO. 88-012377; THE DOCUMENT ENTITLED "SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PLAZA DEL NORTE BUSINESS CENTER" DATED FEBRUARY 24, 1988, RECORDED MARCH 4, 1988, AS INSTRUMENT NO. 88-028092; THE DOCUMENT ENTITLED "THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PLAZA DEL NORTE BUSINESS CENTER" DATED JANUARY 24, 1989, RECORDED FEBRUARY 10, 1989, AS INSTRUMENT NO. 89-022275; THE DOCUMENT ENTITLED "FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PLAZA DEL NORTE BUSINESS CENTER" DATED JULY 26, 1989, RECORDED AUGUST 3, 1989, AS INSTRUMENT NO. 89-121606; AND THE DOCUMENT ENTITLED "FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PLAZA DEL NORTE BUSINESS CENTER" DATED DECEMBER 17, 1989, RECORDED JANUARY 26, 1990, AS INSTRUMENT NO. 90-013121, ALL OF OFFICIAL RECORDS OF VENTURA COUNTY.

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT IS LOCATED AT LEAST APPROXIMATELY 250' EASTERLY OF THE SURVEYED PROPERTY, AND AT LEAST 96' NORTHEASTERLY OF THE SURVEYED PROPERTY ON THE OPPOSITE SIDE OF THE ADJOINING VENTURA BOULEVARD PUBLIC STREET.]

ITEM NO. 31
THE TERMS AND PROVISIONS BY AND BETWEEN MIC OXNARD, A CALIFORNIA LIMITED PARTNERSHIP ("MIC"), AND RBP DEVELOPMENT CORPORATION, A CALIFORNIA CORPORATION ("RBP"), CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT FOR REIMBURSEMENT OF SUBDIVISION IMPROVEMENTS" FOR TRACT NO. 4162 RECORDED APRIL 23, 1987 AS INSTRUMENT NO. 87-061355 OF OFFICIAL RECORDS OF VENTURA COUNTY.

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT IS LOCATED AT LEAST APPROXIMATELY 250' EASTERLY OF THE SURVEYED PROPERTY, AND AT LEAST 96' NORTHEASTERLY OF THE SURVEYED PROPERTY ON THE OPPOSITE SIDE OF THE ADJOINING VENTURA BOULEVARD PUBLIC STREET.]

ITEM NO. 32
THE TERMS AND PROVISIONS BY AND BETWEEN CONTINENTAL HERITAGE CORPORATION AND THE CITY OF OXNARD CONTAINED IN THE DOCUMENT ENTITLED "CITY OF OXNARD SUBDIVISION IMPROVEMENT AGREEMENT" FOR TRACT NO. 4169 DATED FEBRUARY 24, 1987, RECORDED JUNE 24, 1987 AS INSTRUMENT NO. 87-099828 OF OFFICIAL RECORDS OF VENTURA COUNTY.

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THE PURPOSE OF THIS AGREEMENT IS TO PROVIDE FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS, PAYMENT OF FEES, AND PERFORMANCE OF OTHER ACTS REQUIRED IN CONNECTION WITH THE APPROVAL OF TRACT NO. 4169; (2) UP UNTIL FEBRUARY 24, 1997, NO STATUE OF LIMITATIONS WILL BE PLEADED AS A DEFENSE TO THE OBLIGATIONS IMPOSED BY THIS CONTRACT.]

[WE RECOMMEND THAT THIS ITEM BE DELETED BECAUSE THE REFERENCED CITY REQUIRED PUBLIC IMPROVEMENTS HAD TO HAVE BEEN INSTALLED OVER 30 YEARS AGO.]

ITEM NO. 33
THE RIGHTS, IF ANY, OF A CITY, PUBLIC UTILITY OR SPECIAL DISTRICT, PURSUANT TO SECTION 8345 ET SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, TO PRESERVE A PUBLIC EASEMENT IN VENTURA BOULEVARD AS THE SAME WAS VACATED BY THE DOCUMENT ENTITLED "CITY COUNCIL OF THE CITY OF OXNARD RESOLUTION NO. 9289, RESOLUTION APPROVING THE ABANDONMENT OF APPROXIMATELY 2,000 LINEAR FEET OF VENTURA BOULEVARD INVOLVING TRACTS 4162 AND 4169 FOR PROPERTY LOCATED AT NORTH OF THE 101 FREEWAY, EAST OF ROSE AVENUE AND WEST OF SANTA CLARA AVENUE WITHIN THE ROSE/SANTA CLARA CORRIDOR SPECIFIC PLAN AREA, FILED BY CONTINENTAL HERITAGE CORPORATION, 2500 SOUTH OVERLAND AVENUE, SUITE 100, LOS ANGELES, CALIFORNIA 90064, AND MCLACHLAN INVESTMENT COMPANY, 2530 FINANCIAL SQUARE, SUITE 100, OXNARD, CALIFORNIA 93030, SUBJECT TO CERTAIN CONDITIONING" DATED SEPTEMBER 08, 1987, RECORDED NOVEMBER 30, 1987 AS INSTRUMENT NO. 87-191577 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THE 70' WIDE STREET WAS ABANDONED, BUT THERE WAS NO MENTION OF ANY PUBLIC UTILITY EASEMENT, OR RIGHTS OF THE CITY, BEING RESERVED IN ITS PLACE, THEREFOR THERE IS NO PLOTTABLE EASEMENT ON THE SURVEYED PROPERTY TO BE SHOWN.]

ITEM NO. 34
THE EFFECT OF A MAP SHOWING THE LAND AND OTHER PROPERTY, FILED MAY 26, 1988, IN BOOK 44, PAGE 19 OF RECORD OF SURVEYS, RECORDS OF VENTURA COUNTY.

(35) ITEM NO. 35
A 6.00 FOOT WIDE AND A 13.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS ("GRANTEE") FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, INCLUDING THE RIGHT TO CONSTRUCT, USE, MAINTAIN, OPERATE, ALTER, ADD TO, REPAIR, REPLACE, RECONSTRUCT, INSPECT AND REMOVE AT ANY TIME AND FROM TIME TO TIME UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS, CONSISTING OF WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES, AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS, AND CONCRETE PADS AND OTHER APPURTENANT FIXTURES AND EQUIPMENT NECESSARY OR USEFUL FOR DISTRIBUTING ELECTRICAL ENERGY AND FOR TRANSMITTING INTELLIGENCE BY ELECTRICAL MEANS, IN, ON, OVER, OR UNDER, ACROSS AND ALONG THE PROPERTY, IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT" DATED MAY 23, 1988, RECORDED MAY 26, 1988 AS INSTRUMENT NO. 88-073294 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: PARCEL B, AS DESCRIBED THEREIN

[THIS ITEM IS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.]

~~ITEM NO. 36~~
~~A 15.00 FOOT WIDE EASEMENT IN FAVOR OF OXNARD DEL NORTE ASSOCIATES, A LIMITED PARTNERSHIP, FOR COMMON ACCESS AND UTILITIES AND INCIDENTAL PURPOSES, IN THE DOCUMENT ENTITLED "CORPORATION GRANT DEED" DATED JUNE 10, 1988, RECORDED JUNE 27, 1988 AS INSTRUMENT NO. 88-088940 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~AFFECTS: PARCEL A, AS DESCRIBED THEREIN~~

~~ITEM NO. 37~~
~~THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "RESOLUTION NO. 7245 OF THE CITY OF OXNARD ADOPTING A SPECIFIC PLAN AMENDMENT TO CONDITIONAL PERMIT COMMERCIAL/RETAIL SALES IN THE AUTO-RELATED LAND USE" DATED OCTOBER 20, 1988, RECORDED MARCH 22, 1989 AS INSTRUMENT NO. 89-043793 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL A)~~

~~ITEM NO. 38~~
~~A 15.00 FOOT AND A 17.00 FOOT WIDE EASEMENT IN FAVOR OF THE CITY OF OXNARD, A MUNICIPAL CORPORATION, FOR WATER IMPROVEMENTS AND INCIDENTAL PURPOSES, INCLUDING FOR MAINTENANCE, REPAIR, REPLACEMENT, AND RECONSRUCTION OF WATER IMPROVEMENTS, IN THE DOCUMENT ENTITLED "GRANT DEED" DATED APRIL 20, 1989, RECORDED JULY 05, 1989 AS INSTRUMENT NO. 89-105148 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~AFFECTS: PARCEL A, AS DESCRIBED THEREIN~~

~~ITEM NO. 39~~
~~AN UNRECORDED LEASE EXECUTED BY OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("LANDLORD"), AND WICKES FURNITURE COMPANY, INC., A DELAWARE CORPORATION ("TENANT"), AS DISCLOSED BY THE DOCUMENT ENTITLED "MEMORANDUM OF LEASE" DATED AUGUST 01, 1989, RECORDED SEPTEMBER 07, 1989 AS INSTRUMENT NO. 89-140844 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.~~

~~(AFFECTS PARCEL A)~~

~~ITEM NO. 40~~
~~A 6.00 FOOT WIDE AND A 10.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS FOR ELECTRICAL AND INCIDENTAL PURPOSES INCLUDING THE RIGHT TO CONSTRUCT, USE, MAINTAIN, OPERATE, ALTER, ADD TO, REPAIR, REPLACE, RECONSTRUCT, INSPECT AND REMOVE AT ANY TIME AND FROM TIME TO TIME UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS, CONSISTING OF WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES AND DISTRIBUTING ELECTRICAL ENERGY AND FOR TRANSMITTING INTELLIGENCE BY ELECTRICAL MEANS, IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT" DATED OCTOBER 13, 1989, RECORDED OCTOBER 20, 1989 AS INSTRUMENT NO. 89-168814 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~AFFECTS: PARCEL A, AS DESCRIBED THEREIN~~

~~ITEM NO. 41~~
~~THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), AND THE CITY OF OXNARD ("OXNARD"), IN THE DOCUMENT ENTITLED "DECLARATION OF RESTRICTIVE COVENANT" REGARDING PERPETUAL MAINTENANCE OF DETENTION BASINS RECORDED MARCH 30, 1990 AS INSTRUMENT NO. 90-048017 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL A)~~

~~ITEM NO. 42~~
~~AN UNRECORDED LEASE EXECUTED BY OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("LANDLORD"), AND STYLUS, INC., A CALIFORNIA CORPORATION ("TENANT") AS DISCLOSED BY THE DOCUMENT ENTITLED "MEMORANDUM OF LEASE" DATED AUGUST 01, 1990, RECORDED SEPTEMBER 18, 1990 AS INSTRUMENT NO. 90-138747 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.~~

~~(AFFECTS PARCEL A)~~

PLEASE SEE EXCEPTIONS 43 THROUGH 70 CONTINUED ON SHEET C42.

IN-N-OUT BURGER

DEVELOPER:
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MARK S. LAMOUREUX P.L.S. 5794
JANUARY 26, 2021
DATE

PROFESSIONAL LAND SURVEYOR
MARK STEVEN LAMOUREUX
No. 5794
STATE OF CALIFORNIA

IN-N-OUT BURGER
1700 VENTURA BOULEVARD
OXNARD, CA 93036

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP

1/26/2021 5:11:25 PM, MSL ENGINEERING PRINT/PLOT DATE (gs)
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EXCEPTIONS TO COVERAGE FROM TITLE REPORT SCHEDULE B, PART II (CONTINUED)

WITH MSL RECOMMENDED TEXT CHANGES NOTED IN [BRACKETS] AND TEXT DELETIONS ~~LINED OUT~~ AS THE TEXT STATES, AND WE HAVE CONFIRMED, THAT IT AFFECTS LAND THAT IS OUTSIDE OF THE SURVEYED PROPERTY.

43 ITEM NO. 43
A 70.00 FOOT WIDE AND A 50.00 FOOT WIDE NON-EXCLUSIVE EASEMENT IN FAVOR OF SITE CALIFORNIA INCORPORATED, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, INCLUDING THE RIGHT TO CONSTRUCT, USE, MAINTAIN, OPERATE, ALTER, ADD TO, REPAIR, REPLACE, AND/OR REMOVE ITS FACILITIES, INCLUDING UNDERGROUND CONDUITS, MANHOLES, PEDESTALS, CABLES, WIRES AND APPURTENANCES, FOR THE TRANSMISSION OF ELECTRICAL ENERGY FOR COMMUNICATION AND OTHER PURPOSES ON, OVER, IN, UNDER, ACROSS, AND ALONG THE PROPERTY, IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT" DATED OCTOBER 10, 1990, RECORDED OCTOBER 31, 1990 AS INSTRUMENT NO. 90-163617 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: PARCEL B, AS DESCRIBED THEREIN

[THIS ITEM IS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.]

44 SW 44 W 44 PUE ITEM NO. 44
WATER RIGHTS AND RIGHTS TO DEVELOP WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, TOGETHER WITH EASEMENTS FOR SIDEWALK (SW), WATERLINE (W) AND PUBLIC UTILITIES (PUE) AND INCIDENTAL PURPOSES, ALL IN FAVOR OF THE CITY OF OXNARD, AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

~~ITEM NO. 45~~
~~A 6.00 FOOT WIDE AND 10.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, INCLUDING THE RIGHT TO CONSTRUCT, USE, MAINTAIN, OPERATE, ALTER, ADD TO, REPAIR, REPLACE, RECONSTRUCT, INSPECT AND REMOVE AT ANY TIME AND FROM TIME TO TIME UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS, CONSISTING OF WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES, AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS AND CONCRETE PADS AND OTHER APPURTENANT FIXTURES AND EQUIPMENT NECESSARY OR USEFUL FOR DISTRIBUTING ELECTRICAL ENERGY AND FOR TRANSMITTING INTELLIGENCE BY ELECTRICAL MEANS, IN, ON, OVER, UNDER, ACROSS, AND ALONG THE PROPERTY, IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT (PARTNERSHIP)" DATED FEBRUARY 15, 1991, RECORDED FEBRUARY 27, 1991 AS INSTRUMENT NO. 91-024630 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~AFFECTS: PARCEL A, AS DESCRIBED THEREIN~~

ITEM NO. 46
THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "LANDLORD WAIVER" RECORDED APRIL 05, 1991 AS INSTRUMENT NO. 91-043877 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) CAL FED CREDIT IS LEASING TO OXNARD AUTO CENTER ASSOCIATION A DOUBLE-FACED AUTO CENTER SIGN WITH AN 8'X25' ELECTRONIC MESSAGE BOARD WITH AN OVERALL HEIGHT OF 45' WITHIN A PORTION OF LOT 18 OF TRACT 4169 AND A PORTION OF LOT A OF TRACT 4162 OF WHICH THE SURVEYED PROPERTY IS LOCATED WITHIN THE WEST PORTION OF THE LAND.]

[WE RECOMMEND THAT THIS ITEM BE DELETED AS THE SIGN IS LOCATED AT LEAST APPROXIMATELY 580 FEET EASTERLY OF THE SURVEYED PROPERTY.]

47 ITEM NO. 47
THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), AND THE CITY OF OXNARD ("OXNARD"), CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF RESTRICTIVE COVENANT" REGARDING PERPETUAL MAINTENANCE OF SURFACE DETENTION BASINS FOR S.U.P. 1427 RECORDED MAY 13, 1991 AS INSTRUMENT NO. 91-065105 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THE SURVEYED PROPERTY IS PARCEL 1 OF PARCEL MAP 90-10; (2) THE DECLARANT SHALL BE RESPONSIBLE FOR AND GUARANTEE PERPETUAL MAINTENANCE OF DETENTION BASINS WITHIN THE BEFORE MENTIONED PARCELS 1, 2, AND 3 OF PARCEL MAP NO. 90-10 SHOWN IN THE ATTACHED EXHIBITS; (3) THE VOLUME OF DETENTION SHALL BE MAINTAINED AT 3995 CUBIC FEET; (4) THE DECLARANT SHALL NOT USE THE DETENTION BASINS FOR STORAGE PURPOSES AND SHALL TAKE PRECAUTIONARY MEASURES TO PREVENT BLOCKAGE OF DRAINAGE FACILITIES WITHIN DETENTION BASINS; (5) NO ILLEGAL WASTE SHALL BE DISCHARGED INTO DETENTION BASINS; (6) IN THE EVENT THE DECLARANT FAILS TO MAINTAIN DETENTION BASINS OR DOES NOT FULFILL ITS RESPONSIBILITIES FOR OR GUARANTEE PERPETUAL MAINTENANCE OF DETENTION BASINS, THEN FOLLOWING WRITTEN NOTICE TO THE DECLARANT AND A REASONABLE OPPORTUNITY TO CURE OF NOT MORE THAN SEVEN (7) DAYS, OXNARD SHALL HAVE AUTHORITY TO CAUSE NECESSARY WORK FOR SUCH MAINTENANCE; AND OXNARD IS AUTHORIZED TO EXERCISE THE RIGHT OF ENTRY AND CAUSE WORK PURSUANT TO SECTION 4; AND (7) SHOULD OXNARD CAUSE WORK, THE DECLARANT AGREES TO REIMBURSE OXNARD FOR THE ACTUAL COST OF SAID WORK, PLUS A REASONABLE CHARGE FOR OVERHEAD.]

48 ITEM NO. 48
A 7.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF CALIFORNIA THEIR SUCCESSOR AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, INCLUDING THE RIGHT TO LAY, CONSTRUCT, MAINTAIN, OPERATE, REPAIR, RENEW, CHANGE THE SIZE OF AND REMOVE ONE OR MORE PIPE LINES, WITH METERING, MEASURING, REGULATING AND OTHER EQUIPMENT, FOR THE TRANSPORTATION OF GAS, PETROLEUM PRODUCTS AND OTHER SUBSTANCES, WITH THE RIGHT OF INGRESS AND EGRESS TO AND FROM THE SAME, OVER, THROUGH, AND UNDER THE PROPERTY, IN THE DOCUMENT ENTITLED "RIGHT OF WAY" DATED MAY 14, 1991, RECORDED MAY 23, 1991 AS INSTRUMENT NO. 91-070869 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: PARCEL B, AS DESCRIBED THEREIN

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT IS LOCATED ADJOINING TO AND EASTERLY OF THE SURVEYED PROPERTY ON THE SOUTHERLY SIDE OF VENTURA BOULEVARD.]

~~ITEM NO. 49~~
~~AN UNRECORDED LEASE EXECUTED BY OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("LANDLORD"), AND GENERAL MILLS RESTAURANTS, INC., A FLORIDA CORPORATION (RED LOBSTER) ("TENANT"), AS DISCLOSED BY THE DOCUMENT ENTITLED "GROUND LEASE (SHORT FORM -MEMORANDUM)" DATED OCTOBER 15, 1990, RECORDED JULY 16, 1991 AS INSTRUMENT NO. 91-099932 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.~~

~~(AFFECTS PARCEL 3 OF PARCEL D)~~

50 ITEM NO. 50
AN EASEMENT IN FAVOR OF GENERAL MILLS RESTAURANTS, INC., A FLORIDA CORPORATION, FOR RECIPROCAL PARKING, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, DATED OCTOBER 10, 1990, RECORDED JULY 16, 1991 AS INSTRUMENT NO. 91-099932 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: PARCELS 1 AND 2 OF PARCEL B, AS DESCRIBED THEREIN

THE LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION.

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) IT IS BLANKET IN NATURE AND ENCUMBERS PARCELS 1 AND 2 OF PARCEL MAP 90-10; AND (2) THE SURVEYED PROPERTY IS PARCEL 1 OF PARCEL MAP 90-10.]

51 ITEM NO. 51
FIVE EASEMENTS AND RIGHT OF WAY WITH WIDTHS OF 4.00 FEET, 6.00 FEET, AND 10.00 FEET IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, INCLUDING THE RIGHT TO CONSTRUCT, USE, MAINTAIN, OPERATE, ALTER, ADD TO, REPAIR, REPLACE, RECONSTRUCT, INSPECT AND REMOVE AT ANY TIME AND FROM TIME TO TIME UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATIONS SYSTEMS, CONSISTING OF WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES, AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS, AND CONCRETE PADS AND OTHER APPURTENANT FIXTURES AND/EQUIPMENT NECESSARY OR USEFUL FOR DISTRIBUTING ELECTRICAL ENERGY AND FOR TRANSMITTING INTELLIGENCE BY ELECTRICAL MEANS, IN, ON, OVER, UNDER, ACROSS AND ALONG THE PROPERTY, IN THE DOCUMENT ENTITLED "GRANT OF EASEMENT (PARTNERSHIP)", DATED APRIL 29, 1991, RECORDED AUGUST 15, 1991 AS INSTRUMENT NO. 91-120051 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: PARCEL B, AS DESCRIBED THEREIN

ITEM NO. 52
AN UNRECORDED LEASE EXECUTED BY OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("LANDLORD"), AND KINKO'S OF THOUSAND OAKS, INC., A CALIFORNIA CORPORATION ("TENANT"), AS DISCLOSED IN THE DOCUMENT ENTITLED "MEMORANDUM OF LEASE" DATED OCTOBER 26, 1992, RECORDED DECEMBER 11, 1992 AS INSTRUMENT NO. 92-225197 OF OFFICIAL RECORDS OF VENTURA COUNTY.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

(AFFECTS PARCEL 1 OF PARCEL B)

~~ITEM NO. 53~~
~~THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF LAND USE RESTRICTIONS AND CONDITIONS" BY THE CITY OF OXNARD FOR SPECIAL USE PERMIT NO. 1510 RESTRICTIONS, CONDITIONS AND PROVISIONS AND PLANNING COMMISSION RESOLUTION NO. 7651 RECORDED JANUARY 06, 1993 AS INSTRUMENT NO. 93-001127 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL 2 OF PARCEL D)~~

~~ITEM NO. 54~~
~~THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "LANDLORD'S WAIVER" BY OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("LANDLORD"), WAIVES FURNITURE COMPANY, INC. ("LESSEE"), AND WELLS FARGO BANK, AS HOLDERS OF A SECURITY INTEREST FOR WORKS, DATED JANUARY 06, 1995, RECORDED JANUARY 31, 1995 AS INSTRUMENT NO. 95-011465 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL A)~~

55 ITEM NO. 55
A PERMANENT EASEMENT IN FAVOR OF THE CITY OF OXNARD, A MUNICIPAL CORPORATION, FOR GENERAL ACCESS AND INCIDENTAL PURPOSES FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, AND REPAIR OF ADJACENT PUBLIC HIGHWAY IMPROVEMENTS AND RELATED PURPOSES, DATED MAY 27, 1997, RECORDED JULY 11, 1997 AS INSTRUMENT NO. 97-086041 OF OFFICIAL RECORDS OF VENTURA COUNTY.

AFFECTS: PARCEL B, AS DESCRIBED THEREIN

ITEM NO. 56
AN UNRECORDED LEASE EXECUTED BY OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("LANDLORD"), AND GATEWAY COMPANIES, INC., A DELAWARE CORPORATION ("TENANT"), AS DISCLOSED BY THE DOCUMENT ENTITLED "MEMORANDUM OF LEASE" DATED MAY 21, 1999, RECORDED OCTOBER 08, 1999 AS INSTRUMENT NO. 99-189410 OF OFFICIAL RECORDS OF VENTURA COUNTY.

DEFECTS, LIENS, ENCUMBRANCES OR OTHER MATTERS AFFECTING THE LEASEHOLD ESTATE, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) THE TENANT HAS THE EXCLUSIVE RIGHT IN THE SHOPPING CENTER TO THE SALE AND RENTAL OF PERSONAL COMPUTER AND HARDWARE AND SOFTWARE; (2) THE LOCATION OF THE LEASE PREMISE AREA IS NOT IDENTIFIED; AND (3) THE LANDLORD WILL RESERVE FOR TENANT'S EXCLUSIVE USE 20 PARKING SPACES CROSS-HATCHED ON AN EXHIBIT "A" SITE PLAN WHICH WAS NOT ATTACHED.]

57 ITEM NO. 57
~~THE TERMS AND PROVISIONS BY AND AMONG OXNARD REDHILL PARTNERS ("LANDLORD"), OXNARD AUTO CENTER ASSOCIATION ("TENANT"), AND MID-STATE BANK & TRUST ("MID-STATE"), CONTAINED IN THE DOCUMENT ENTITLED "MID-STATE BANK & TRUST LANDLORD'S CONSENT AND WAIVER" DATED JULY 10, 2001, RECORDED MAY 21, 2002 AS INSTRUMENT NO. 2002-0120791-00 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL 3 OF PARCEL D)~~

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) MID-STATE IS PROVIDING FINANCING TO TENANT FOR A NEW TRI-VISION ELECTRONIC BILLBOARD WITH A 74' TALL SUPPORTING STRUCTURE HAVING A SPANISH-STYLE INFLUENCE AND STUCCO TEXTURE FINISH WITH A NEW DAKTRONICS 12'x22' LED DISPLAY UNIT LOCATED ON A PREMISE PROPERTY ON A PORTION OF PARCEL 3 OF PARCEL MAP 90-10.]

[WE RECOMMEND THAT THIS ITEM BE DELETED AS THE SIGN IS LOCATED AT LEAST APPROXIMATELY 580 FEET EASTERLY OF THE SURVEYED PROPERTY.]

ITEM NO. 58
THE FACT THAT THE LAND LIES WITHIN THE BOUNDARIES OF THE HISTORIC ENHANCEMENT AND REVITALIZATION OF OXNARD REDEVELOPMENT PROJECT AREA, AS DISCLOSED BY THE DOCUMENT ENTITLED "NOTICE OF PROJECT AREA DESCRIPTION AND STATEMENT OF REDEVELOPMENT PROCEEDINGS" RECORDED MARCH 30, 2004 AS INSTRUMENT NO. 20040330-0081619 OF OFFICIAL RECORDS OF VENTURA COUNTY.

ITEM NO. 59
THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF LAND USE RESTRICTIONS AND CONDITIONS" BY THE CITY OF OXNARD THAT CONSTRUCTION OF FACILITIES ON AND USES OF SAID REAL PROPERTY ARE RESTRICTED BY THE PROVISIONS OF PLANNING & ZONING PERMIT NO. 05-510-6 AND PLANNING COMMISSION RESOLUTION NO. 2005-73, RECORDED MARCH 21, 2006 AS INSTRUMENT NO. 20060321-0060187 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) IT AFFECTS PARCEL 2 OF PARCEL MAP 90-10 WHICH IS ADJOINING PARCEL 1 OF PARCEL MAP 90-10 BEING THE SURVEYED PROPERTY; AND (2) THE PROPERTY DESCRIPTION ON EXHIBIT "A" COMPRISES PARCELS 1, 2, AND 3 OF PARCEL MAP 90-10.]

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT AFFECTS PARCEL 2 OF PARCEL MAP 90-10 WHICH ADJOINS THE SURVEYED PROPERTY ON THE EAST SIDE AS WAS CONFIRMED IN EXCEPTION ITEM NUMBER 60 BELOW.]

ITEM NO. 60
THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF LAND USE RESTRICTIONS AND CONDITIONS" BY THE CITY OF OXNARD THAT CONSTRUCTION OF FACILITIES ON AND USES OF SAID REAL PROPERTY ARE RESTRICTED BY THE PROVISIONS OF PLANNING & ZONING PERMIT NO. 05-510-6 AND PLANNING COMMISSION RESOLUTION NO. 2005-73, RECORDED OCTOBER 23, 2007 AS INSTRUMENT NO. 20071023-00198838-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(AFFECTS PARCEL B)

[AMONG OTHER THINGS, THIS ITEM STATES THAT (1) IT ONLY AFFECTS PARCEL 2 OF PARCEL MAP 90-10 WHICH IS ADJOINING THE SURVEYED PROPERTY BEING PARCEL 1 OF PARCEL MAP 90-10 AS SHOWN ON THE CORRECTED EXHIBIT "A" LEGAL DESCRIPTION.]

[WE RECOMMEND THAT THIS ITEM BE DELETED AS IT AFFECTS PARCEL 2 OF PARCEL MAP 90-10 WHICH ADJOINS THE SURVEYED PROPERTY ON THE EAST SIDE.]

~~ITEM NO. 61~~
~~THE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN FAVOR OF OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP, IN THE DOCUMENT ENTITLED "DECLARATION OF RECIPROCAL ACCESS AND PARKING DECLARATION" DATED JANUARY 31, 2012, RECORDED MARCH 30, 2012 AS INSTRUMENT NO. 20120330-00059043-0 OF OFFICIAL RECORDS OF VENTURA COUNTY, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, NATIONAL ORIGIN, SEXUAL ORIENTATION, MARITAL STATUS, ANCESTRY, SOURCE OF INCOME OR DISABILITY, TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.~~

~~(AFFECTS PARCEL A)~~

ITEM NO. 62
A DEED OF TRUST TO SECURE AN ORIGINAL INDEBTEDNESS OF $8,250,000.00 WITH CHANNEL ISLANDS MARKETPLACE, LP, A CALIFORNIA LIMITED PARTNERSHIP AS TRUSTOR, LAWYERS TITLE COMPANY, A CALIFORNIA CORPORATION AS TRUSTEE, AND LADDER CAPITAL FINANCE LLC AS BENEFICIARY, IN THE DOCUMENT ENTITLED "DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING" DATED APRIL 02, 2012, RECORDED APRIL 02, 2012 AS INSTRUMENT NO. 20120402-00060632-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

THE DOCUMENT ENTITLED "ASSIGNMENT OF LEASES AND RENTS" DATED APRIL 02, 2012, RECORDED APRIL 02, 2012 AS INSTRUMENT NO. 20120402-00060633-0 OF OFFICIAL RECORDS OF VENTURA COUNTY, AS ADDITIONAL SECURITY FOR THE PAYMENT OF THE INDEBTEDNESS SECURED BY THE DEED OF TRUST.

THE BENEFICIAL INTEREST IN THE DEED OF TRUST WAS ASSIGNED TO U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDERS OF COMM 2012-CCRE2 COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES BY MESNE INSTRUMENTS OF RECORD, THE LAST OF WHICH IN THE DOCUMENT ENTITLED "ASSIGNMENT OF DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING" RECORDED SEPTEMBER 19, 2013 AS INSTRUMENT NO. 20130919-00160740-0 OF OFFICIAL RECORDS OF VENTURA COUNTY

THE INTEREST OF LADDER CAPITAL FINANCE II LLC, A DELAWARE LIMITED LIABILITY COMPANY UNDER SAID ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS WAS PURPORTEDLY ASSIGNED TO U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDERS OF COMM 2012-CCRE2 COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES BY THE DOCUMENT ENTITLED "ASSIGNMENT OF ASSIGNMENT OF LEASES AND RENTS" RECORDED SEPTEMBER 19, 2013 AS INSTRUMENT NO. 20130919-00160741-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

ITEM NO. 63
A DOCUMENT ENTITLED "UCC FINANCING STATEMENT" RECORDED APRIL 02, 2012 AS INSTRUMENT NO. 20120402-00060634-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

DEBTOR: CHANNEL ISLANDS MARKETPLACE, LP
SECURED PARTY: LADDER CAPITAL FINANCE LLC

ACCORDING TO THE PUBLIC RECORDS, THE SECURITY INTEREST OF THE SECURED PARTY WAS ASSIGNED TO U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE REGISTERED HOLDERS OF COMM 2012-CCRE2 COMMERCIAL MORTGAGE PASS-THROUGH CERTIFICATES BY THE DOCUMENT ENTITLED "UCC FINANCING STATEMENT AMENDMENT" RECORDED SEPTEMBER 19, 2013 AS INSTRUMENT NO. 20130919-00160742-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

A CONTINUATION STATEMENT ENTITLED "UCC FINANCING STATEMENT CONTINUATION FILING" WAS RECORDED OCTOBER 10, 2016 AS INSTRUMENT NO. 20161010-00147794-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.

~~ITEM NO. 64~~
~~A RIGHT OF FIRST REFUSAL IN FAVOR OF ASHLEY FURNITURE INDUSTRIES, INC., A WISCONSIN CORPORATION ("BUYER") AS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AGREEMENT" DATED APRIL 02, 2012, RECORDED APRIL 05, 2012 AS INSTRUMENT NO. 20120405-00062890-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL A)~~

~~THE DOCUMENT ENTITLED "SUBORDINATION AGREEMENT (RIGHT OF FIRST OFFER- MARKETPLACE SHOPPING CENTER)" DATED APRIL 02, 2012, RECORDED APRIL 05, 2012 AS INSTRUMENT NO. 20120405-00062891-0 OF OFFICIAL RECORDS OF VENTURA COUNTY PROVIDES THAT THE ABOVE DOCUMENT WAS SUBORDINATED TO THE DOCUMENT ENTITLED "DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING" DATED APRIL 02, 2012, RECORDED APRIL 02, 2012 AS INSTRUMENT NO. 20120402-00060632-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~ITEM NO. 65~~
~~THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("SELLER"), AND ASHLEY FURNITURE INDUSTRIES, INC., A WISCONSIN CORPORATION ("BUYER"), CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AGREEMENT REGARDING SIGNAGE (MONUMENT SIGN)" DATED APRIL 26, 2012, RECORDED JULY 23, 2012 AS INSTRUMENT NO. 20120723-00127625-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL A)~~

~~ITEM NO. 66~~
~~THE TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NOTICE OF LAND USE RESTRICTIONS AND CONDITIONS" BY THE CITY OF OXNARD THAT CONSTRUCTION OF FACILITIES ON AND USES OF SAID REAL PROPERTY ARE RESTRICTED BY THE PROVISIONS OF SPECIAL USE PERMIT NO. 15-526-02 AND PLANNING COMMISSION RESOLUTION NO. 2016-16, RECORDED FEBRUARY 08, 2017 AS INSTRUMENT NO. 20170208-00017849-0 OF OFFICIAL RECORDS OF VENTURA COUNTY.~~

~~(AFFECTS PARCEL A)~~

ITEM NO. 67
ANY CLAIM THAT THE TITLE IS SUBJECT TO A TRUST OR LIEN CREATED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930 (7 U.S.C. §§499A, ET SEQ.) OR THE PACKERS AND STOCKYARDS ACT (7 U.S.C. §§181 ET SEQ.) OR UNDER SIMILAR STATE LAWS.

ITEM NO. 68
WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

ITEM NO. 69
ADDITIONAL MATTERS, IF ANY, FOLLOWING REVIEW BY THE COMPANY'S WATERWAYS AND BOUNDARIES UNDERWRITERS.

ITEM NO. 70
RIGHTS OF PARTIES IN POSSESSION.

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
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MARK S. LAMOUREUX P.L.S. 5794 JANUARY 26, 2021 DATE

PROFESSIONAL LAND SURVEYOR MARK STEVEN LAMOUREUX No. 5794 STATE OF CALIFORNIA

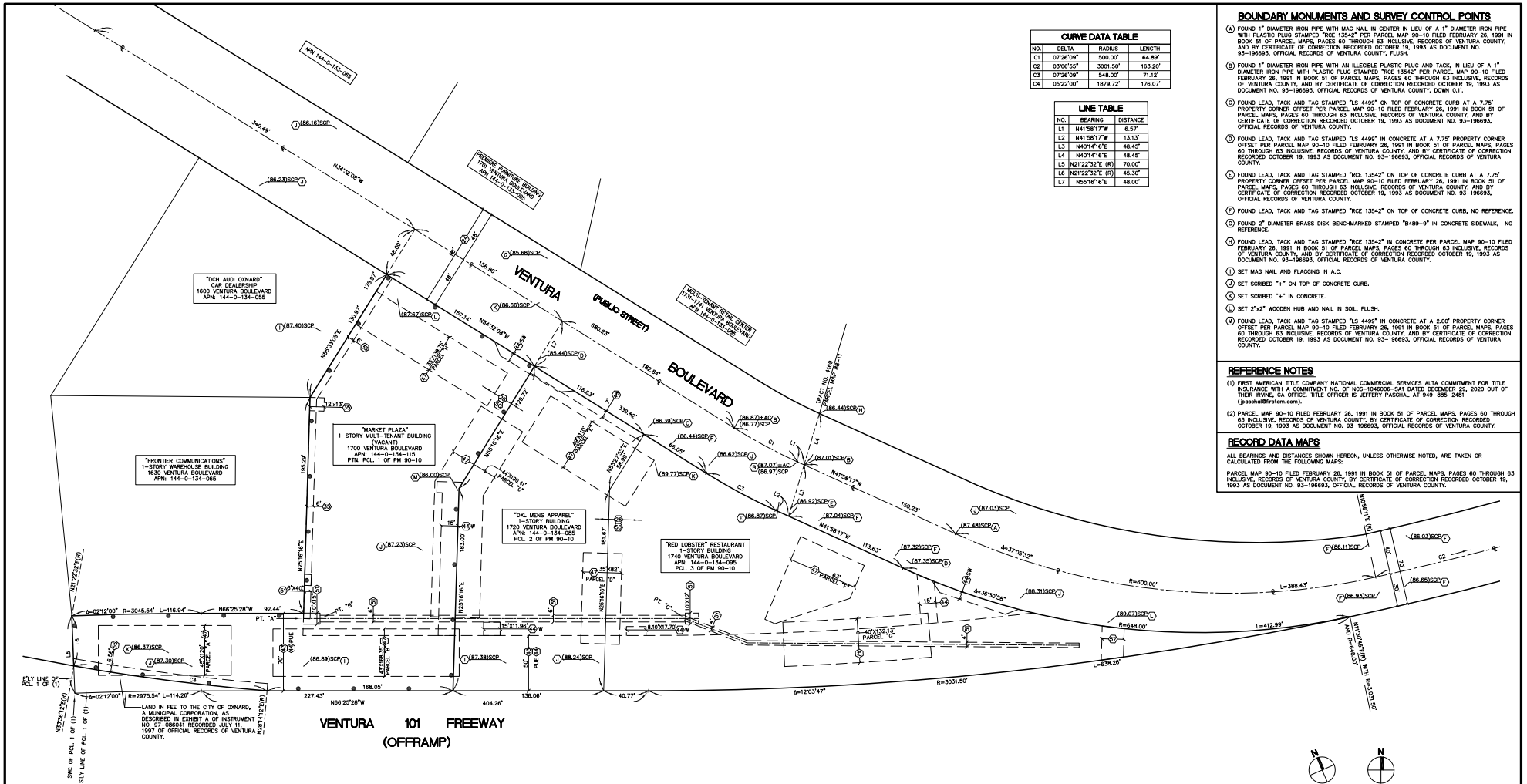
IN-N-OUT BURGER
1700 VENTURA BOULEVARD
OXNARD, CA 93036

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP

SHEET 3 OF 5

C42

JOB#09-2008 C42alta.dwg



CURVE DATA TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	07°26'09"	500.00'	64.89'
C2	03°06'55"	3001.50'	163.20'
C3	07°26'09"	548.00'	71.12'
C4	05°22'00"	1879.72'	176.07'

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N41°58'17"W	6.57'
L2	N41°58'17"W	13.13'
L3	N40°14'16"E	48.45'
L4	N40°14'16"E	48.45'
L5	N21°22'32"E (R)	70.00'
L6	N21°22'32"E (R)	45.30'
L7	N55°16'16"E	48.00'

BOUNDARY MONUMENTS AND SURVEY CONTROL POINTS

(A) FOUND 1" DIAMETER IRON PIPE WITH MAG NAIL IN CENTER IN LIEU OF A 1" DIAMETER IRON PIPE WITH PLASTIC PLUG STAMPED "RCE 13542" PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY, FLUSH.

(B) FOUND 1" DIAMETER IRON PIPE WITH AN ILLEGIBLE PLASTIC PLUG AND TACK, IN LIEU OF A 1" DIAMETER IRON PIPE WITH PLASTIC PLUG STAMPED "RCE 13542" PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY, DOWN 0.1'.

(C) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" ON TOP OF CONCRETE CURB AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(D) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" IN CONCRETE AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(E) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" ON TOP OF CONCRETE CURB AT A 7.75' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(F) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" ON TOP OF CONCRETE CURB, NO REFERENCE.

(G) FOUND 2" DIAMETER BRASS DISK BENCHMARKED STAMPED "B489-9" IN CONCRETE SIDEWALK, NO REFERENCE.

(H) FOUND LEAD, TACK AND TAG STAMPED "RCE 13542" IN CONCRETE PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

(I) SET MAG NAIL AND FLAGGING IN A.C.

(J) SET SCRIBED "+" ON TOP OF CONCRETE CURB.

(K) SET SCRIBED "+" IN CONCRETE.

(L) SET 2"x2" WOODEN HUB AND NAIL IN SOIL, FLUSH.

(M) FOUND LEAD, TACK AND TAG STAMPED "LS 4499" IN CONCRETE AT A 2.00' PROPERTY CORNER OFFSET PER PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, AND BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

REFERENCE NOTES

(1) FIRST AMERICAN TITLE COMPANY NATIONAL COMMERCIAL SERVICES ALTA COMMITMENT FOR TITLE INSURANCE WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (paschal@firstam.com).

(2) PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

RECORD DATA MAPS

ALL BEARINGS AND DISTANCES SHOWN HEREON, UNLESS OTHERWISE NOTED, ARE TAKEN OR CALCULATED FROM THE FOLLOWING MAPS:

PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY, BY CERTIFICATE OF CORRECTION RECORDED OCTOBER 19, 1993 AS DOCUMENT NO. 93-196693, OFFICIAL RECORDS OF VENTURA COUNTY.

TRUE NORTH — PROJECT NORTH

0 20 40 80 120

GRAPHIC SCALE
SCALE: 1"=40'

ALTA/N.S.P.S. LAND TITLE SURVEY MAP PARTIAL LEGEND

INDICATES THE BOUNDARY OF THIS A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP CONSISTING OF 63,930 SQUARE FEET OR 1.468 ACRES.

(D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C43.

(A4) REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEETS C41 AND C42.

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
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BALDWIN PARK, CA 91706
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PHONE: 626 813-8289

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(909) 305-2395 FAX (909) 305-2307
MARK S. LAMOUREUX P.L.S. 5794 JANUARY 26, 2021 DATE

PROFESSIONAL LAND SURVEYOR MARK STEVEN LAMOUREUX No. 5794 STATE OF CALIFORNIA

IN-N-OUT BURGER
1700 VENTURA BOULEVARD
OXNARD, CA 93036

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP

SHEET 4 OF 5

C43

JN8009-20089 C43alta.dwg

ENCROACHMENT NOTES

A. APPROXIMATELY 116' OF A 6' TO 7' TALL CMU BLOCK WALL ENCROACHES UP TO 0.1' INSIDE AND EAST OF THE SURVEYED PROPERTY LINE.

B. APPROXIMATELY 200' OF A 6' TALL CHAIN LINK FENCE WITH 3 STRANDS OF BARBED WIRE ON TOP ENCROACHES UP TO 1.4' INSIDE AND SOUTH OF THE SURVEYED PROPERTY LINE.

C. APPROXIMATELY 45' OF A 6' TALL CHAIN LINK FENCE ENCROACHES BETWEEN 4.0' TO 4.7' INSIDE AND EAST OF THE SURVEYED PROPERTY LINE.

D. APPROXIMATELY 191' OF A 6' TALL CHAIN LINK FENCE ENCROACHES UP TO 1.5' INSIDE AND NORTH OF THE SURVEYED PROPERTY LINE.

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP PARTIAL LEGEND

INDICATES THE BOUNDARY OF THIS A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP CONSISTING OF 63,930 SQUARE FEET OR 1.468 ACRES

(D) REFER TO THE BOUNDARY MONUMENT AND SURVEY CONTROL POINT DESCRIPTIONS SHOWN ON SHEET C43.

(59) REFER TO EASEMENT DESCRIPTIONS SHOWN ON SHEETS C41 AND C42.

IN-N-OUT BURGER

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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MSL ENGINEERING, INC.
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301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX P.L.S. 5794 JANUARY 26, 2021 DATE

PROFESSIONAL LAND SURVEYOR MARK STEVEN LAMOUREUX No. 5794 STATE OF CALIFORNIA

IN-N-OUT BURGER
1700 VENTURA BOULEVARD
OXNARD, CA 93036

A.L.T.A./N.S.P.S. LAND TITLE SURVEY MAP

SHEET 5 OF 5

C44

JN5009-2005 C44alta.dwg

SIMPLIFIED PLOTTABLE EASEMENTS

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (JPASCHAL@FIRSTAM.COM).

(26) ITEM NO. 26
THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, ASSESSMENTS, LIENS, CHARGES, TERMS AND PROVISIONS IN THE DOCUMENT ENTITLED "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR OXNARD AUTO CENTER" DATED JANUARY 29, 1987, RECORDED FEBRUARY 17, 1987 AS INSTRUMENT NO. 87-022600 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(35) ITEM NO. 35
A 6.00 FOOT WIDE AND A 13.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS ("GRANTEE") FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(43) ITEM NO. 43
A 70.00 FOOT WIDE AND A 50.00 FOOT WIDE NON-EXCLUSIVE EASEMENT IN FAVOR OF GTE CALIFORNIA INCORPORATED, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(44) SW (44) W (44) PUE ITEM NO. 44
WATER RIGHTS AND RIGHTS TO DEVELOP WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, TOGETHER WITH EASEMENTS FOR SIDEWALK (SW), WATERLINE (W) AND PUBLIC UTILITIES (PUE) AND INCIDENTAL PURPOSES, ALL IN FAVOR OF THE CITY OF OXNARD, AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.

(48) ITEM NO. 48
A 7.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA GAS COMPANY, A CORPORATION ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF CALIFORNIA THEIR SUCCESSOR AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(50) ITEM NO. 50
AN EASEMENT IN FAVOR OF GENERAL MILLS RESTAURANTS, INC., A FLORIDA CORPORATION, FOR RECIPROCAL PARKING, INGRESS AND EGRESS AND INCIDENTAL PURPOSES, DATED OCTOBER 10, 1990, RECORDED JULY 16, 1991 AS INSTRUMENT NO. 91-099932 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(51) ITEM NO. 51
FIVE EASEMENTS AND RIGHT OF WAY WITH WIDTHS OF 4.00 FEET, 6.00 FEET, AND 10.00 FEET IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

QUITCLAIMED SIMPLIFIED PLOTTABLE EASEMENTS

REFERENCE: FIRST AMERICAN TITLE INSURANCE COMPANY NATIONAL COMMERCIAL SERVICES PRELIMINARY TITLE REPORT WITH A COMMITMENT NO. OF NCS-1046006-SA1 DATED DECEMBER 29, 2020 OUT OF THEIR IRVINE, CA OFFICE. TITLE OFFICER IS JEFFERY PASCHAL AT 949-885-2481 (JPASCHAL@FIRSTAM.COM).

(35Q) ITEM NO. 35
A 6.00 FOOT WIDE AND A 13.00 FOOT WIDE EASEMENT AND RIGHT OF WAY IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS ("GRANTEE") FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(44Q) (44Q) W ITEM NO. 44
WATER RIGHTS AND RIGHTS TO DEVELOP WATER FOUND, LOCATED OR TAKEN FROM OR UNDER SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, TOGETHER WITH EASEMENTS FOR SIDEWALK (SW), WATERLINE (W) AND PUBLIC UTILITIES (PUE) AND INCIDENTAL PURPOSES, ALL IN FAVOR OF THE CITY OF OXNARD, AS SHOWN ON PARCEL MAP 90-10 FILED FEBRUARY 26, 1991 IN BOOK 51 OF PARCEL MAPS, PAGES 60 THROUGH 63 INCLUSIVE, RECORDS OF VENTURA COUNTY.

(47Q) ITEM NO. 47
THE TERMS AND PROVISIONS BY AND BETWEEN OXNARD REDHILL PARTNERS, A CALIFORNIA LIMITED PARTNERSHIP ("DECLARANT"), AND THE CITY OF OXNARD ("OXNARD"), CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF RESTRICTIVE COVENANT" REGARDING PERPETUAL MAINTENANCE OF SURFACE DETENTION BASINS FOR S.U.P. 1427 RECORDED MAY 13, 1991 AS INSTRUMENT NO. 91-065105 OF OFFICIAL RECORDS OF VENTURA COUNTY.

(51Q) ITEM NO. 51
FIVE EASEMENTS AND RIGHT OF WAY WITH WIDTHS OF 4.00 FEET, 6.00 FEET, AND 10.00 FEET IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES.

(55Q) ITEM NO. 55
A PERMANENT EASEMENT IN FAVOR OF THE CITY OF OXNARD, A MUNICIPAL CORPORATION, FOR GENERAL ACCESS AND INCIDENTAL PURPOSES FOR THE CONSTRUCTION, MAINTENANCE, OPERATION, AND REPAIR OF ADJACENT PUBLIC HIGHWAY IMPROVEMENTS AND RELATED PURPOSES, DATED MAY 27, 1997, RECORDED JULY 11, 1997 AS INSTRUMENT NO. 97-086041 OF OFFICIAL RECORDS OF VENTURA COUNTY.

DEVELOPER:
IN-N-OUT BURGER
13502 HAMBURGER LANE
BALDWIN PARK, CA 91706
CONTACT: JIM LOCKINGTON
PHONE: 626 813-8289

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GHA PROJECT NO. ------

GHA
Architecture/Development
14901 Quorum Drive
Suite 300
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Ph: (972) 239-8884
Fax: (972) 239-5054

CIVIL ENGINEER:
MSL ENGINEERING, INC.
CIVIL ENGINEERS AND LAND SURVEYORS SPECIALIZING IN SITE DEVELOPMENT
301 NORTH SAN DIMAS AVENUE, SAN DIMAS, CA. 91773
(909) 305-2395 FAX (909) 305-2397
MARK S. LAMOUREUX R.C.E. 38382 07-21-2021 DATE
REGISTERED PROFESSIONAL ENGINEER MARK S. LAMOUREUX No. 38382 CIVIL STATE OF CALIFORNIA

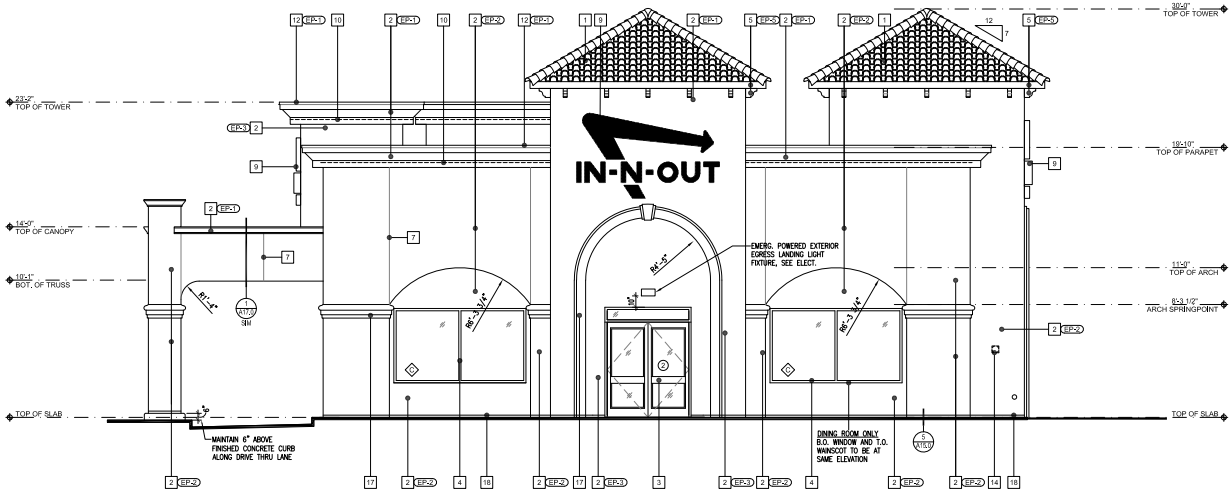
IN-N-OUT BURGER
PLAZA DEL NORTE
1700 VENTURA BOULEVARD
OXNARD, CA 93036

CITY ENTITLMENT BOUNDARY AND EASEMENT MAP EXHIBIT

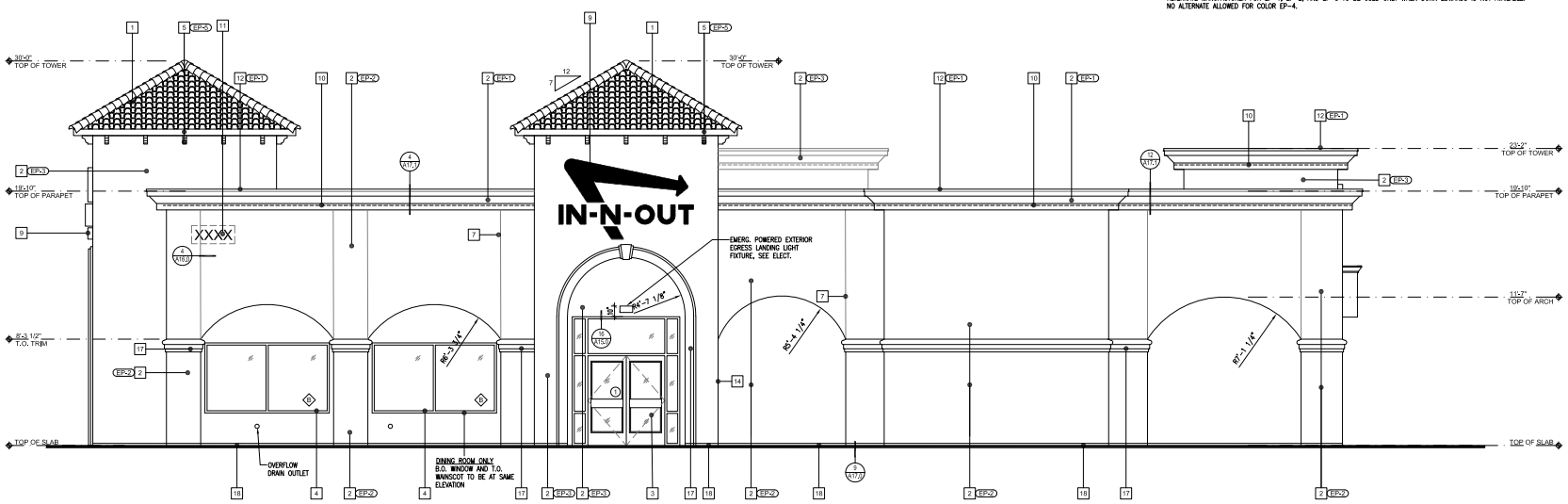
C38C

JN 20053-20053 C38Cetam

7/21/2021 1:46:25 PM, MSL ENGINEERING, INC., (SA)



2 A8.0 EAST ELEVATION
SCALE: 1/4" = 1'-0"



1 A8.0 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

KEY NOTES

1	TILE ROOF: EAGLE ROOFING PRODUCTS, CAPISTRANO STYLE 3125 TERRACOTTA. PROVIDE BIRD STOP AND PAINT TO MATCH TILE, MUD TO BE TINTED TO MATCH ROOF TILE COLOR.
2	STUCCO: 20/30 FINE SAND FLOAT FINISH
3	ALUMINUM STOREFRONT DOORS: CLEAR ANODIZED ALUMINUM.
4	ALUMINUM WINDOWS: CLEAR ANODIZED ALUMINUM.
5	WOOD TRIM AND RAFTER TAILS.
6	NOT USED
7	1/4" WIDE METAL PENN SCREED: SEE DETAIL 4/A16.0. ALIGN CONTROL JOINTS ON DRIVE-THRU CANOPY FASCIA WITH CONTROL JOINTS ON BOTTOM OF SOFFIT.
8	SLOPED ALUMINUM WINDOWS: U.S. ALUMINUM S-010. GLASS JOINTS TO HAVE POLISHED EDGES WITH SILICONE JOINTS. REDWOOD FRAMES TO BE PRIMED WITH AXALTA IMRON IND 9P01 - PRIMER CAN BE TINTED GRAY. FINISH COAT TO BE AXALTA IMRON IND 9T01 TINTED CUSTOM COLOR EP-4.
9	IN-N-OUT BURGER ILLUMINATED LOGO SIGN: UNDER SEPARATE PERMIT.
10	LED COVE LIGHTING UNDER SEPERATE PERMIT.
11	BUILDING ADDRESS NUMBERS TO BE 12" HIGH, 4" MIN. W/ MIN. STROKE WIDTH OF 0.5 INCH PER FIRE DEPARTMENT AND CITY JURISDICTION ADDRESS DISPLAY REQUIREMENTS: 1. ADDRESS SHALL BE DISPLAYED & VISIBLE FROM BOTH STREET DIRECTIONS OF APPROACHING VEHICLES. 2. PERMANENT NUMBERS AND LETTERS SHALL BE MADE OF DURABLE AND CLEARLY VISIBLE MATERIAL SUCH AS WOOD, METAL, CERAMIC, PLASTIC AND VINYL. (PAINTED OR GLUED ON NUMBERS ARE NOT ACCEPTABLE MATERIALS). 3. NUMBERS SHALL BE OF COLORS CONTRASTING WITH BACKGROUND TO WHICH THEY ARE ATTACHED. 4. NUMBERS SHALL BE A MINIMUM PROPORTION RATIO OF 8:1 (HEIGHT TO WIDTH). 5. NUMBERS CANNOT BE SPELLED.
12	METAL CAP - COLOR TO MATCH STUCCO.
13	HOLLOW METAL DOOR: SEE SHEET A11.0. HM DOORS AND JAMBS SHALL HAVE POWDER COAT FINISH AS FOLLOWS: INTERIOR DOORS- TIGER DRYLAC - SMOOTH, HIGH GLOSS FINISH, "BENGAL WHITE". EXTERIOR DOORS- CARDINAL - GLOSS, SMOOTH FINISH, "BONE CHINA" OR TO MATCH EXTERIOR STUCCO PAINT COLOR - (VERIFY ELEVATIONS- EP-1). WHERE FIELD PAINTING DOORS AND JAMBS IS NECESSARY- NOT RECOMMENDED. THE ALTERNATE WOULD BE TO USE AXALTA IMRON IND 9P01 WHITE PRIMER, FINISH COAT TO BE AXALTA IMRON IND 9T01 GLOSS WHITE, EXTERIOR HM DOORS & JAMBS- USE SAME PRODUCT TINTED TO MATCH EXTERIOR BUILDING PAINT COLOR EP-1. NOTE- TRASH ENCLOSURE METAL DOORS AND POSTS TO BE FIELD PAINTED USING AXALTA IMRON AS DESCRIBED ABOVE.
14	5'-0" HIGH STUB OUT FOR CO2 LINE
15	4" MIN. HIGH WHITE LETTERING "RISER ROOM" ON RED BACKGROUND SIGN. MOUNT ON RISER ROOM DOOR
16	RECESSED KNOX BOX AT 5'-0" HIGH TO THE RIGHT OF FIRE RISER ROOM, SEE DETAIL 10/A17.0
17	STUCCO OVER FOAM TRIM BAND. SMOOTH TEXTURE FINISH. PAINT EP-2. REFER TO DETAILS 1/A16.0 & 3/A16.0.
18	TEXTURE EXPOSED FOUNDATION WALL BELOW STUCCO WEEP SCREED AND PAINT TO MATCH WALL.

EXTERIOR PAINT SCHEDULE

NO.	MFR.	MODEL	COLOR #	COLOR NAME	FINISH	REMARKS
EP-1	DUNN EDWARDS	ARISTOSHIELD 70	DEW 339	BONE CHINA	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER
EP-2	DUNN EDWARDS	ARISTOSHIELD 70	DEW 339	BONE CHINA	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER
EP-3	DUNN EDWARDS	ARISTOSHIELD 70	DEW 339	BONE CHINA	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER
EP-4	AXALTA	IMRON	SEE REMARKS FOR COLOR FORMULA	IND RED	HIGH GLOSS	PRIMER: AXALTA IMRON IND 9P01. PRIMER CAN BE TINTED GRAY FINISH COAT: AXALTA IMRON IND 9T01 GLOSS POLYURETHANE COLOR FORMULA: NON-CUM GUIDE 2/20/20 MIX SIZE: 102.4OZ (GALLON) 9T04 VIOLET 321.2 9T10 RED-ORANGE 349.3 9T13 ORANGE 2577.6
EP-5	DUNN EDWARDS	ARISTOSHIELD 70	DE6042	BEAR IN MIND	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER

ALTERNATE MANUFACTURER FOR EP-1, EP-2, AND EP-3 TO BE USED ONLY WHEN DUNN EDWARDS IS NOT AVAILABLE.
NO ALTERNATE ALLOWED FOR COLOR EP-4.

GHA
Architecture / Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Phone (972) 239-5884
Fax: (972) 239-5054

ISSUE RECORD

DATE	DESCRIPTION
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REVISION RECORD

PROFESSIONAL SEAL

PROTOTYPE VERSION
16C.2

PROJECT NAME
IN-N-OUT BURGER

OXNARD
CALIFORNIA

1700 VENTURA BLVD
OXNARD, CA 93036

IN-N-OUT BURGER

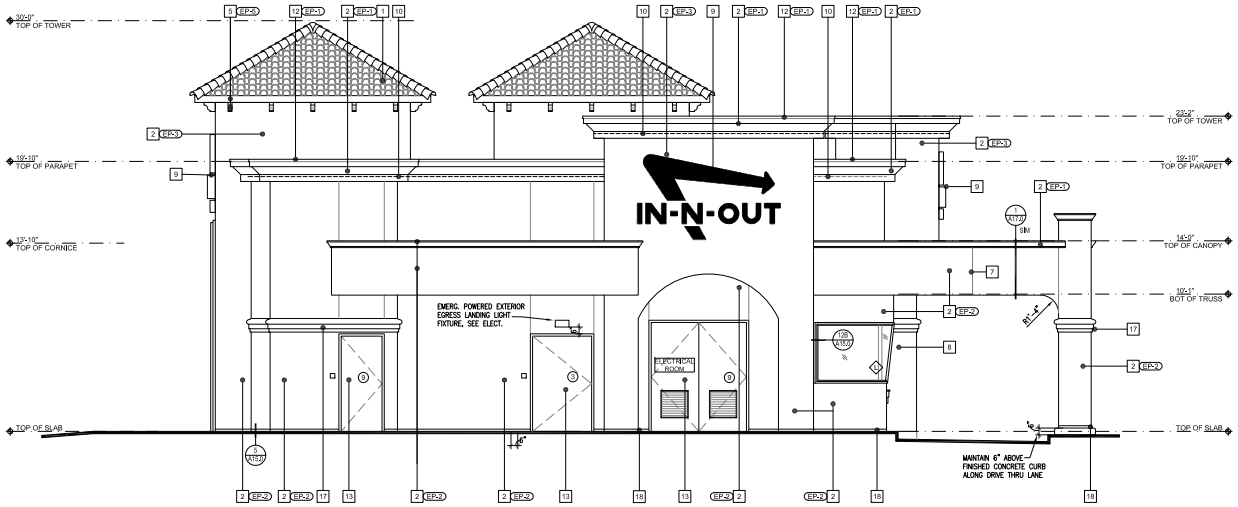
GOD BLESS AMERICA

PROJECT NUMBER
200574

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER
A8.0

PRINTED BY: SAWYNER
PRINT DATE: May 18, 2021 - 7:05am



2 A9.0 WEST ELEVATION
SCALE: 1/4" = 1'-0"

KEY NOTES

1	TILE ROOF: EAGLE ROOFING PRODUCTS, CAPISTRANO STYLE 3125 TERRACOTTA. PROVIDE BIRD STOP AND PAINT TO MATCH TILE, MUD TO BE TINTED TO MATCH ROOF TILE COLOR.
2	STUCCO; 20/30 FINE SAND FLOAT FINISH
3	ALUMINUM STOREFRONT DOORS: CLEAR ANODIZED ALUMINUM.
4	ALUMINUM WINDOWS: CLEAR ANODIZED ALUMINUM.
5	WOOD TRIM AND RAFTER TAILS.
6	NOT USED
7	1/4" WIDE METAL PERIMETER SCREED; SEE DETAIL 4/A16.0. ALIGN CONTROL JOINTS ON DRIVE-THRU CANOPY FASCIA WITH CONTROL JOINTS ON BOTTOM OF SOFFIT.
8	SLOPED ALUMINUM WINDOWS; U.S. ALUMINUM S-010, GLASS JOINTS TO HAVE POLISHED EDGES WITH SILICONE JOINTS, REDWOOD FRAMES TO BE PRIMED WITH AXALTA IMRON IND 9P01 - PRIMER CAN BE TINTED GRAY, FINISH COAT TO BE AXALTA IMRON IND 9T01 TINTED CUSTOM COLOR EP-4.
9	IN-N-OUT BURGER ILLUMINATED LOGO SIGN; UNDER SEPARATE PERMIT.
10	LED COVE LIGHTING UNDER SEPERATE PERMIT.
11	BUILDING ADDRESS NUMBERS TO BE 12" HIGH, 4" MIN. W MIN. STROKE WIDTH OF 0.5 INCH PER FIRE DEPARTMENT AND CITY JURISDICTION ADDRESS DISPLAY REQUIREMENTS: 1. ADDRESS SHALL BE DISPLAYED & VISIBLE FROM BOTH STREET DIRECTIONS OF APPROACHING VEHICLES. 2. PERMANENT NUMBERS AND LETTERS SHALL BE MADE OF DURABLE AND CLEARLY VISIBLE MATERIAL SUCH AS WOOD, METAL, CERAMIC, PLASTIC AND VINYL, (PAINTED OR GLUED ON NUMBERS ARE NOT ACCEPTABLE MATERIALS). 3. NUMBERS SHALL BE OF COLORS CONTRASTING WITH BACKGROUND TO WHICH THEY ARE ATTACHED. 4. NUMBERS SHALL BE A MINIMUM PROPORTION RATIO OF 8:1 (HEIGHT TO WIDTH). 5. NUMBERS CANNOT BE SPELLED.
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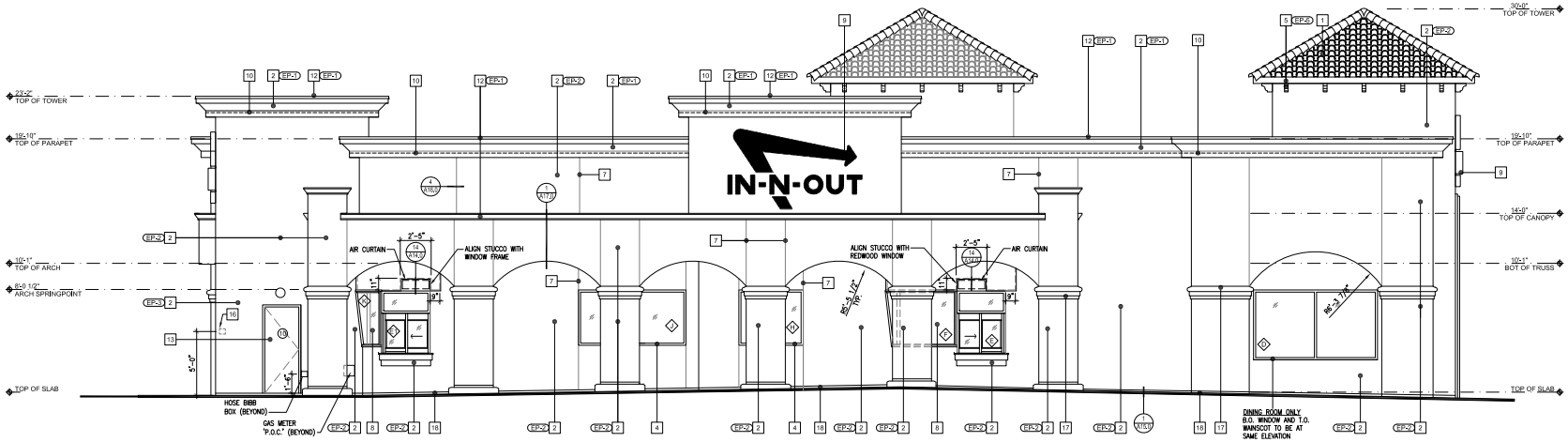
14	5'-0" HIGH STUB OUT FOR CO2 LINE
15	4" MIN. HIGH WHITE LETTERING "RISER ROOM" ON RED BACKGROUND SIGN, MOUNT ON RISER ROOM DOOR
16	RECESSED KNOX BOX AT 5'-0" HIGH TO THE RIGHT OF FIRE RISER ROOM, SEE DETAIL 10/A17.0
17	STUCCO OVER FOAM TRIM BAND, SMOOTH TEXTURE FINISH, PAINT EP-2, REFER TO DETAILS 1/A16.0 & 3/A16.0.
18	TEXTURE EXPOSED FOUNDATION WALL BELOW STUCCO WEEP SCREED AND PAINT TO MATCH WALL.

EXTERIOR PAINT SCHEDULE

NO.	MFR.	MODEL	COLOR #	COLOR NAME	FINISH	REMARKS
EP-1	DUNN EDWARDS	ARISTOSHIELD 70	DEW 339	BONE CHINA	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER
EP-2	DUNN EDWARDS	ARISTOSHIELD 70	DEW 339	BONE CHINA	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER
EP-3	DUNN EDWARDS	ARISTOSHIELD 70	DEW 339	BONE CHINA	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER
EP-4	AXALTA	IMRON	SEE REMARKS FOR COLOR FORMULA	IND RED	HIGH GLOSS	PRIMER: AXALTA IMRON IND 9P01. PRIMER CAN BE TINTED GRAY FINISH COAT: AXALTA IMRON IND 9T01 GLOSS POLYURETHANE COLOR FORMULA: NON-CUM GUIDE 2/20/20 MIX SIZE: 102.4OZ (GALLON) 9T04 VIOLET 321.2 9T10 RED-ORANGE 349.3 9T13 ORANGE 2577.6
EP-5	DUNN EDWARDS	ARISTOSHIELD 70	DE6042	BEAR IN MIND	HIGH GLOSS	PRIME W/ D.E. ULTRA-GRIP PREMIUM PRIMER

ALTERNATE MANUFACTURER FOR EP-1, EP-2, AND EP-3 TO BE USED ONLY WHEN DUNN EDWARDS IS NOT AVAILABLE.
NO ALTERNATE ALLOWED FOR COLOR EP-4.



1 A9.0 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

GHA
Architecture / Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-5884
Fax: (972) 239-5054

ISSUE RECORD

DATE	DESCRIPTION
-	

REVISION RECORD

PROFESSIONAL SEAL

PROTOTYPE VERSION
16C.2

PROJECT NAME
IN-N-OUT BURGER

OXNARD
CALIFORNIA

1700 VENTURA BLVD
OXNARD, CA 93036

IN-N-OUT BURGER

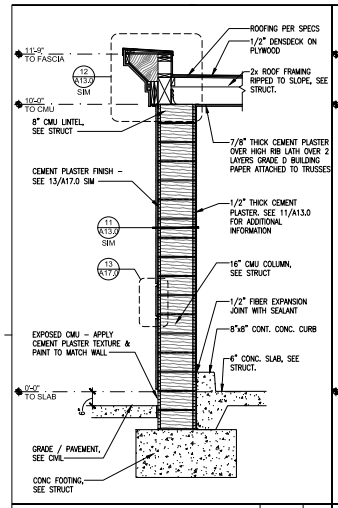
GOD BLESS AMERICA

PROJECT NUMBER
200574

SHEET TITLE
EXTERIOR ELEVATIONS

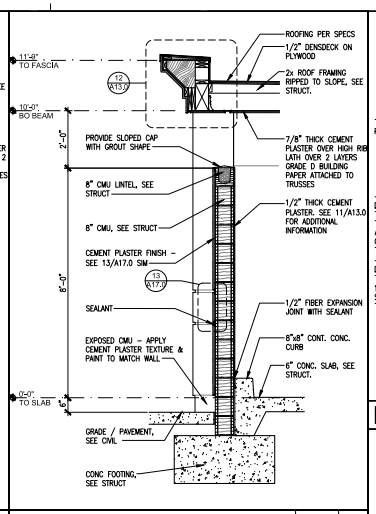
SHEET NUMBER
A9.0

PRINTED BY: GARTNER
PRINT DATE: Aug 16, 2021 - 7:06am



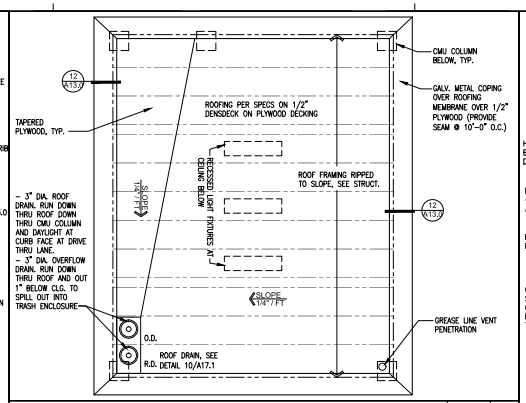
WALL SECTION 16

SCALE 1/2" = 1'-0"



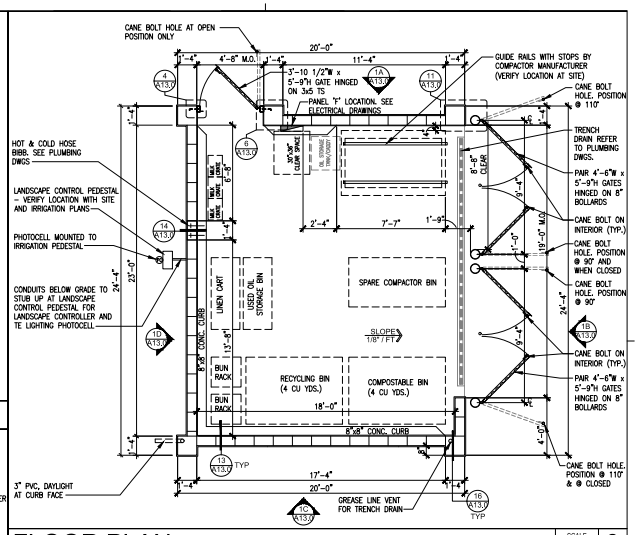
WALL SECTION 13

SCALE 1/2" = 1'-0"



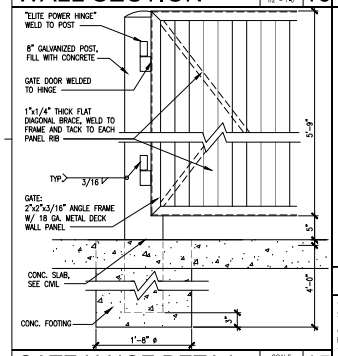
ROOF PLAN 7

SCALE 1/4" = 1'-0"



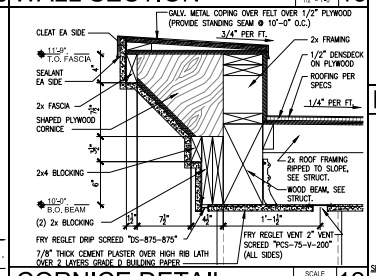
FLOOR PLAN 3

SCALE 1/4" = 1'-0"



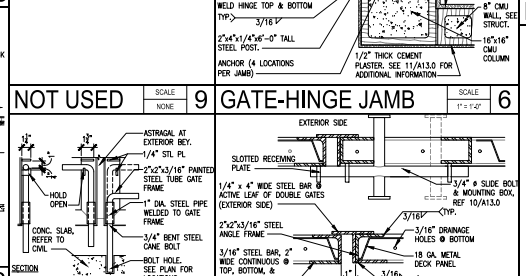
GATE HINGE DETAIL 15

SCALE 1" = 1'-0"



CORNICE DETAIL 12

SCALE 1 1/2" = 1'-0"

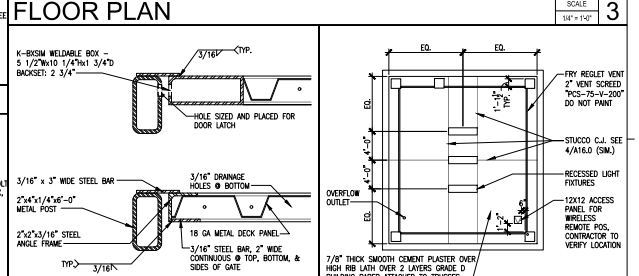


NOT USED 9

SCALE NONE

GATE-HINGE JAMB 6

SCALE 1" = 1'-0"

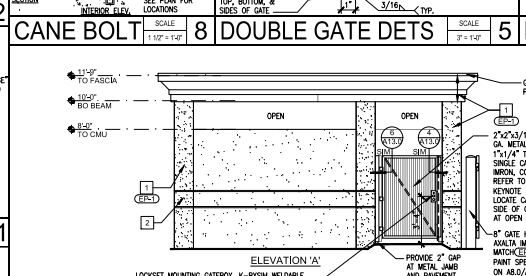


MAN GATE DTLS 4

SCALE 3" = 1'-0"

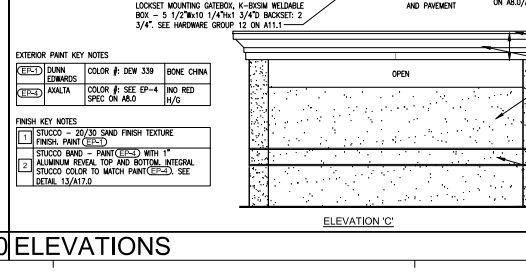
R.C.P. 2

SCALE 1/8" = 1'-0"



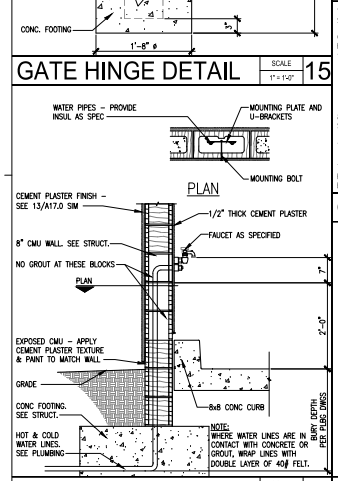
CANE BOLT 8

SCALE 1 1/2" = 1'-0"



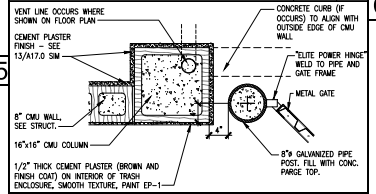
DOUBLE GATE DETS 5

SCALE 3" = 1'-0"



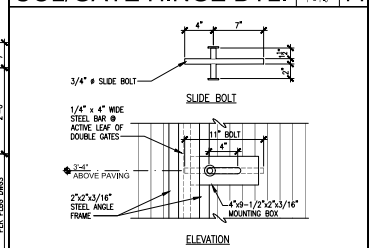
HOSE BIB DETAIL 14

SCALE 3/4" = 1'-0"



COL/GATE HINGE DTL. 11

SCALE 1" = 1'-0"



DOUBLE GATE SLIDE BOLT 10

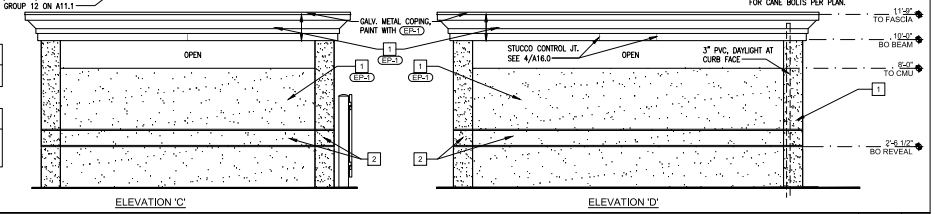
SCALE 1 1/2" = 1'-0"

EXTERIOR PAINT KEY NOTES

EP-1	DUNN EDWARDS	COLOR #: DEW 339	BONE CHINA
EP-4	AXALTA	COLOR #: SEE EP-4 SPEC ON A8.0	INO RED H/G

FINISH KEY NOTES

1	STUCCO – 20/30 SAND FINISH TEXTURE FINISH. PAINT EP-1
2	STUCCO BAND – PAINT EP-4 WITH 1" ALUMINUM REVEAL TOP AND BOTTOM. INTEGRAL STUCCO COLOR TO MATCH PAINT EP-4. SEE DETAIL 13/A17.0



ELEVATIONS 1

SCALE 1/4" = 1'-0"

GHA Architecture / Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-8884
Fax: (972) 239-6554

ISSUE RECORD

DATE	DESCRIPTION
	2016 CLASSIC PROTOTYPE 16C

REVISION RECORD

PROFESSIONAL SEAL

PROTOTYPE VERSION
16C.2

PROJECT NAME
IN-N-OUT BURGER

OXNARD
CALIFORNIA

1700 VENTURA BLVD
OXNARD, CA 93036

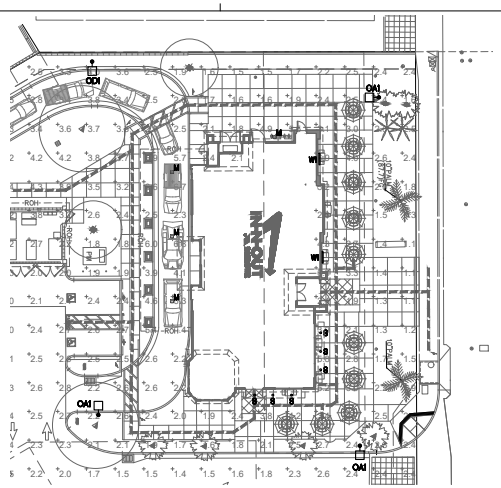
IN-N-OUT BURGER
GOD BLESS AMERICA

PROJECT NUMBER
200574

SHEET TITLE
TRASH ENCLOSURE PLANS & ELEVATIONS OPTION "C"

SHEET NUMBER
A13.0

PRINTED BY: HERNERO
PRINT DATE: JUL 14, 2021 – 7:47am



02 BUILDING MTD. EXTERIOR LIGHTING PHOTOMETRIC PLAN (ZONE #2)

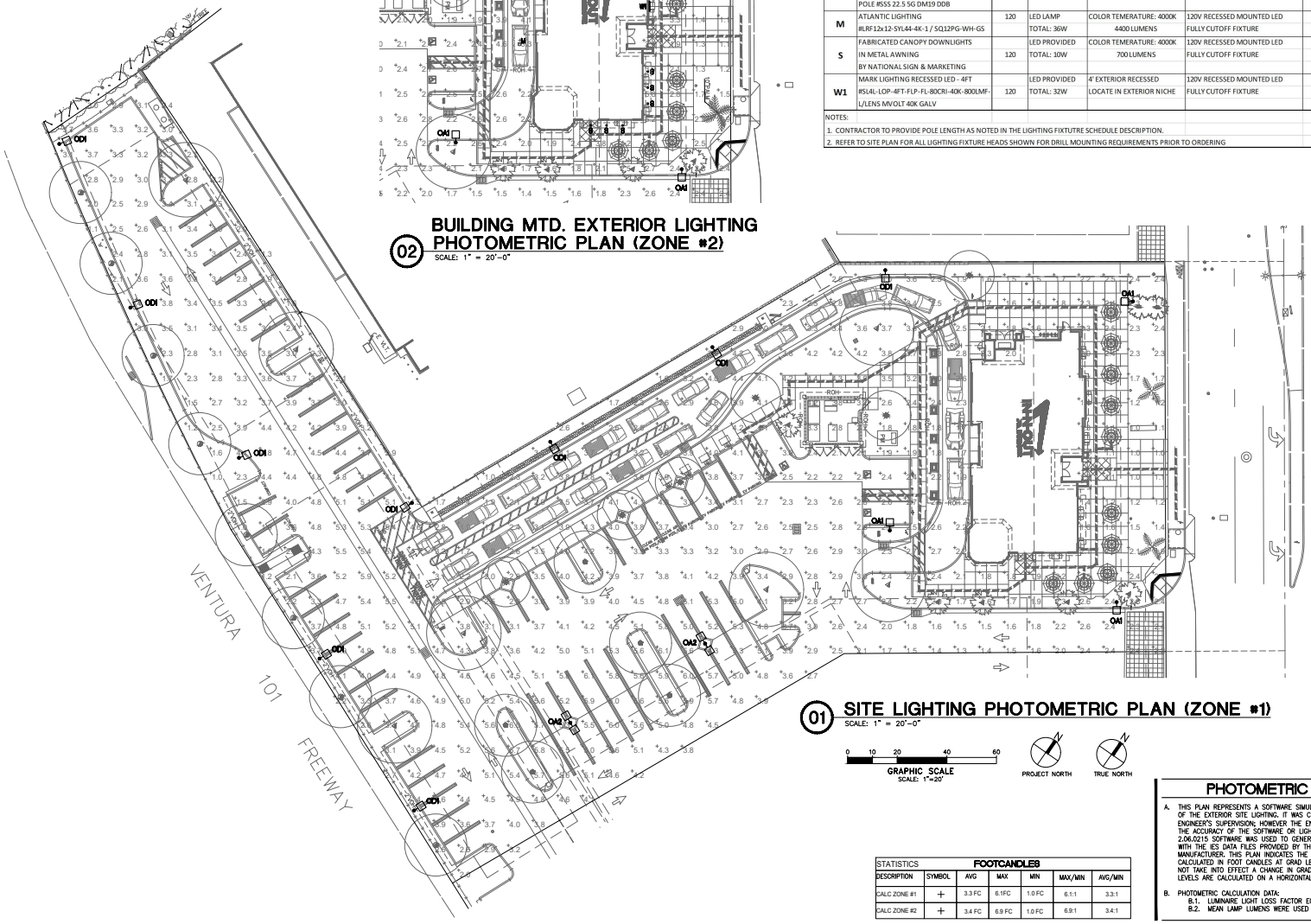
SCALE: 1" = 20'-0"

SITE LIGHTING FIXTURE SCHEDULE

TYPE	MANUFACTURER	VOLTAGE	LAMPS	LUMENS PER LAMP	DESCRIPTION	REMARKS
OA1	LITHONIA LIGHTING #DSX2 LED P2 40K T5M MVOLT SPA DDBXD POLE #SSS 22.5 5G DM19 DDB	208	LED PROVIDED TOTAL : 185W	COLOR TEMERATURE: 4000K 24974 LUMENS	FIXTURE WITH 80 LEDs @700 mA TYPE V MEDIUM DISTRIBUTION FULLY CUTOFF FIXTURE	208V SINGLE HEAD LED 25' AFG. TOTAL FIXTURE HEIGHT (22'-6" POLE + 2'-6" BASE).
OA2	LITHONIA LIGHTING #DSX2 LED P2 40K T5M MVOLT SPA DDBXD POLE #SSS 22.5 5G DM28 DDB	208	LED PROVIDED TOTAL : (2)185W	COLOR TEMERATURE: 4000K (2) 24974 LUMENS	FIXTURE WITH 80 LEDs @700 mA TYPE V MEDIUM DISTRIBUTION FULLY CUTOFF FIXTURE	208V TWO (2) HEADS LED 25' AFG TOTAL FIXTURE HEIGHT (22'-6" POLE + 2'-6" BASE).
OD1	LITHONIA LIGHTING #DSX2 LED P2 40K TFTM HS MVOLT SPA DDBXD POLE #SSS 22.5 5G DM19 DDB	208	LED PROVIDED TOTAL: 185W	COLOR TEMERATURE: 4000K 24974 LUMENS	FIXTURE WITH 80 LEDs @700 mA TYPE V MEDIUM DISTRIBUTION FULLY CUTOFF FIXTURE	208V SINGLE HEAD LED 25' AFG. TOTAL FIXTURE HEIGHT (22'-6" POLE + 2'-6" BASE).
M	ATLANTIC LIGHTING #LRF12x12-SYL44-4K-1 / SQ12PG-WH-GS	120	LED LAMP TOTAL: 36W	COLOR TEMERATURE: 4000K 4400 LUMENS	120V RECESSED MOUNTED LED FULLY CUTOFF FIXTURE	
S	FABRICATED CANOPY DOWNLIGHTS IN METAL AWNING BY NATIONAL SIGN & MARKETING	120	LED PROVIDED TOTAL: 10W	COLOR TEMERATURE: 4000K 700 LUMENS	120V RECESSED MOUNTED LED FULLY CUTOFF FIXTURE	
W1	MARK LIGHTING RECESSED LED - 4FT #SL4L-LOP-4FT-FLP-FL-80CRI-40K-800LMF-L/LENS MVOLT 40K GALV	120	LED PROVIDED TOTAL: 32W	4' EXTERIOR RECESSED LOCATE IN EXTERIOR NICHE	120V RECESSED MOUNTED LED FULLY CUTOFF FIXTURE	

NOTES:

1. CONTRACTOR TO PROVIDE POLE LENGTH AS NOTED IN THE LIGHTING FIXTUTRE SCHEDULE DESCRIPTION.
2. REFER TO SITE PLAN FOR ALL LIGHTING FIXTURE HEADS SHOWN FOR DRILL MOUNTING REQUIREMENTS PRIOR TO ORDERING



01 SITE LIGHTING PHOTOMETRIC PLAN (ZONE #1)

SCALE: 1" = 20'-0"

0 10 20 40 60
GRAPHIC SCALE
SCALE: 1"=20'

PROJECT NORTH

TRUE NORTH

STATISTICS		FOOTCANDLES				
DESCRIPTION	SYMBOL	AVG	MAX	MIN	MAX/MIN	AVG/MIN
CALC ZONE #1	+	3.3 FC	6.1FC	1.0 FC	6.1:1	3.3:1
CALC ZONE #2	+	3.4 FC	6.9 FC	1.0 FC	6.9:1	3.4:1

PHOTOMETRIC NOTES

A. THIS PLAN REPRESENTS A SOFTWARE SIMULATED PHOTOMETRIC STUDY OF THE EXTERIOR SITE LIGHTING. IT WAS CREATED UNDER THE ENGINEER'S SUPERVISION; HOWEVER THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE SOFTWARE OR LIGHT FIXTURE DATA. VISUAL 2.06.0215 SOFTWARE WAS USED TO GENERATE THIS DOCUMENT ALONG WITH THE IES DATA FILES PROVIDED BY THE LIGHT FIXTURE MANUFACTURER. THIS PLAN INDICATES THE SIMULATED LIGHT INTENSITY CALCULATED IN FOOT CANDLES AT GRAD LEVEL. THE SIMULATION DOES NOT TAKE INTO EFFECT A CHANGE IN GRADE ELEVATION. THE LIGHT LEVELS ARE CALCULATED ON A HORIZONTAL PLANE 0 FT AFG.

B. PHOTOMETRIC CALCULATION DATA:
   B.1. LUMINAIRE LIGHT LOSS FACTOR EQUALS 0.8
   B.2. MEAN LAMP LUMENS WERE USED FOR IES CALCULATIONS

GHA
Architecture / Development
14901 Quorum Drive
Suite 300
Dallas Texas 75254
Ph: (972) 239-8884
Fax: (972) 239-5054

ISSUE RECORD

DATE	DESCRIPTION
2016 CLASSIC PROTOTYPE 16C	
08-16-2021	ISSUED FOR PERMIT
11-03-2021	UPDATED DRAWING

REVISION RECORD

PROFESSIONAL SEAL

REGISTERED PROFESSIONAL ENGINEER
GIL V. ?
No. E13453
Exp. 09/30/22
ELECTRICAL
STATE OF CALIFORNIA
12/09/21

rtm engineering consultants
14901 Quorum Dr. #565 Dallas, TX 75254
rtmassociates.com | 972.387.3500

21.GHAA.014

PROTOTYPE VERSION
16C.2

PROJECT NAME

IN-N-OUT BURGER

OXNARD
CALIFORNIA

1700 VENTURA BLVD
OXNARD, CA 93036

IN-N-OUT BURGER®

GOD BLESS AMERICA

PROJECT NUMBER
200574

SHEET TITLE

SITE LIGHTING PHOTOMETRIC PLAN

SHEET NUMBER

E11.0

PRINTED BY: TOM.WM
PRINT DATE: Dec 09, 2021 - 1:45pm

IN-N-OUT BURGER

"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

OXNARD, CA

1700 VENTURA BLVD.

DUNN EDWARDS "BONE CHINA" STUCCO, RED TILE ROOF

ISSUED: 08/05/21

IN-N-OUT BURGER

"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

OXNARD, CA

1700 VENTURA BLVD.

DUNN EDWARDS "BONE CHINA" STUCCO, RED TILE ROOF

ISSUED: 08/05/21

IN-N-OUT BURGER

"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

OXNARD, CA

1700 VENTURA BLVD.

DUNN EDWARDS "BONE CHINA" STUCCO, RED TILE ROOF

ISSUED: 08/05/21

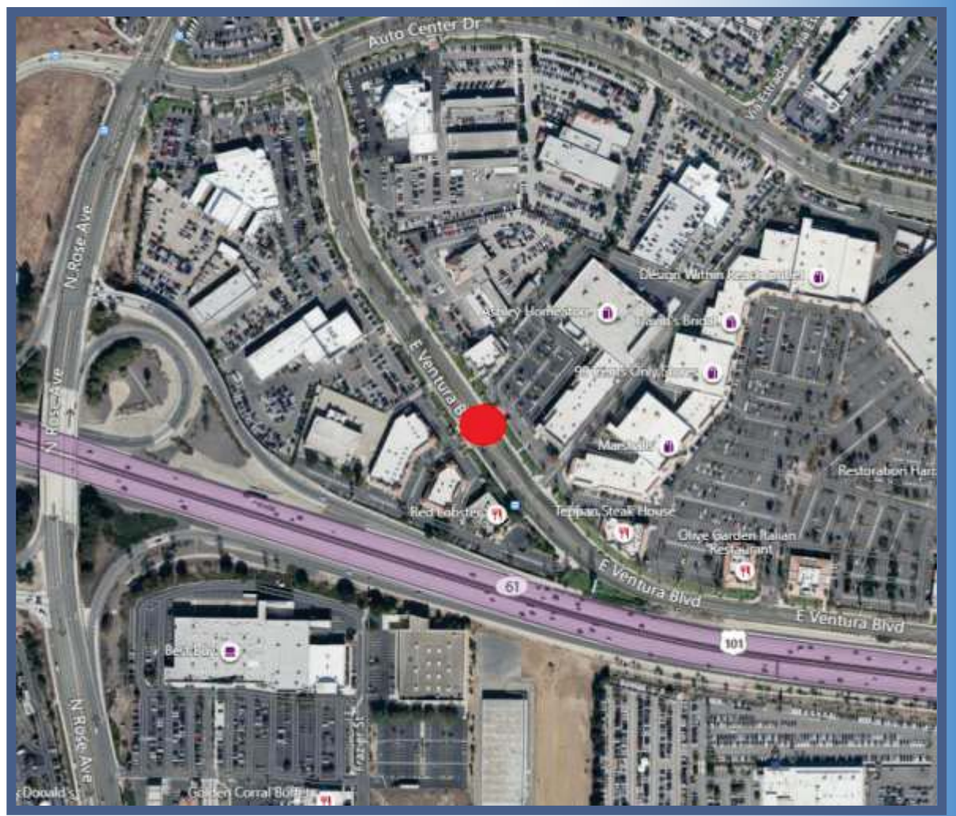
ATTACHMENT
D

PROPOSED SIGN PROGRAM
(SIGN PROGRAM) (21-520-03)

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd

MASTER SIGN PROGRAM

1700, 1720, 1740 Ventura Blvd.
Oxnard, CA 93606



Signtech

4444 Federal Blvd.
San Diego, CA 92102

Tel 619.527.6100
Fax 619.527.6114
www.signtech.com

Plaza Del Norte on Ventura Blvd.
Master Sign Program

Address:
1700, 1720, 1740
Ventura Blvd.
Oxnard, CA 93606

Drawn By: T

Date: 09.24.21

Revision:
1-11.24.21 TT

Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA Tenant/Occupant Criteria

Plaza Del Norte on Ventura Blvd.
1700 - 1740 Ventura Blvd, Oxnard, CA 93606

GRAPHICS AND BUILDING SIGN CRITERIA

September 2021

PROJECT DIRECTORY

City of Jurisdiction

City of Oxnard
Community Development Department
Planning Division
214 South C Street
Oxnard, CA 93030
Tel. 805.385.7858
www.oxnard.org

Sign Company

Signtech Electrical Advertising
Attn: Garry Wilcox
4444 Federal Blvd.
San Diego, CA 92102
Tel. 619.527.6100
Email. gwilcox@signtech.com

Owner/Developer

Channel Islands Marketplace, LB
Attn: Hollee King Winegar
5290 Overpass Road, Bldg 'C'
Santa Barbara, CA 93111
Tel.
Email: hollee@sitespacificplanning.com

Introduction:
This document establishes guidelines and criteria for the design implementation and regulation of Tenant/Occupant signage for lots 1700, 1720 and 1740 Ventura Boulevard, Oxnard CA 93606. This sign program is to establish sign parameters for current and prospective Tenant/Occupant in order to preserve and enhance the appearance of the building and the integrity of the architectural design. The objectives are to encourage high quality and unique signage, which is an integral part of the architecture of the building using a consistent and uniform sign standard, and to maintain the aesthetic quality of the property along with the community standards of Oxnard, California. The intent of these criteria is to insure the Tenant/Occupant signage on this property is designed and executed in a manner which will achieve these objectives while providing appropriate indentification of Tenant/Occupant's businesses, including incorporation of corporate indentification where applicable. The design of all graphics will be carefully considered in the relation to the site architecture and landscaping, as well as to the specific context of the location within the project.

The design, fabrication, installation and maintenance of all signs, including but not limited to style and placement of lettering, size, color, materials and methods of illumination shall be subject to the prior written approval of the Landlord as provided in this criteria. Any installed non-conforming or unapproved sign, or non-maintained sign must be brought into conformance or removed at the non-conforming Tenant/Occupant's expense.

SECTION A:
SUBMITTAL & APPROVAL PROCESS

1. **Submittal to Landlord**

   Prior to sign fabrication and application for City approval of permits, each Tenant/Occupant shall submit to Landlord for approval three (3) sets of 11" x 17" detailed design and shop drawings including the following:

a. Elevation of storefront illustrating the proposed sign design and all dimensions as they relate to the storefront elevation of Tenant/Occupants's premises including fully dimensioned Tenant frontages and dimensioned site plan with Tenant and building frontages; Fully dimensioned and scaled sign shop drawings. Sign elevation must be rendered in color and must specify exact dimensions (including line spacing), copy, layout, materials, colors, method of attachment, illumination, electrical and all other details pertinent to the sign construction, as well as all sign area square footage calculation(s) in compliance with this criteria/

b. Sign section detail through the letter and/or logo shall show the dimensioned projection of the face of the letter and/or logo and method / specification of illumination. Letters and/or logo sign details must be accurately dimensioned including line spacing.

c. Approval or disapproval of sign submittals shall remain the sole right of the Landlord or his chosen representative. If submittals are disapproved, then Tenant/Occupants must submit revised plans until Landlord's approval is obtained.

2. **City Submittal**
   A full set of final plans must be approved and stamped by the Landlord prior to permit application or sign fabrication. Following Landlord's approval of the proposed signage, Tenant/Occupant or his agent must submit an application to the City of Oxnard for all permits for fabrication and installation by a licensed and bonded sign contractor.

a. Each Tenant/Occupant shall be responsible for the fulfillment of all requirements of these Criteria and of government agencies with jurisdiction and approved specifications.

b. All City coordination with respect to approvals and permits for signs and their installation shall be obtained by the Tenant/Occupant or his Representative, at his sole expense.

c. Any changes requested by the City of Oxnard regarding design or intent must be also cleared by Landlord before resubmittal to City.

d. The Landlord reserves the right to revised the Criteria in accordance with the City of Oxnard Sign Code Ordinance. These Criteria may be revised at any time if so required by the goverment agency having jurisdiction over its contents.

3. **Approval and Commencement**
   Tenant/Occupant and their sign contractor shall not be permitted to commence installation of the exterior sign unless all of the following conditions have been met

a. A stamped set of final drawings reflecting the Landlord's and the City's approval shall be obtained from each party

b. The Landlord has the right to request the sign installer's and/or sign manufacturer's certificate of insurance and business license.

c. The Landlord must receive and approve the sign installer's and/or sign company's schedule for installation of signage.

4. **Modifications**
   In the event Tenant/Occupant wishes to change its exterior sign anytime during the term of its lease, then Tenant/Occupant must comply with the requirements set forth herein and any future modifications, revisions or changes which have been made to the criteria for the property after the execution of its lease agreement.

Signtech
4444 Federal Blvd.
San Diego, CA 92102

Tel 619.527.6100
Fax 619.527.6114
www.signtech.com

Plaza Del Norte on Ventura Blvd.
Master Sign Program

Address:
1700, 1720, 1740
Ventura Blvd.
Oxnard, CA 93606

Drawn By: T

Date: 09.24.21

Revision:
1-11.24.21 TT

Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA Tenant/Occupant Criteria (cont.)

SECTION B: GENERAL SPECIFICATIONS & REQUIREMENTS

1. All signs shall be reviewed for conformance with these guidelines and overall design quality. Approval or disapproval of sign submittals shall remain the right of the Landlord and/or City of Oxnard.

2. All electrical signs shall bear the UL label and be visible from pedestrian level. Signs must be constructed and installed to meet or exceed all applicable codes and City requirements. Per City of Oxnard, a building permits issued by the city shall be obtained prior to the erection of any business identification sign.

3. Sign content shall be limited to the Tenant/Occupant's name and primary graphic logo unless specifically provided for herein.

4. Notwithstanding the following Sign Provisions, Tenant/Occupants may utilize standard corporate logo and/or prototypical signage graphics, if established as recognizable company or corporate trade mark or used in a majority of the Tenant/Occupant's stores, subject to approval by the City of Oxnard.

5. All signage on the building shall be internally illuminate individual channel letters or logos. No cabinet signs shall be permitted except for logos and graphics which contain square design elements. Signage illumination shall not include flashing, moving or scintillating effects.

6. Pan channel letters/logo are to be defined as individual channel letters or as connected channels that may be composed of script letters with connected serifs, or as non script letters that are connected by heavy outlines into an integrated shape of "channel box".

7. Power for the Tenant/Occupant signage shall be provided by the Tenant/Occupant's electrical panel to the junction box at all sign locations. Power hookup shall be the responsibility of the Tenant/Occupant.

8. Tenant/Occupant signs will be no larger than the specifications outlined in this criteria.

9. All signs are to be positioned so as to be proportional to the area upon which they are placed, as well as to comply with the square footage limitations. They should also be at the appropriate location on the elevation to be balanced with the buildings as a whole (not necessarily centered on the Tenant/Occupant space). The appropriate location for all signage shall be coordinated with the Landlord.

10. No signs shall extend above the roofline or architectural screen.

11. Fasteners, anchors or other securing elements shall not be visible. All fasteners shall be resistant to corrosion.

12. Installation shall be weather-tight with appropriate use of flashings, sealants and other building materials, as may be required.

13. Tenant/Occupant shall perform installtion and other work required herein at Tenant/Occupant's sole cost and expense.

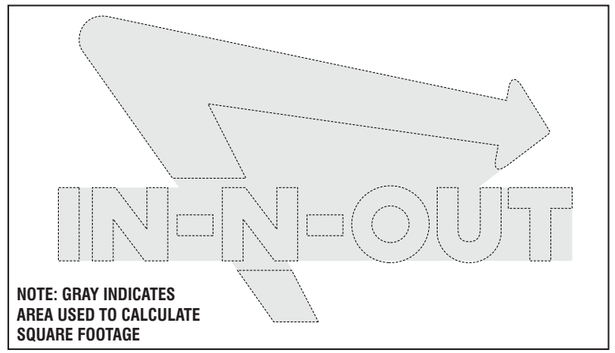
14. No signage except that described herein permitted.

15. Tenant/Occupant will be responsible for patching and repairing (depending on inspection of damage by Landlord) of canopy to original condition upon removal of any signage installed by Tenant/Occupant.

SECTION C: SIGNAGE

SIGN AREA MEASUREMENT

Total Tenant/Occupant sign area to be calculated by creating the smallest geometric for to encapsulate similar sign graphic elements such as word groupings and logos, calculating the areas of the rectangular elements and adding those areas together. Please refer to the section "Tenant/Occupant sign Allowances and Conditions" for additional specifications and example. Any exceptions or deviations to this standard method of calculation shall be subject to review by the Landlord and the City of Oxnard.



SIGN AREA ALLOTMENT

Total allowed signage for each Tenant/Occupant is based upon the following:

Tenants:
Total sign allowance for each tenant may be the following: 1.0 square foot of signage per 1.0 lineal foot of lot frontage along the primary street, or 2.0 square feet per 1 lineal foot of building along the primary street, whichever is greater. Total square feet allotted will include all wall signs and individual freestanding signs for identification. Maximum sign for Tenants is not to exceed 50% of the vertical or horizontal plane of the building elevation. Tenants with multiple signs must not have an aggregated sign area exceed allotment calculation based upon primary frontage allowance.

Tenant's will be allowed POP (point of purchase) and promotional displays with these provisions:

1. Displays must be professionally design / printed and mounted on permanent brackets or poles that are integrated into the building architecture.

2. Promotional displays may be changeable, but must look professional and relate only to regional or national corporate campaigns or corporate identity / branding. Temporary banners or A-frame sandwich boards are strictly forbidden.

3. Owner / Landlord reserves the right for promotional display's content and quality of design. Any content determined to be below quality and execution standards by Owner are to be immediately removed at Tenant's own expense.

Signage Size Restrictions

Regardless of allowed vertical height or square footage allotment, Tenant building signs must not exceed 50% of the vertical height or the architectural building fascia nor 50% of the width of the building fascia.

Actual Tenant sign sizes may be less than maximum values listed as dictated by the architectural building conditions, and square footage allowances.

BUILDING SIGNS

All Tenant building signs must be individual, internally illuminated letters and/or cloud shaped pan channel logo cabinets, but may additionally include non-illuminated secondary copy. Illuminated signs must conform City of Oxnard building and electrical codes. Construction and installation of signs must be executed by licensed and bonded sign contractors only.

Face Lit Pan Channel Letters

Construction & Design Guidelines:

1. Pan channel letters and logos must be fabricated aluminum pan channel construction with interior illumination provided by LEDs. No exposed LEDs will be allowed.

2. Returns to have painted or architectural brushed metal finishes. Painted finishes to have professional application with automotive quality paints.

3. LEDs to be sufficiently spaced to prevent uneven or light source segmentation of modules when viewed at night.

4. Faces may be formed, colors acrylic or acrylic with colored vinyl film overlays. No exposed LED modules through face with be allowed.

Signtech
4444 Federal Blvd.
San Diego, CA 92102

Tel 619.527.6100
Fax 619.527.6114
www.signtech.com

Plaza Del Norte on Ventura Blvd.
Master Sign Program

Address:
1700, 1720, 1740
Ventura Blvd.
Oxnard, CA 93606

Drawn By: T

Date: 09.24.21

Revision:
1-11.24.21 TT

Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA Tenant/Occupant Criteria (cont.)

BUILDING SIGNS continued

5. Logos can be cloud shaped pan channel cabinets but square or rectangular logos are strongly discouraged unless it is relevant or integral to logo graphic.

6. Hidden raceways to be self contained, housing wiring and low voltage electronic power supplies. All raceway surfaces must be painted. All housing structures and electrical connections to be weatherproof and compliant with State, City and U.L. electrical standards and manufacturing / installation methodology.

7. All sign designs and color schemes are subject to approval by Landlord and City of Oxnard, who reserve the right to change or modify designs to conform or maintain design standards in order to compliment building architecture.

Halo Illuminated Reverse Pan Channel Letters/Logo

Construction & Design Guidelines:

1. Reverse pan channel letters and logos must be fabricated aluminum pan channel construction with interior illumination provided by LEDs. No exposed LEDs will be allowed. All letter/logo cabinets to have Clear Lexan backs to weather-seal sign and be pegged off of building fascia 1 1/2" with tube stands.

2. Faces and returns to have painted or architectural brushed metal finishes. Painted finishes to have professional application with automotive quality paints.

3. LEDs to be sufficiently spaced to prevent uneven or light source segmentation of modules when viewed at night.

4. Logos can be cloud shaped pan channel cabinets but square or rectangular are strongly discouraged unless it is relevant or integral to logo graphic.

5. Hidden raceways to be self contained, housing wiring and low voltage electronic power supplies. All raceway surfaces must be painted. All housing structures and electrical connections to be weatherproof and compliant with State, City and U.L. electrical standards and manufacturing / installation methodology.

6. All sign designs and color schemes are subject to approval by Landlord and the City of Oxnard, who reserve the right to change or modify designs to conform or maintain design standards in order to compliment building architecture.

TENANT PANELS ON FREESTANDING FREEWAY SIGN (Not included in Sign Area)

Landlord reserves the right for tenant sign placement on freestanding signs according to tenant lease agreements, which includes location of sign(s), design, content and size. Tenant panels will be assigned to Tenants by Landlord who has final right as to tenant reconfiguration and tenant panel assignment.
See page 7 of MSP for freestanding freeway sign rendering.

1. Interior illuminated pan channel letters to be mounted on pylon background.

2. Design must be authorized by Landlord and contractor's qualifications may be subject to review by Landlord prior to execution.

TENANT FREESTANDING SIGNS (Included in Sign Area)

Tenant will be allowed a dedicated freestanding monument sign as per specifications illustrated in MSP freestanding sign design criteria. Tenant monument signs to only contain content and branding related to Tenant. No other tenant will be allowed on sign.
See page 8 of MSP for freestanding monument sign rendering

DRIVE THROUGH MENU BOARD (Not included in Sign Area)

1. Tenant may have a menu board that is not to exceed 30 square feet or 7'-0" in height from grade.

2. Tenant may have one (1) preview board, one (1) menu board, and one (1) speaker per dedicated drive through lane, not to exceed two lanes per site.

3. Setbacks to be determined by local jurisdiction codes and ordinances.

DRIVE THROUGH DIRECTIONAL DISPLAYS (Not included in Sign Area)

1. Directional displays may not exceed four (4) square feet or 4'-0" in height from grade.

2. Directional display to be internally illuminated.

3. May have one (1) directional display at entrance and one (1) directional display at exist of drive through lane.

4. Setbacks to be determined by local jurisdiction codes and ordinances.

WINDOW SIGNS/GRAPHICS

1. Graphics and/or copy to be limited to cover no more that 144 square inches.

2. Graphics should contain imagery or copy pertaining to business. Hand painted, permanent signs may be acceptable, but design must be authorized and contractor's qualification may be subject to review by Landlord prior to execution.

3. Signs may be computer cut vinyl films and/or digitally printed vinyl film with U.V. inks or U.V. film overlays. Signs digitally printed with faded graphics shall be removed or replaced at Landlord's discretion. Decorative graphics may be acceptable but must compliment architecture of building. Hand painted, permanent signs may be acceptable, but design must be authorized by Landlord and contractor's qualifications may be subject to review by Landlord prior to execution.

4. Paper, hand-painted holiday signs or temporary signs are strictly prohibited.

5. Graphics that are perceived as abusive, inflammatory or obscene by community standards are strictly prohibited, and are subject to immediate removal at Tenant/Occupant's expense.

6. All window graphics are subject to review and approval at Landlord's discretion. Violation of guidelines will require removal of window graphics at Tenant/Occupant's expense.

7. Upon termination of lease, all window signs must be removed at Tenant/Occupant's expense. Glazing must be returned to original condition. If glazing cannot be returned to original condition, Tenant/Occupant is required to provide replacement at Tenant/Occupant's own expense.

DOOR GRAPHICS/HOURS/ADDRESS (Not included in Sign Area)

1. All Tenant/Occupants should have business name/logo located on single door or right side of double doors (or both doors). Graphics are preferred to be White vinyl film applied first surface to glazing. Graphics must not exceed 20% of total door glazing area.

2. All Tenant/Occupants should have hours of operation clearly displayed either on door or sidelight glazing. Lettering should be White vinyl film applied first surface to glazing.

3. Graphics should contain imagery or copy pertaining to business and are subject to design review by Landlord.

LANDLORD DESIGN ALLOWANCES/APPROVALS

Landlord reserves the right for such allowances according to tenant lease agreements, which includes location of sign(s), design, content and size. All sign designs and color schemes are subject to approval by Landlord and the City of Oxnard, who reserve the right to change or modify designs to conform or maintain design standards in order to compliment building architecture.

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4444 Federal Blvd.
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Oxnard, CA 93606

Drawn By: T

Date: 09.24.21

Revision:
1-11.24.21 TT

Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA Tenant/Occupant Criteria (cont.)

SECTION D: GENERAL CONDITIONS

1. The fabricator may make recommendations and/or changes to the details as shown on the drawings provided Landlord approves such recommendations in writing prior to shop drawings or fabrication of prototypes or samples.

2. All electrical signs shall be UL compliant and carry the certified and registered UL label affixed to sign cabinet in a place where it is visible at pedestrian level.

3. The sign contractor shall be responsible for the fulfillment of all the requirements and specifications, completing the installation in a workman-like manner, and cleaning up, patching and painting any surfaces damaged by the installation to original building specifications.

4. All sign fabrication work shall be of excellent quality. All logo images and type shall be accurately reproduced. Lettering that approximated typestyles shall not be acceptable. Landlord reserves the right to reject any fabrication deemed to be below standard.

5. Sign must be made of durable rust-inhibited materials that are appropriate and complimentary of the building.

6. Finished surfaces of metal shall be free from oil canning and warping. All sign finishes shall be free of dust, ripples, weld marks, orange peel, drips and runs, and shall have uniform surface conforming to the highest standards of the industry.

7. All signage sighting should be concealed and light leaks will not be permitted.

8. All metals to be painted with the highest quality automotive polyurethane paint (preferably Matthews Paint, or equal quality alternative), unless otherwise specified. Tenant/Occupant is required to execute a sign painted application that yields the longest life with the least likelihood of paint fading and peeling. Paint must withstand exterior weather conditions, and be sprayed to a smooth finish, not brushed on.

9. Details on drawings indicate a design approach for sign structures but do not necessarily include fabrication details required for the complete structural integrity of the signs, including consideration for static, dynamic and erection loads during handling, erecting and service at the installed locations, nor do they necessarily consider the preferred shop practices of the individual general sign contractors. Therefore, it shall be the responsibility of the fabricator to perform the complete structural design of the signs and to incorporate all the reasonable safety factors to protect the Landlord and sign fabricator against public liability.

SECTION E: PROHIBITED SIGNS & RESTRICTIONS

The following instances are provided as examples of prohibited signade applications and may not exhibit all possible conditions. Signs prohibited by Landlord that do not conform to the Master sign Program are not limited to those set forth below.

1. Signs which move, swing, rotate, flash, blink, scintillate, fluctuate or have animated light areas.

2. Off-Premises signage.

3. Sign using exposed fasteners.

4. Paper, cardboard, cloth, foam core, gatorboard, inflatable or styrofoam signs, sticker or decals, painted lettering or decals hung on or behind storefronts.

5. Flying signs such as blimps or kites designed to be kept aloft by mechanical, chemical or hot air means.

6. Stationary or walking sandwich boards or costumed or non-costumed persons shall not be utilized for advertising outside of Tenant/Occupant's premises.

7. Balloons, flags or marketing tents.

8. Sign which emits odor, noise or visible matter other than light.

9. No person shall exhibit, post or display or cause to be exhibited, posted or displays upon any sign, anything obscene, indecent or immoral nature or unlawful, as determined in the sole discretion of Landlord.

10. No sign shall be installed, or located so as to prevent free ingress to or egress from any door.

11. External displays (other than holiday decorations) which consist of unshielded light bulbs, open or strings of open light bulbs.

12. Sign displaying pricing of any kind except for fuel stations.

13. Temporary signs of any nature used or installed without Landlord's approval in writing, and in accordance with City regulations.

14. Unprofessional hand-letterd sign in public view for the storefront are prohibited.

15. Absolutely no signs are permitted to be taped to the storefront or any other visible surface.

16. Any sign that is not in conformance with this criteria.

17. No simulated materials (i.e. wood grained plastic laminates) or wall coverings.

18. Excessively bright or garish signs.

SECTION F: MAINTENANCE

1. Tenant/Occupant shall maintain his sign in good working order to include replacement of damaged or burned out LED lighting at Tenant/Occupant's sole cost and expense. In the event Landlord notifies Tenant/Occupant of an existing defect and Tenant/Occupant fails to cure said defect within ten (10) days after notifications, Landlord may cause the defect to be repaired.

2. Upon termination or expiration of lease, Tenant/Occupant hereby agrees to remove his sign and repair any holes or damage to the fascia and restore the fascia to it's original condition at the Tenant/Occupant's cost and expense to Landlord's sole satisfaction with three (3) days of expiration of term or early termination of Tenant/Occupant's lease. If Tenant/Occupant does not repair the wall surface to Landlord's sole satisfaction, then Landlord reserves the right to perform the repairs at Tenant/Occupant's expense.

3. Contractors installing signs are to be qualified, insured and licensed by the State of California and are to have a current business license.

Signtech

4444 Federal Blvd.
San Diego, CA 92102

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Fax 619.527.6114
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Oxnard, CA 93606

Drawn By: T

Date: 09.24.21

Revision:
1-11.24.21 TT

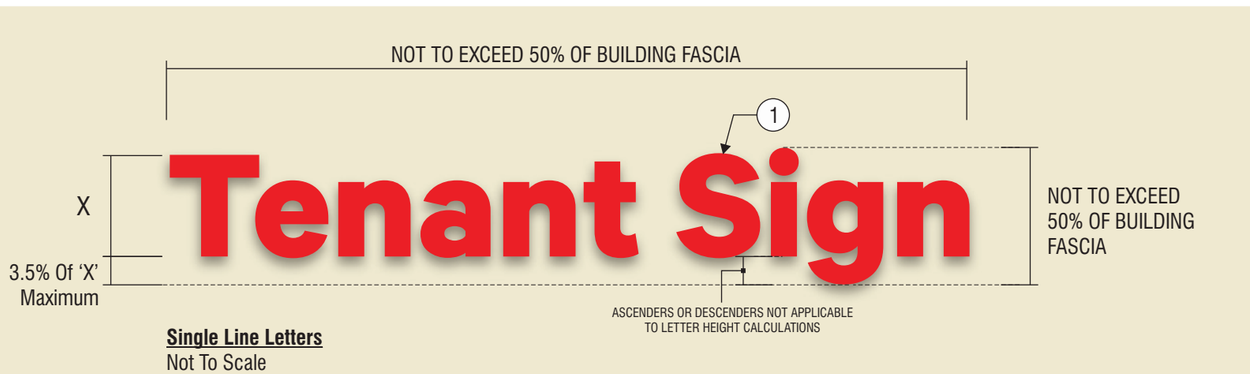
Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

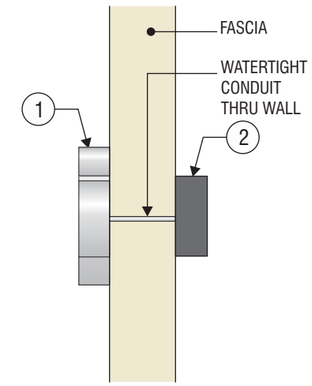
Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA / Typical Sign Display Exhibits



Single Line Letters
Not To Scale

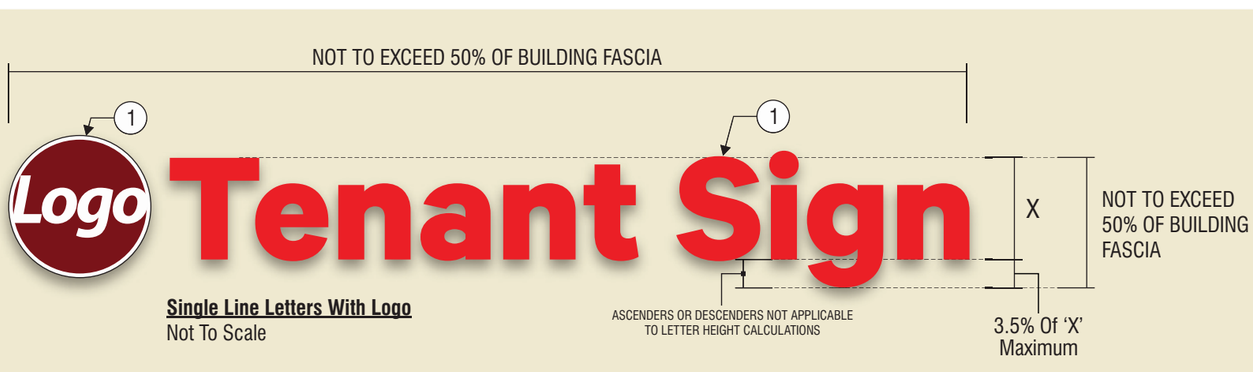


MATERIAL SCHEDULE

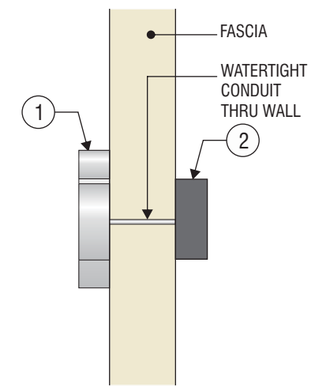
1 **Letters / Logo**
Face Lit: Letters to be fabricated aluminum pan channel construction method only. Faces to be acrylic with or without vinyl film overlays.
Trimcap to be painted to match letter return color.
Internally illuminated with LEDs.

Power supplies to be located inside hidden raceway.
Letter construction methods to comply with U.L. electrical and local/state code standards.

2 **Raceway (Hidden)**
Fabricated aluminum construction with painted finish.
Raceway to house all electrical jumps and transformers / low power supply units. Construction methods to comply with U.L. electrical standards



Single Line Letters With Logo
Not To Scale



MATERIAL SCHEDULE

1 **Letters / Logo**
Face Lit: Letters to be fabricated aluminum pan channel construction method only. Faces to be acrylic with or without vinyl film overlays.
Trimcap to be painted to match letter return color.
Internally illuminated with LEDs.

Power supplies to be located inside hidden raceway.
Letter construction methods to comply with U.L. electrical and local/state code standards.

2 **Raceway (Hidden)**
Fabricated aluminum construction with painted finish.
Raceway to house all electrical jumps and transformers / low power supply units. Construction methods to comply with U.L. electrical standards

NOTE:
All sign content, design and color scheme are subject to written approval from landlord. Tenants must submit color renderings with complete construction details and material specifications to landlord prior to securing permits from city for approval. Any sign manufactured and installed without landlord approval is subject to removal at tenants' expense.

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4444 Federal Blvd.
San Diego, CA 92102

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Date: 09.24.21

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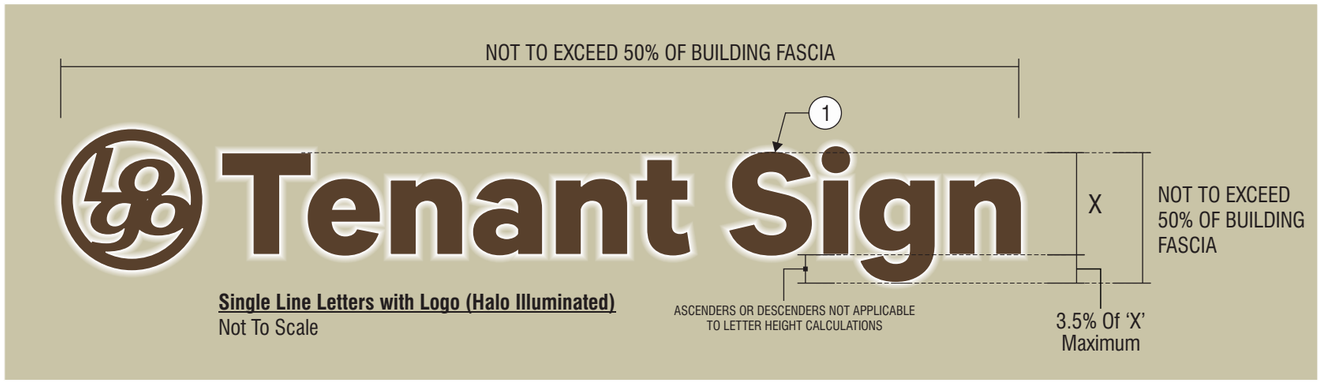
Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes.
This includes proper grounding and bonding of the sign.

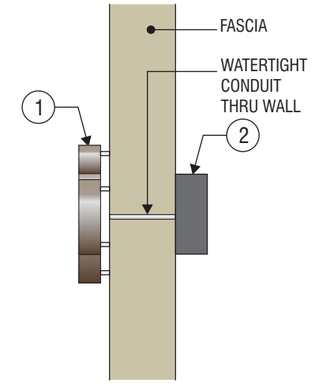
Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral).
Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA / Typical Sign Display Exhibits



Single Line Letters with Logo (Halo Illuminated)
Not To Scale



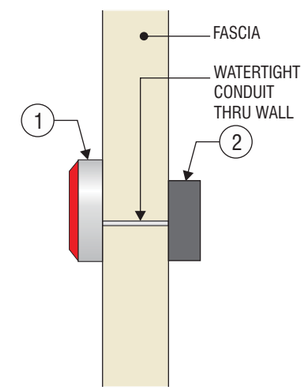
HALO ILLUMINATED PAN CHANNEL LETTERS / LOGO

1 **Letters / Logo**
Letters to be fabricated aluminum, reverse pan channel construction. Aluminum faces and returns to have painted or anodized finishes. Back to be Clear Lexan with min. 1 1/2" stand-offs. Letters / logo to be internally illuminated with LEDs or neon.

Power supplies to be located inside hidden raceway. Letter construction methods to comply with U.L. electrical and local/state code standards.

2 **Raceway (Hidden)**
Fabricated aluminum construction with painted finish. Raceway to house all electrical jumps and transformers / low power supply units. Construction methods to comply with U.L. electrical standards

Single Line Letters with Formed Acrylic Faces
Not To Scale



MATERIAL SCHEDULE

1 **Letters / Logo**
Face Lit: Letters to be fabricated aluminum pan channel construction method only. Faces to be formed acrylic with or without vinyl film overlays. Trimcap to be painted to match letter return color. Internally illuminated with LEDs.

Power supplies to be located inside hidden raceway. Letter construction methods to comply with U.L. electrical and local/state code standards.

2 **Raceway (Hidden)**
Fabricated aluminum construction with painted finish. Raceway to house all electrical jumps and transformers / low power supply units. Construction methods to comply with U.L. electrical standards

NOTE:
All sign content, design and color scheme are subject to written approval from landlord. Tenants must submit color renderings with complete construction details and material specifications to landlord prior to securing permits from city for approval. Any sign manufactured and installed without landlord approval is subject to removal at tenants' expense.

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Customer Approval

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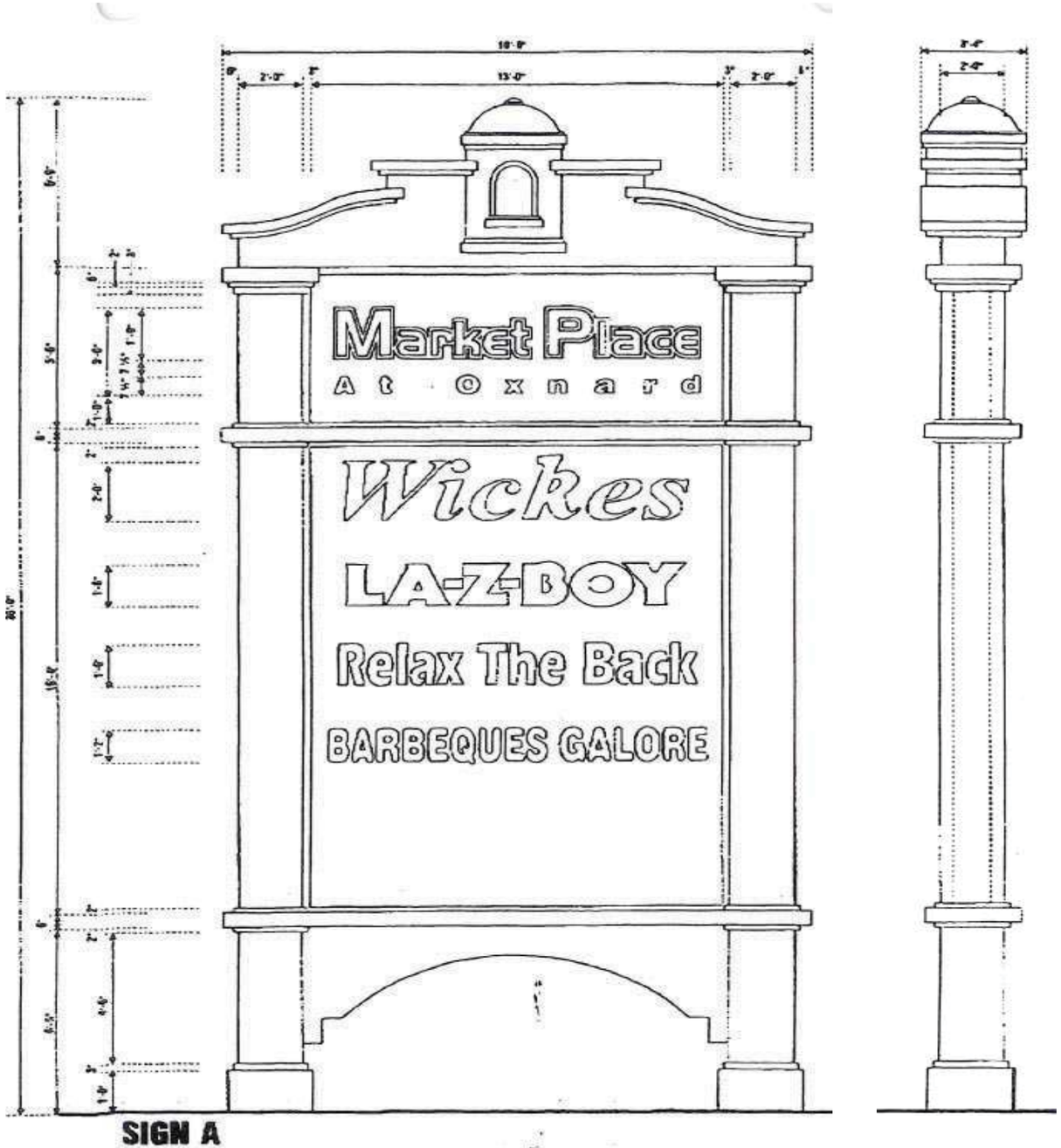
Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA / Free Standing Freeway Sign



TENANT PANEL ON FREESTANDING FREEWAY SIGN

Landlord reserves the right for tenant sign placement on freestanding signs according to tenant lease agreement, which included location of sign(s) design, content and size. Tenant panels will be assigned to Tenants by Landlord who has final right as to tenant reconfiguration and tenant panel assignment.

Individual channel letters to be mounted to existing sign.

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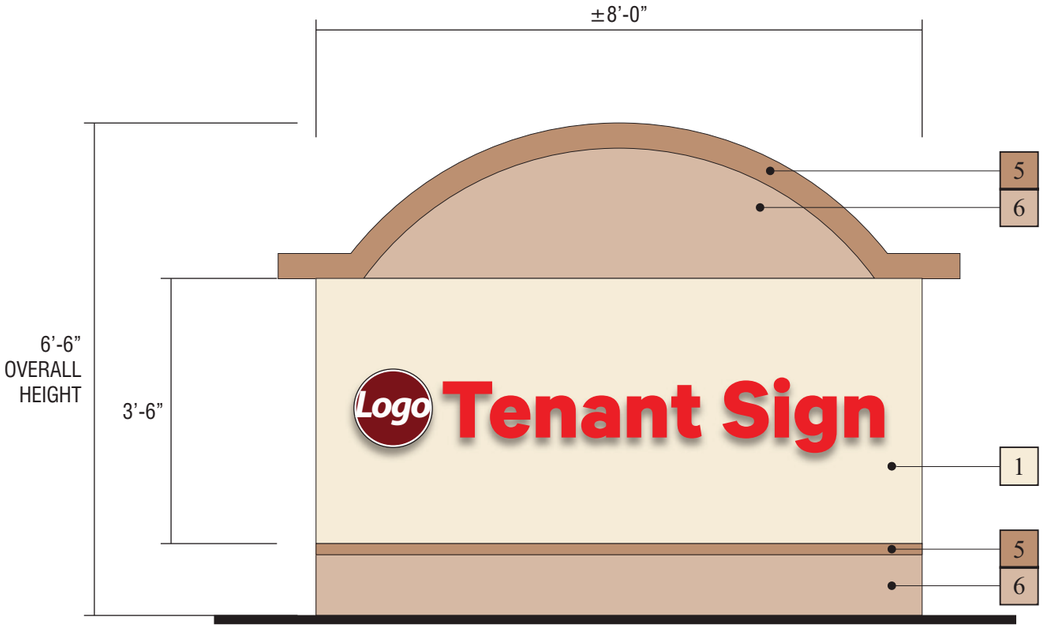
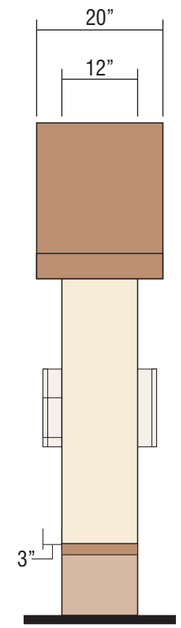
Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA / Tenant Freestanding Sign



Double Faced Internally Illuminated Tenant Monument Sign
Scale: 1/2" = 1'-0"



Side View - Option #1
Internally Illuminated Channel Letters

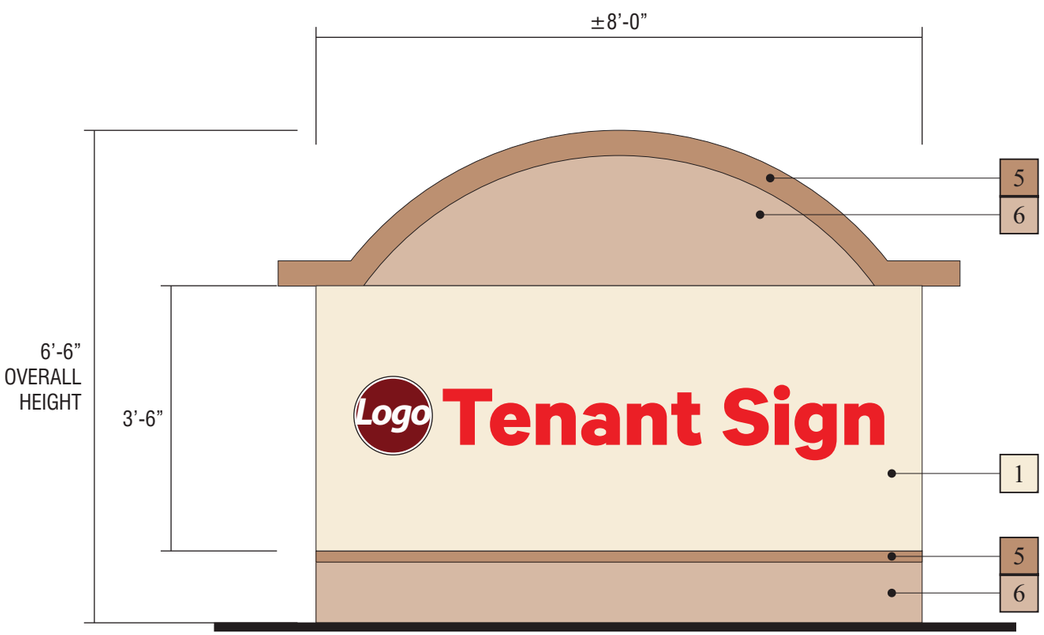
TENANT FREESTANDING SIGNS

Tenant will be allowed a dedicated freestanding monument sign per specifications illustrated in MSP. Tenant monument sign to only contain content and branding related to Tenant. No other tenant will be allowed on sign.

*Monument copy space shall not exceed 25 square feet 0r 6'-6" in overall height

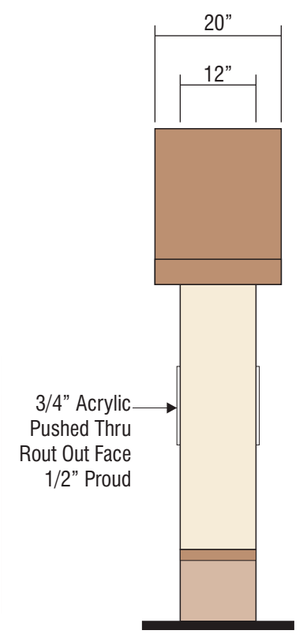
*Monument design can consist of the following styles:
- Individual channel letter copy & logo
- Routed aluminum panel with 1/2" proud push thru acrylic
- Routed aluminum panel backed with acrylic and vinyl graphics

*Monument shall reflect the current architecture of surrounding architecture.

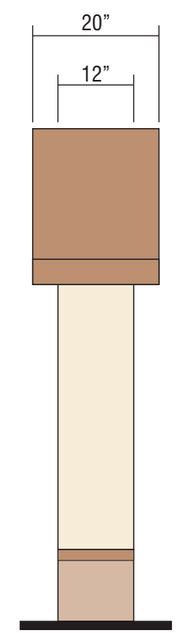


Double Faced Internally Illuminated Tenant Monument Sign
Scale: 1/2" = 1'-0"

COLOR SPECIFICATION CALL OUT GUIDE	
1	BENJAMIN MOORE 267 CREAM
2	BENJAMIN MOORE 684 SHENANDOAH GREEN
3	BENJAMIN MOORE 1427 - FRENCH VIOLET
4	BENJAMIN MOORE 1385 - PURPLE
5	BENJAMIN MOORE 1168 - WILDERNESS CABIN
6	BENJAMIN MOORE 1166 - GROUNDHOG DAY



Side View - Option #2
Rout Out Aluminum Sign Face with
Push Thru Acrylic Copy
with Applied Vinyl Graphics



Side View - Option #3
Rout Out Aluminum Sign Face
Backed with White Acrylic with
First Surface Applied Vinyl Graphics

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Drawn By: T

Date: 09.24.21

Revision:
1-11.24.21 TT

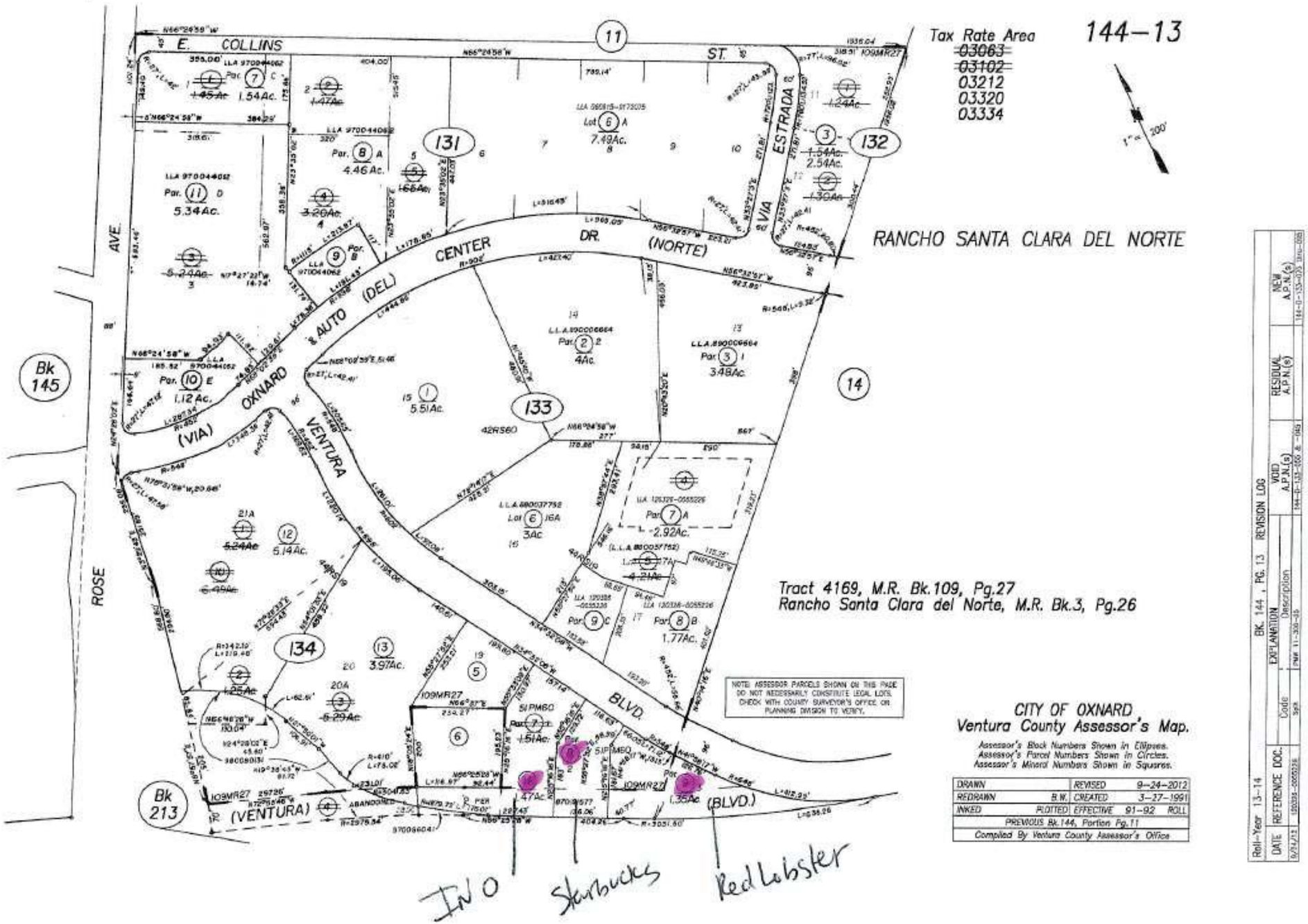
Customer Approval

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA



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Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

Plaza Del Norte: 1700, 1720, 1740 Ventura Blvd, Oxnard CA

Lots

1. IN-N-OUT: 1700 Ventura Blvd. APN: 144013411
2. Starbucks: 1720 Ventura Blvd. APN: 144013408
3. Red Lobster: 1740 Ventura Blvd. APN: 144013409

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Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

California Title 24 Compliant

ATTACHMENT
E

CEQA Notice of Exemption
(E.1 and E.2)

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

OXNARD
CALIFORNIA

NOTICE OF EXEMPTION

Project Description: Starbucks & In-N-Out Buildings - Ventura Boulevard; Planning and Zoning Permit Nos. 21-500-03 (Special Use Permit) & 21-500-04 (Special Use Permit): The project consists of the following requested actions:

1. A request to permit the demolition of the existing approximately 7,000 square foot building and construct a new 1,800 square-foot coffee shop, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements on a 0.85-acre project site at 1720 Ventura Boulevard. Other changes include upgraded landscaping, lighting upgrades and new parking lot striping.
2. A request to permit the demolition of the existing approximately 18,000 square foot building and construct a new 3,885 square-foot restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements on a 1.47-acre project site at 1700 Ventura Boulevard. Other changes include upgraded landscaping, lighting upgrades and new parking lot striping.
3. No changes are proposed to the building or site improvements located at 1740 Ventura Boulevard.
4. A request for an administrative parking relief is also being requested to allow for a decrease in the number of required parking spaces required by the center, which include the properties located at 1700, 1720, and 1740 Ventura Boulevard, from 207 parking spaces to 182 parking spaces.

The Project site is located at 1700, 1720, 1740 Ventura Boulevard (APNs: 144-0-134-085, -095, & -115) within the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district and within the Commercial Regional land use designation. Filed by Hollee King Winegar, of Site Specific Planning, 7584 Eisenhower Street, Ventura, CA 93003, designated agent (the "Applicant") on behalf of Darrel W. Wright, of Channel Islands Marketplace, LP, Overpass Road, Building C, Santa Barbara, CA 93111 (the "Property Owner").

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

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

Supporting Reasons: In accordance with Section 15332 (In-Fill Development) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development may be found to be exempt from the requirements of CEQA. The Project consists of the demolition of the two existing vacant commercial buildings. At 1700 Ventura Boulevard the project would result in the construction of a 3,885 square-foot restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements. At 1720 Ventura Boulevard the Project would result in the construction of a 1,800 square-foot restaurant, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements. No changes are currently proposed to the building located at 1740 Ventura Boulevard. Both of the new buildings have been designed to be consistent with the Commercial Regional (CR) General Plan land use designation, as well as with the Auto-Sales and Service Land Use of the Rose-Santa Clara Corridor Specific Plan. The proposed

development is located on an approximately 3.67-acre site which is surrounded by urban uses. The Project site will be adequately served by all required utilities and public services. The Project site is currently developed and has no value as habitat for endangered, rare or threatened species. 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 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.

(Date)	Scott Kolwitz, Planning & Environmental Services Manager

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

OXNARD
CALIFORNIA

NOTICE OF EXEMPTION

Project Description: Starbucks & In-N-Out Sign Program - Ventura Boulevard; Planning and Zoning Permit No. 21-520-03 (Special Use Permit - Minor): The project consists of the following requested action:The applicant is requesting a new sign program for the center, which will provide standards for buildings and drive-through signage, for the new proposed buildings. The sign plan will also incorporate the existing freestanding freeway oriented signage on site, however no changes are proposed to the existing sign structure.

The Project site is located at 1700, 1720, 1740 Ventura Boulevard (APNs: 144-0-134-085, -095, & -115) within the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district and within the Commercial Regional land use designation. Filed by Hollee King Winegar, of Site Specific Planning, 7584 Eisenhower Street, Ventura, CA 93003, designated agent (the "Applicant") on behalf of Darrel W. Wright, of Channel Islands Marketplace, LP, Overpass Road, Building C, Santa Barbara, CA 93111 (the "Property Owner").

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

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

Supporting Reasons: In accordance with Section 15311(a) (On-Premise Signs) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as on-premise signage may be found to be exempt from the requirements of CEQA. The Project consists of a sign program that would provide standards for the creation of the on-site signage associated with the development on the three properties. Signage is generally limited to building signage, drive through signage, and freestanding signage. Both the new buildings and the sign program have been designed to be consistent with the Commercial Regional (CR) general plan land use designation, as well as with the Auto-Sales and Service Land Use of the Rose-Santa Clara Corridor Specific Plan. The proposed sign program would be applied to the 3.67-acre site located at 1700, 1720, and 1740 Ventura Boulevard. 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 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.

_____
(Date)

_____
Scott Kolwitz,
Planning & Environmental Services Manager

ATTACHMENT
F

ZONING COMPLIANCE TABLES

Attachment F

Starbucks & In-N-Out - Ventura Boulevard

Zoning Compliance Tables

Starbucks Consistency Table

ROSE-SANTA CLARA CORRIDOR SPECIFIC PLAN "AUTO SALES AND SERVICES" LAND USE AREA			
DEVELOPMENT STANDARD	**REQUIREMENT**	**PROPOSED**	**COMPLIES?**
Max. building height (4.2.1.D.4)	35 feet. Additional height may be permitted when approved by the Community Development Director.	27.5 feet	Yes
Front yard setback (4.2.1.D.5)	30 ft from property line	30 ft	Yes
Side yard setback (4.2.1.D.5)	Zero feet minimum	22.1 ft (East) 42 ft (West)	Yes
Rear yard setback (4.2.1.D.5)	A rear yard setback of not less than 20 percent of the depth of the lot; however, the rear yard setback need not exceed 20 feet	185 ft	Yes
Site Coverage 4.2.1.D.6)	The total (round floor of structures shall not exceed 50 percent of the total lot area.	4.9 percent	Yes
Off-street parking: Required (5.7.3) Rounding (5.7.9) Motorcycle (5.7.4) Bicycle (5.7.6) Loading (5.7.12) Parking Aisle (5.7.11.C) [ADA requirements per State Title 24 Accessibility Code] Administrative Relief From Parking Provisions (5.7.10.C)	Center Parking Restaurant: 1 space per 75 gsf up to 6,000 square feet and 1 space per 180 gsf thereafter. (Red Lobster) 8,355 gsf =93 spaces Fast Food: 1 space per 50 gsf. (Starbucks) 1,800 gsf =36 spaces Fast Food: 1 space per 50 gsf. (In-N-Out) 3,885 gsf =78 spaces Special design requirements are	53 standard spaces 25 standard spaces + Stacking Credit of 11 Spaces = 36 Max of 11 spaces may be counted toward stacking credit. 73 standard spaces + Stacking Credit of 20 Spaces = 93	Yes, subject to approval of administrative relief from parking.

	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. Up to 25% of parking spaces are allowed to be compact. <u>Starbucks Project Site</u> Bicycle (Five Spaces) = 5 Motorcycle parking = 1 Loading space for Hotels, motels, and restaurants less than 15,000 sq. ft. = 1 space, (12 ft x24 ft). "Loading zone requirements may be modified by the planning commission… based on the nature of the use…design characteristics of the project." Aisle Width for 90º parking = 25 ft	Max of 20 spaces may be counted toward stacking credit. 6 spaces 1 space No Change. Parking space to be used for loading during off hours. 26 ft	 Yes Yes Yes Yes
Parking space sizes & design: Standard (5.7.11.B & C) Motorcycle (16-638) Loading (5.7.12)	Full Size: 9 ft W x 19 ft L may overhang 2 ft over landscape if planter min. 5 [16-616(C)] Motorcycle: 4 ft W x 7 ft L Loading: 12 ft W x 24 ft L (unless alternative approval).	Standard Parking = 9 ft x 19 ft min Motorcycle = 4.5 ft x7 ft Loading Area - 12 ft W x 40 ft L	Yes
Drive-Through Facilities (5.7.12.D)	Stacking for three cars between the order board and the pickup window and stacking for five cars behind the order board. (8 Spaces)	15 Spaces	Yes

Parking Landscaping (6.4 and 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. 15 ft wide landscape setback (mounded 1 foot)(6.4.4) ● Min. 5 ft wide side yard ● Landscape island/finger- every 10 spaces with 1 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 (Washingtonia Robusta) on 60' centers along the property line frontage.	15 feet 5 feet minimum Finger provided every 10 spaces 18 percent One tree provided	Yes

In-N-Out Consistency Table

ROSE-SANTA CLARA CORRIDOR SPECIFIC PLAN "AUTO SALES AND SERVICES" LAND USE AREA			
DEVELOPMENT STANDARD	**REQUIREMENT**	**PROPOSED**	**COMPLIES?**
Max. building height (4.2.1.D.4)	35 feet. Additional height may be permitted when approved by the Community Development Director.	30 ft	Yes
Front yard setback (4.2.1.D.5)	30 ft from property line	30 ft	Yes
Side yard setback (4.2.1.D.5)	Zero feet minimum	40 ft (East) 27 ft (West)	Yes
Rear yard setback (4.2.1.D.5)	A rear yard setback of not less than 20 percent of the depth of the lot; however, the rear yard setback need not exceed 20 feet	245 ft	Yes
Site Coverage 4.2.1.D.6)	The total (round floor of structures shall not exceed 50 percent of the total lot area.	6.1 percent	Yes
Off-street parking: Required (5.7.3) Rounding (5.7.9) Motorcycle (5.7.4) Bicycle (5.7.6) Loading (5.7.12) Parking Aisle (5.7.11.C) [ADA requirements per State Title 24 Accessibility Code] Administrative Relief From Parking Provisions (5.7.10.C)	Center Parking Restaurant: 1 space per 75 gsf up to 6,000 square feet and 1 space per 180 gsf thereafter. (Red Lobster) 8,355 gsf =93 spaces Fast Food: 1 space per 50 gsf. (Starbucks) 1,800 gsf =36 spaces Fast Food: 1 space per 50 gsf. (In-N-Out) 3,885 gsf =78 spaces Special design requirements are	53 standard spaces 25 standard spaces + Stacking Credit of 11 Spaces = 36 Max of 11 spaces may be counted toward stacking credit. 73 standard spaces + Stacking Credit of 20 Spaces = 93	Yes, subject to approval of administrative relief from parking.

	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. Up to 25% of parking spaces are allowed to be compact. <u>In-N-Out Project Site</u> Bicycle (Five Spaces) = 5 Motorcycle parking = 3 Loading space for Hotels, motels, and restaurants less than 15,000 sq. ft. = 1 space, (12 ft x24 ft). "Loading zone requirements may be modified by the planning commission… based on the nature of the use…design characteristics of the project." Aisle Width for 90º parking = 25 ft	Max of 20 spaces may be counted toward stacking credit. 5 spaces 3 space No Change. Parking space to be used for loading during off hours. 26 ft	 Yes Yes Yes Yes
Parking space sizes & design: Standard (5.7.11.B & C) Motorcycle (16-638) Loading (5.7.12)	Full Size: 9 ft W x 19 ft L may overhang 2 ft over landscape if planter min. 5 [16-616(C)] Motorcycle: 4 ft W x 7 ft L Loading: 12 ft W x 24 ft L (unless alternative approval).	Standard Parking = 9 ft x 19 ft min Motorcycle = 4.5 ft x7 ft Loading Area - Loading to occur in the drive aisle, during closed hours.	Yes, subject to Planning Commission approval of alternative loading space.
Drive-Through Facilities (5.7.12.D)	Stacking for three cars between the order board and the pickup window and stacking for five cars behind the order board. (8 Spaces)	23 Spaces	Yes

Parking Landscaping (6.4 and 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. 15 ft wide landscape setback (mounded 1 foot)(6.4.4) ● Min. 5 ft wide side yard ● Landscape island/finger- every 10 spaces with 1 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 (Washingtonia Robusta) on 60' centers along the property line frontage.	15 feet 5 feet minimum Finger provided every 10 spaces 16 percent two tree provided	Yes

ATTACHMENT
G

Transportation Demand Management Plan
(Starbucks)

MEMORANDUM

To:	Jennifer Cribs Starbucks	Date:	September 23, 2021
From:	David S. Shender, P.E. Linscott, Law & Greenspan, Engineers	LLG Ref:	5-20-0533-1
Subject:	**Vehicle Queue Management Plan for Starbucks 1720 Ventura Boulevard – City of Oxnard**		

LINSCOTT LAW & GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
20931 Burbank Boulevard
Suite C
Woodland Hills, CA 91367
818.835.8648 T
818.835.8649 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

This memorandum has been prepared by Linscott, Law & Greenspan, Engineers (LLG) to provide a vehicle queue management plan for the proposed Starbucks at 1720 Ventura Boulevard in the City of Oxnard. It is noted that LLG previously prepared an exhibit demonstrating vehicle queuing at the proposed Starbucks, which is provided in ***Figure 1*** attached. *Figure 1* shows the vehicle queuing capacity within the proposed drive-through lane (15 cars), as well as signage directing any overflow vehicles to queue in the east-west drive aisle located at the far (south) side of the site so as to minimize disruption to vehicles entering and exiting the site from Ventura Boulevard.

This vehicle queue management plan is provided in response to recent comments provided by the City's Development Advisory Committee (DAC) following their review of the proposed Starbucks project. Specifically, the comment from the DAC states: "Queue management plan needs to include text identifying how the plan is to be implemented. The plan must include a threshold at which staff would go out to direct and manage the queue to ensure they are queuing in the correct location and not impeding circulation on site or within the right of way." It is assumed the plan requested in the DAC comment would supplement the *Figure 1* overflow vehicle queuing exhibit previously prepared by LLG.

As noted above, the Starbucks project proposes a drive-through lane accommodating 15 queued cars: 6-car stacking between the pickup window and order board and 9-car stacking behind the order board. It is noted that the City requirement for vehicle queuing in drive-through lane is for eight cars: three cars between the pickup window and order board and five cars behind the order board. In summary, the Starbucks project will provide vehicle queuing capacity which is exceeds the City requirements by nearly 100%. Thus, the potential for vehicle queues to exceed the proposed drive-through lane capacity is minimal.

In a circumstance where the queue of vehicles in the drive-through lane extends to the entry to the drive-through lane, *Figure 1* shows that arriving vehicles would be directed to the east-west drive aisle at the far (south) side of the site to minimize disruption to vehicle circulation through the site. Signage would be provided to direct vehicles to the overflow vehicle queuing location.

In consideration of the DAC comment, this vehicle queue management plan describes the actions that Starbucks staff will take in the unlikely event that vehicle queues at the proposed Starbucks extend beyond the drive-through lane. Specific actions to be taken by Starbucks staff should the drive-through lane be fully utilized are as follows:

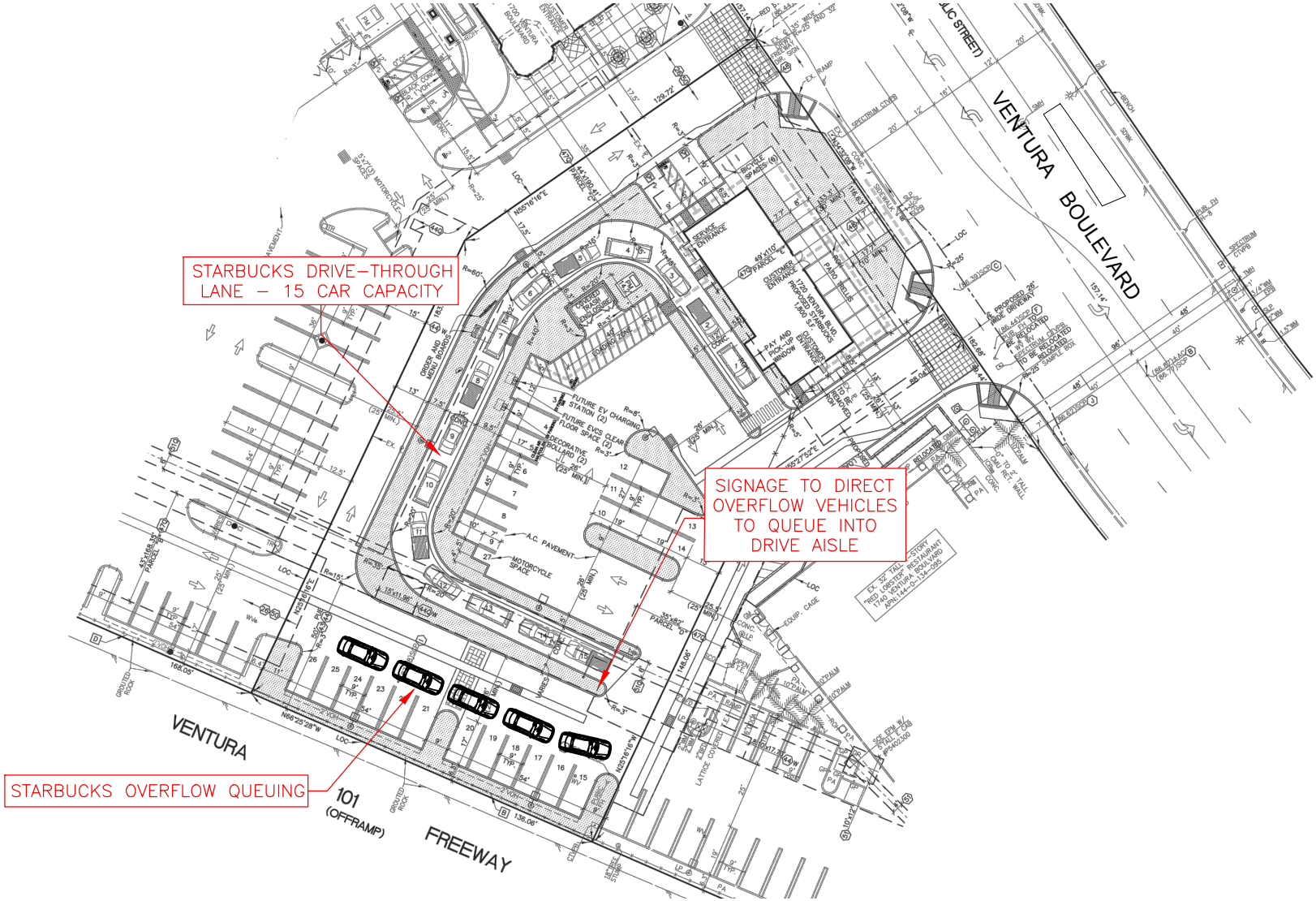
- Starbucks will assign a partner (staff member) to monitor the queue in the drive-through lane (e.g., through a video surveillance camera), particularly to determine a circumstance where the queue extends to the entry to the drive-through lane (i.e., 15 cars queued in the drive-through lane).

- Should the queue in the drive-through lane extend to the entry to the drive-through lane, a Starbucks partner will don a safety vest, walk to the drive-through lane entry, and direct additional arriving vehicles to queue in the overflow queuing area shown on *Figure 1*. The partner will direct vehicles from the overflow queuing area into the drive-through lane when there is sufficient space to accommodate the vehicle without blocking the north-south drive aisle.

- The Starbucks partner will remain at the entry to the drive-through lane until there are no additional vehicles queued in the overflow queuing area and that there is available capacity within the drive-through to accommodate two arriving cars without blocking the north-south drive aisle.

In summary, the excess vehicle storage proposed at the Starbucks drive-through lane, as well as the vehicle queue management plan described herein, will ensure that on-site vehicle circulation is not impeded and that vehicle queues do not extend to Ventura Boulevard.

cc: File



NOT TO SCALE

SOURCE: MSL ENGINEERING, INC.

FIGURE 1
OVERFLOW VEHICLE QUEUING

STARBUCKS COMPONENT
STARBUCKS/IN-N-OUT OXNARD

LINSCOTT, LAW & GREENSPAN, engineers

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ATTACHMENT
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Transportation Demand Management Plan
((In-N-Out))

13502 Hamburger Lane
Baldwin Park, Ca 91706-5885
626-813-8200

The Best Enterprise
Is A Free Enterprise™

Drive-Through Queue Management Plan
For
In-N-Out Burger proposed at 1700 Ventura Blvd., Oxnard, CA

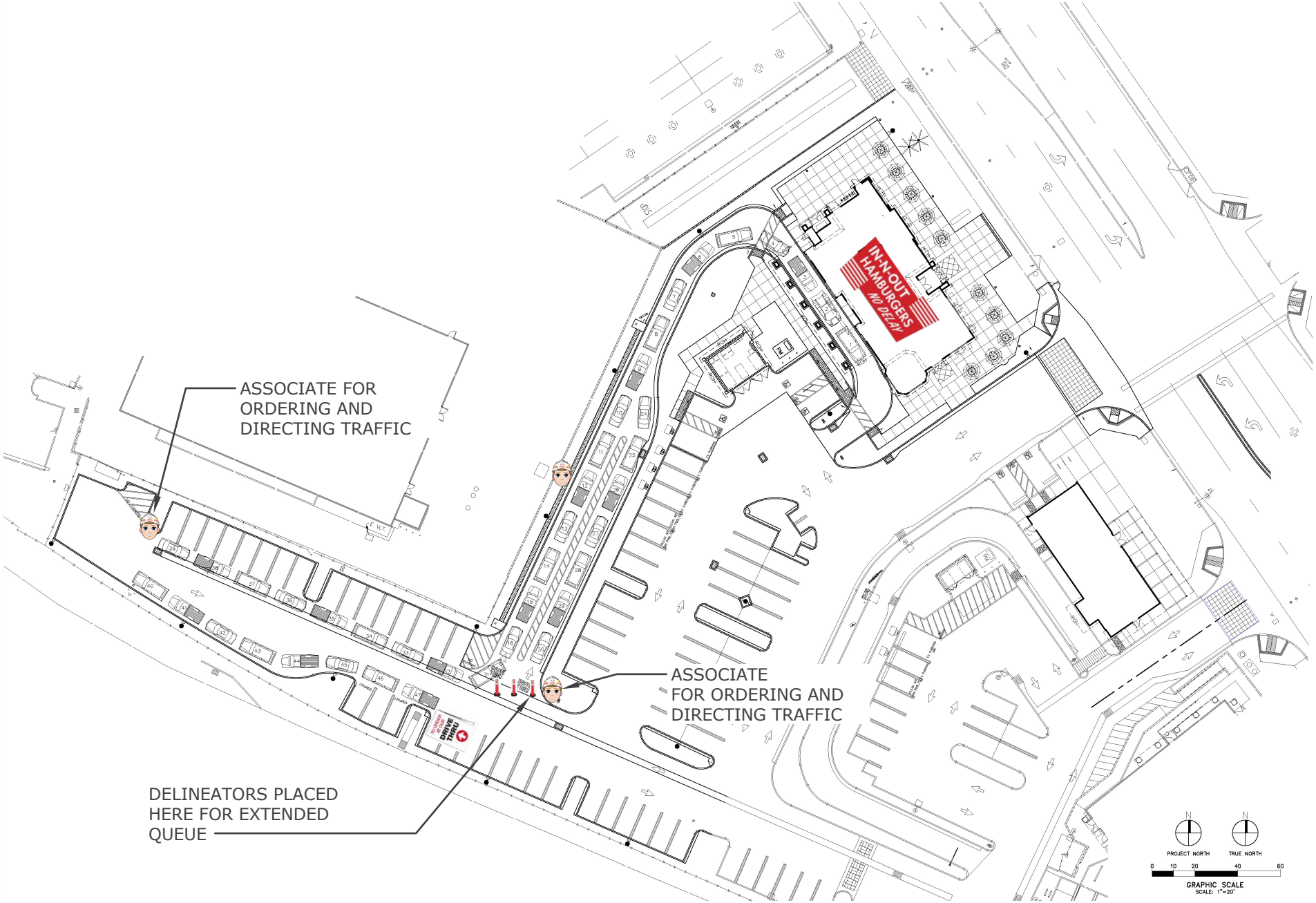
The site plan for the In-N-Out Burger proposed at 1700 Ventura Blvd. includes a dedicated drive-through queue designed to hold 23 cars. The queue starts out as a double-lane and transitions to a single lane at the menu board located at car #8. The entrance to the dedicated drive-through queue is at the rear of the site, more than 350 feet from the Ventura Blvd. driveway, which makes a backup onto Ventura Blvd very unlikely. A 23 car queue is a very generous queue - it is well above the average queue generally found in drive-through restaurants, including at comparable In-N-Out restaurants. In addition, there is additional onsite queuing available as discussed below.

In-N-Out Burger standard operating procedure provides that as soon as the drive-through queue reaches the menu board at car# 8, In-N-Out Associates are deployed outside to take orders using hand-held ordering tablets. The use of these tablets puts orders into the kitchen earlier than ordering at the menu board, which produces shorter food wait times, and therefore shorter queues.

Awareness of the queue reaching the 8th car is provided by outdoor cameras and indoor monitors. There will be between 4 and 6 outdoor cameras on this site, with 3 to 4 of them specifically viewing the drive-through lane. These cameras display on multiple monitors located inside the restaurant including at the manager's office, the grills, and both the pay and pickup windows.

If the dedicated 23 car drive-through queue fills up, In-N-Out Associates will be deployed to place temporary delineators and signage, and to direct customers to enter the Eastern drive aisle and queue up along the rear of cars 17 through 32. This is shown graphically on the attached queuing exhibit. This has the potential to expand the queue to 47 cars without impacting circulation in the rest of the site. Should this operation block cars previously parked in stalls 17-32, In-N-Out Associates will hold the queue and assist those customers to back out and to exit.

The restaurant will have three burger grills. Two grills will operate at all times, and the 3rd grill will be put into operation at periods of high volume. Activation of the 3rd grill is usually done in response to drive-through demand, and activating this grill significantly increases burger production and the speed at which drive-through orders are picked up.



IN-N-OUT BURGER

"GOD BLESS AMERICA"

13502 HAMBURGER LANE
BALDWIN PARK, CA 91706

OXNARD, CA

PLAZA DEL NORTE
1700 VENTURA BLVD

QUEUE EXHIBIT 3

ISSUED: 07/28/21

ATTACHMENT
I

PARKING STUDY

MEMORANDUM

To:	Darrel Wright Channel Islands Marketplace	Date:	November 30, 2021
From:	David S. Shender, P.E. Jason A. Shender, AICP Linscott, Law & Greenspan, Engineers	LLG Ref:	5-20-0533-1
Subject:	**Starbucks/In-N-Out Burger Oxnard – Parking Demand Analysis 1700-1720 Ventura Boulevard**		

LINSCOTT LAW & GREENSPAN
engineers

Engineers & Planners
Traffic
Transportation
Parking

Linscott, Law & Greenspan, Engineers
20931 Burbank Boulevard
Suite C
Woodland Hills, CA 91367
818.835.8648 T
818.835.8649 F
www.llgengineers.com

Pasadena
Irvine
San Diego
Woodland Hills

This memorandum has been prepared by Linscott, Law & Greenspan, Engineers (LLG) to provide a parking demand analysis for the proposed Starbucks/In-N-Out Burger project (the "Project) located at 1700-1720 Ventura Boulevard in the City of Oxnard (the "Project Site"). The Project Site is located within the existing Plaza Del Norte shopping center (the "Center"), which includes an existing restaurant (Red Lobster) located at 1740 Ventura Boulevard. The shared parking demand analysis for the Center has been prepared in conjunction with the Project's application package to the City.

This memorandum provides: 1) a description of the proposed Project; 2) a calculation of required parking per the City's Municipal Code; 3) a parking demand analysis; and 4) an assessment of the Project's proposed parking supply to satisfy the forecast onsite peak parking demand for the Center.

Existing Conditions

The Project Site is located at 1700-1720 Ventura Boulevard in the City of Oxnard (the "City)", within the existing Plaza Del Norte shopping center. The Center is currently improved with a mixed-use commercial shopping center with three single-story pads and associated surface parking. The westerly pad is currently vacant and provides 18,000 square feet of commercial floor area. The central pad was previously occupied by a men's clothing store providing 7,080 square feet of floor area. The easterly pad is occupied by a Red Lobster with 8,355 square feet of floor area. LLG understands there are existing vehicular access and parking easements across the Center. Accordingly, while the Red Lobster site is not part of the Project, its estimated parking demand will be analyzed as part of this parking analysis. The Center and general vicinity are shown in ***Figure 1***.

Project Description

The Project proposes to remove the westerly pad and construct a new In-N-Out Burger fast-food restaurant. The new In-N-Out Burger will provide 3,885 square feet of floor area, 74 indoor seats, 40 outdoor seats, and a drive-through window. The In-N-Out Burger drive-through lane will provide queuing capacity for up to 23 vehicles.

Additionally, the Project proposes to remove the central pad and construct a new Starbucks with a drive-through window. The new Starbucks will provide 1,800 square feet of floor area. The Starbucks drive-through lane will provide queuing capacity for up to 15 vehicles.

As previously mentioned, no changes to the existing Red Lobster building located at the easterly portion of the Center are proposed as part of the Project. Upon completion of the Project, the Center will provide 151 vehicular parking spaces: 73 spaces on the In-N-Out Burger site, 25 spaces on the Starbucks site, and 53 spaces on the Red Lobster site. The site plan for the Center is provided in ***Figure 2***.

Code Parking Calculation

A calculation of the City of Oxnard Code parking requirement for the Center upon implementation of the Project was prepared in accordance with the off-street parking requirements listed in Section 16-622(F) of the Code. The calculation was made for the Project based on the anticipated uses as described previously. The following provides a summary of the Code parking ratios applicable to the various land use components of the Project, as well as the calculated required parking supply:

Table 1
Code Parking Calculation

Use	Code Parking Requirement	Size	Required Parking
In-N-Out Building	1 space/50 s.f.	3,885 s.f.	78 spaces
In-N-Out Drive-Through Lane	Credit of 1 space per 23 lineal feet of vehicle stacking [a]	510 feet of drive-through lane stacking	(20) spaces
Starbucks Building	1 space/50 s.f.	1,800 s.f.	36 spaces
Starbucks Drive-Through Lane	Credit of 1 space per 23 lineal feet of vehicle stacking [b]	300 feet of drive-through lane stacking	(11) spaces
Red Lobster < 6,000 s.f. > 6,000 s.f.	 1 sp./75 s.f. 1 sp./180 s.f.	 6,000 s.f. 2,355 s.f.	 80 spaces 13 spaces
Total			176 spaces

[a] City Code limits drive-through lane parking credit to 30% of required parking (i.e., 23 spaces for In-N-Out Burger) or 20 spaces, whichever is less.
[b] City Code limits drive-through lane parking credit to 30% of required parking (i.e., 11 spaces for Starbucks) or 20 spaces, whichever is less.

As shown on *Table 1*, application of the Code parking rates results in the Project required to provide an onsite parking supply of 176 spaces at the Center. When compared to the Center's proposed parking supply of 151 spaces, a deficit of 25 parking spaces is calculated.

Parking Demand Analysis

A parking demand analysis was prepared for the Project to determine the actual number of parking spaces needed to serve the proposed development. The shared parking analysis is an alternative calculation of parking need at mixed-use developments and provides a more realistic assessment of parking demand as compared to simply summing the Code parking requirements for each component.

Section 16-651(A) of the Code permits consideration of relief from the parking provisions outlined in Section 16-622(F). Section 16-651(B)(1) provides the requirements of a shared parking study, which recognizes that parking spaces may be used jointly by uses with different hours of operation or different peak hours of operation.

The Code requires preparation of a parking demand study to demonstrate that a deviation from the Code-required parking is warranted. This memorandum documents that shared parking at commercial centers may result in a reduction of the required parking based on the mix of uses and the varying time periods of peak parking demand. This is reinforced by the published findings of the Urban Land Institute (ULI) contained in their *Shared Parking* manual, which concludes that parking demands associated with different land uses vary by time of day, and by day of the week.

Accounting for shared parking among land uses results in substantially less demand when compared to the additive parking requirements of the individual components. Based on the proposed uses at the Project and the parking demand principles outlined in the ULI *Shared Parking* manual[1], a shared parking model has been developed for the Project as discussed in the following paragraphs.

The *Shared Parking* manual provides the following with respect to the characteristics of parking demand at multi-use centers:

- Hourly Parking Indices. The *Shared Parking* manual provides hourly parking indices for various land uses. The indices show, for example, that the hourly parking demand for an office (which generates its peak parking demands in the mid-morning and mid-afternoon periods during a weekday) is different than the parking demand associated with a food-serving use (which generates its peak parking demands around noon and in the early evening).

- Day of Week Parking Variations. The *Shared Parking* manual provides recommendations for day of week parking factors. For example, an office use experiences its peak parking demands during weekdays but experiences minimal demand during weekends. A casual restaurant use generally has a higher demand for parking during weekend days as compared to weekdays. For this analysis, the following day of week adjustments were applied per the *Shared Parking* manual:

    - Casual Restaurant (Red Lobster): Weekday peak demand is 70% of peak weekend demand

[1] Urban Land Institute *Shared Parking,* Third Edition, Washington, D.C., 2020.

> It is noted that per the *Shared Parking* manual, weekday peak demand of a fast-food restaurant is 98% of the peak weekend demand. To provide a conservative analysis of the parking demand generated by the proposed In-N-Out Burger, the weekday parking demand was assumed to be 100% of the weekend demand.

The *Shared Parking* manual does not provide hourly parking indices or recommended day of week parking factors for coffee shop uses, and the fast-food restaurant profile does not accurately represent parking demand characteristics of coffee shop uses such as Starbucks. Because of the absence of hourly parking indices in the *Shared Parking* manual for a coffee shop use, LLG derived hourly parking indices for the Starbucks component of the Project based on prior field observations at two existing Starbucks locations (located in La Mirada and Fullerton). The hourly indices are provided within ***Tables A-1*** and ***A-2*** of ***Appendix A***, attached to this memorandum. While the derived parking demand of the Starbucks locations observed was 12 spaces per 1,000 square feet, the shared parking analysis herein utilizes the City Code parking rate of 1 space per 50 square feet (i.e., 20 spaces per 1,000 square feet).

In order to determine the peak parking requirement for the Center, a shared parking demand model has been prepared. The Code parking rates, the ULI hourly parking utilization profiles for the existing Red Lobster and proposed In-N-Out Burger, and LLG's derived parking utilization profile for the proposed Starbucks were applied to determine the forecast shared parking demand for the Center. The weekday and weekend parking analyses utilizing the shared parking methodology for the Center with the proposed Project are provided in ***Tables 2*** and ***3***, respectively.

As shown in *Table 2*, a peak parking demand for 139 parking spaces at the Center is forecast to occur at 6:00 PM during typical weekday conditions. Similarly, as shown in *Table 3*, a peak parking demand for 149 parking spaces is forecast to occur at the Center at 7:00 PM during typical weekend (Saturday) conditions. In summary, the proposed parking supply of 151 parking spaces at the Center will accommodate the forecast peak parking demand during both weekdays and Saturdays following implementation of the Project.

Summary and Conclusions

A parking demand analysis was conducted for the Center to determine if sufficient onsite parking will be provided to adequately accommodate the future peak parking demand following construction and full occupancy of the Project. Based on the parking demand analysis, the following conclusions are made:

- Application of the City of Oxnard Code parking rates results in a total of 176 parking spaces calculated to be required for the Center following implementation of the Project. The Code requirement is greater than the proposed onsite parking supply of 151 spaces.

- The Code parking rates, the ULI hourly parking utilization profiles for the existing Red Lobster and proposed In-N-Out Burger, as well as derived parking utilization profiles for the proposed Starbucks were applied to determine the forecast shared parking demand for the Center. As previously stated, the weekday and weekend parking utilization profiles for the Starbucks component of the Project was derived based on prior field observations at two existing Starbucks locations.

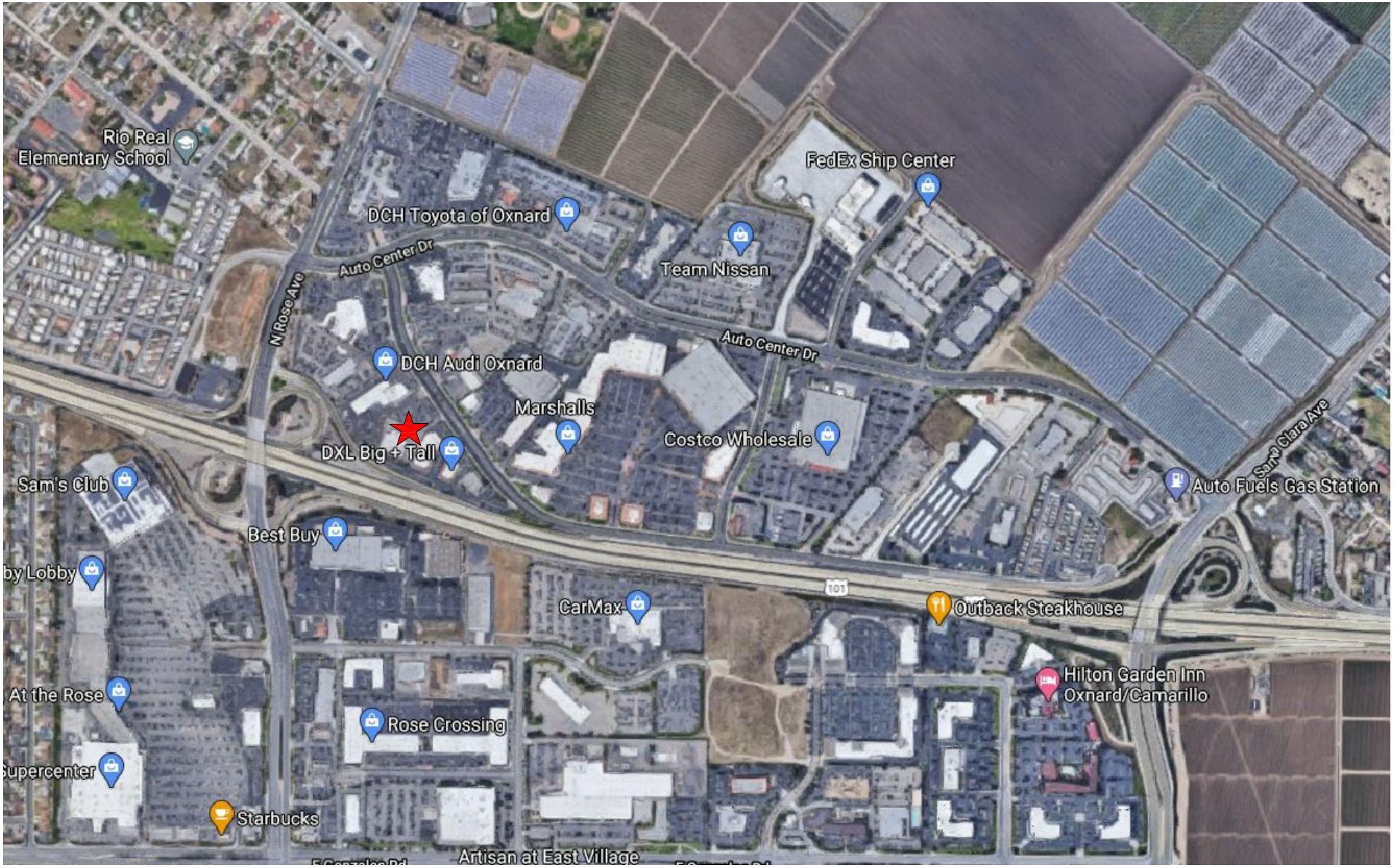
- The weekday peak parking demand analysis for the Center is forecast to occur at 6:00 PM with139 of the 151 onsite parking spaces expected to be utilized.

- The weekend (Saturday) peak parking demand analysis for the Center is forecast to occur at 7:00 PM with 149 of the 151 onsite parking spaces expected to be utilized.

- In conclusion, the proposed parking supply of 151 parking spaces is forecast to accommodate the peak parking demand at the Center following implementation of the Project.

In summary, the parking demand analysis demonstrates that requested reduction in the number of onsite parking spaces as otherwise required for the Center with the proposed Project by the Code is supported.

cc: File



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NOT TO SCALE

MAP SOURCE: GOOGLE MAPS
★ PLAZA DEL NORTE SHOPPING CENTER

FIGURE 1
VICINITY MAP

LINSCOTT, LAW & GREENSPAN, engineers

STARBUCKS/IN-N-OUT OXNARD

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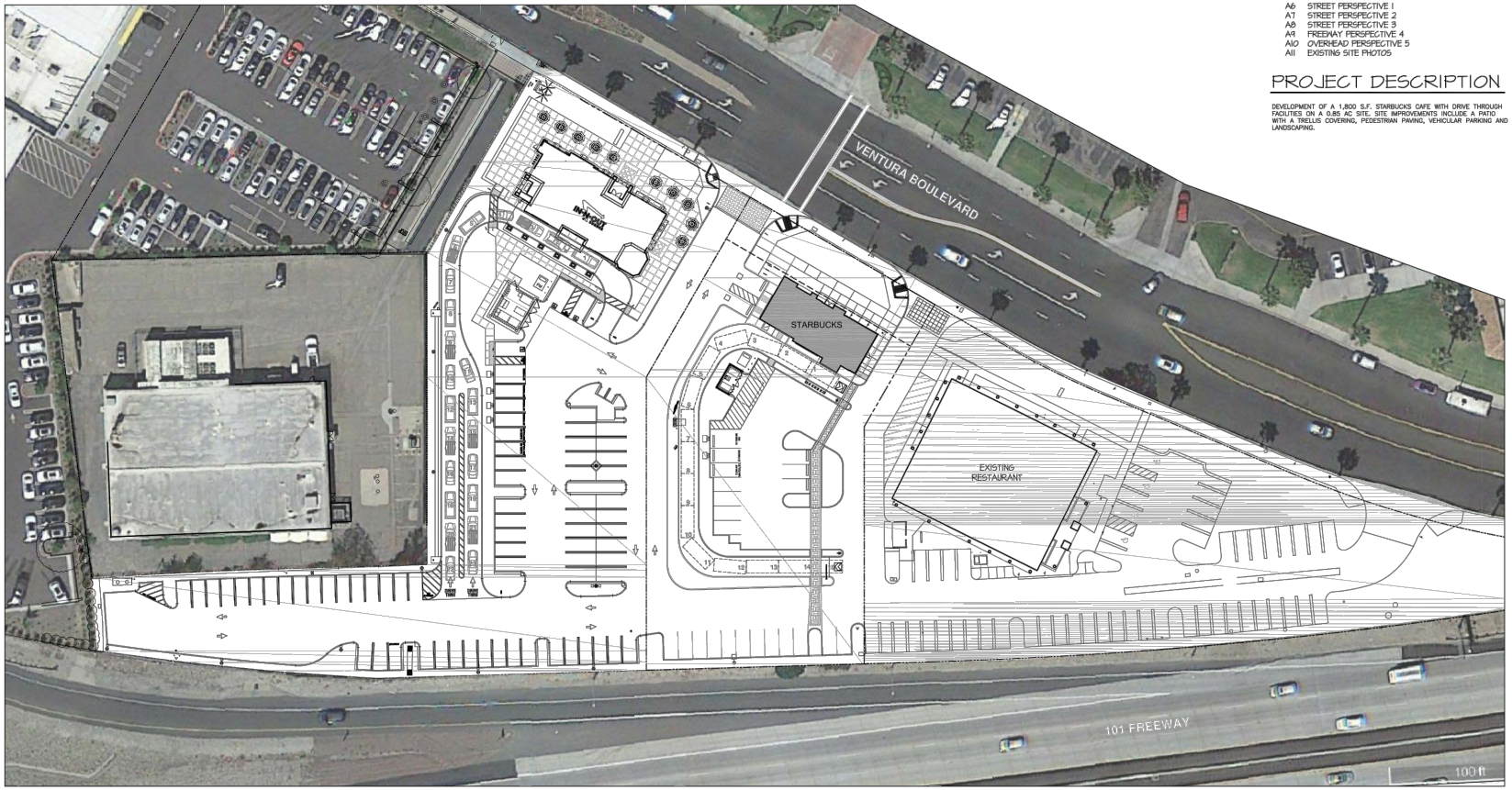
A11 EXISTING SITE PHOTOS

PROJECT DESCRIPTION

DEVELOPMENT OF A 1,800 S.F. STARBUCKS CAFE WITH DRIVE THROUGH FACILITIES ON A 0.85 AC SITE. SITE IMPROVEMENTS INCLUDE A PATIO WITH A TRELLIS COVERING, PEDESTRIAN PAVING, VEHICULAR PARKING AND LANDSCAPING.



ILLUSTRATIVE MASTER SITE PLAN

SCALE 1" : 30'-0"

0 10 20 30 40 50 100

N

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NOT TO SCALE

SOURCE: RASMUSSEN & ASSOCIATES

FIGURE 2
PLAZA DEL NORTE SITE PLAN
WITH PROJECT

LINSCOTT, LAW & GREENSPAN, engineers

STARBUCKS/IN-N-OUT OXNARD

Table 2
WEEKDAY SHARED PARKING DEMAND ANALYSIS [1]
STARBUCKS/IN-N-OUT OXNARD PROJECT
PLAZA DEL NORTE SHOPPING CENTER
1700-1740 VENTURA BOULEVARD

11-Nov-21

Land Use	Fast-Food Restaurant [4]	Coffee Shop [7]	Restaurant			Shared Parking Percentage of Peak Parking Demand
Size	3.885 KSF	1.800 KSF	8.355 KSF			
Code Pkg Rate[2]	20.0 /KSF	20.0 /KSF	11.1 /KSF [9]		Comparison w/ Parking Supply	
Weekday Pkg Rate[3]	20.0 /KSF [5]	20.0 /KSF [5]	9.69 /KSF			
Gross Spaces	58 Spc. [6]	25 Spc. [8]	81 Spc.	Shared	151 Spaces	
Time of Day	Number of Spaces	Number of Spaces	Number of Spaces	Parking Demand	Surplus (Deficiency)	151 Spaces
6:00 AM	1	15	0	16	135	11%
7:00 AM	2	24	2	28	123	19%
8:00 AM	2	25	6	33	118	22%
9:00 AM	3	23	9	35	116	23%
10:00 AM	34	11	21	66	85	44%
11:00 AM	51	9	39	99	52	66%
12:00 PM	58	6	63	127	24	84%
1:00 PM	58	5	63	126	25	83%
2:00 PM	53	6	56	115	36	76%
3:00 PM	36	9	37	82	69	54%
4:00 PM	33	8	44	85	66	56%
5:00 PM	36	8	64	108	43	72%
6:00 PM	50	11	78	139	12	92%
7:00 PM	47	6	81	134	17	89%
8:00 PM	30	10	81	121	30	80%
9:00 PM	18	12	81	111	40	74%
10:00 PM	12	9	78	99	52	66%
11:00 PM	7	5	62	74	77	49%
12:00 AM	5	0	21	26	125	17%

Notes:

[1] Source: ULI - Urban Land Institute *Shared Parking,* Third Edition, 2020.

[2] Code parking rates for all land uses based on Section 16-622(F) of the Code of the City of Oxnard.

[3] Weekday parking rates based on the weekday parking demand ratios, as summarized in Figure 2-2 of the *Shared Parking* manual.

[4] Fast-Food Restaurant use (In-N-Out Burger) assumed to open to customers at 10:30 AM. Customer parking not assumed between 6:00 AM and 10:00 AM.

[5] Weekday parking demand ratio assumed to be 100%.

[6] Per Code of the City of Oxnard, stacking credit in drive-through lane may count toward the required parking at a stacking basis of one automobile per each 23 lineal feet of striped stacking lane. A maximim credit not-to-exceed 30% of total parking requirement or no more than 20 spaces may be applied for stacking credit (whichever is less). Stacking credit of 20 spaces applied.

[7] Weekday time of day parking ratios based on *Parking Analysis for the Remodel and Tenancy Modification - Former Orange County Teacher's Federal Credit Union (OCTFCU) Site at 450 E. 17th Street,* Linscott, Law & Greenspan, Engineers, March 1, 2012.

[8] Per Code of the City of Oxnard, stacking credit in drive-through lane may count toward the required parking at a stacking basis of one automobile per each 23 lineal feet of striped stacking lane. A maximim credit not-to-exceed 30% of total parking requirement or no more than 20 spaces may be applied for stacking credit (whichever is less). Stacking credit of 11 spaces applied.

[9] Per Code of the City of Oxnard, 1 space per 75 square feet required for first 6,000 square feet of restaurant, and 1 space required per additional 180 square feet.

Table 3
WEEKEND SHARED PARKING DEMAND ANALYSIS [1]
STARBUCKS/IN-N-OUT OXNARD PROJECT
PLAZA DEL NORTE SHOPPING CENTER
1700-1740 VENTURA BOULEVARD

11-Nov-21

Land Use	Fast-Food Restaurant [4]	Coffee Shop [6]	Restaurant			Shared Parking Percentage of Peak Parking Demand 151 Spaces
Size	3.885 KSF	1.800 KSF	8.355 KSF			
Code Pkg Rate[2]	20.0 /KSF	20.0 /KSF	11.1 /KSF		Comparison w/ Parking Supply 151 Spaces	
Weekend Pkg Rate[3]	20.0 /KSF	20.0 /KSF	11.1 /KSF [8]			
Gross Spaces	58 Spc. [5]	25 Spc. [7]	93 Spc.	Shared Parking Demand		
Time of Day	Number of Spaces	Number of Spaces	Number of Spaces		Surplus (Deficiency)	
6:00 AM	1	3	0	4	147	3%
7:00 AM	2	8	3	13	138	9%
8:00 AM	2	13	4	19	132	13%
9:00 AM	3	22	8	33	118	22%
10:00 AM	34	23	10	67	84	44%
11:00 AM	51	18	22	91	60	60%
12:00 PM	58	15	50	123	28	81%
1:00 PM	58	16	54	128	23	85%
2:00 PM	53	6	46	105	46	70%
3:00 PM	36	10	46	92	59	61%
4:00 PM	33	11	46	90	61	60%
5:00 PM	36	9	61	106	45	70%
6:00 PM	50	9	85	144	7	95%
7:00 PM	47	13	89	149	2	99%
8:00 PM	30	12	93	135	16	89%
9:00 PM	18	12	85	115	36	76%
10:00 PM	12	11	85	108	43	72%
11:00 PM	7	13	83	103	48	68%
12:00 AM	5	0	47	52	99	34%

Notes:

[1] Source: ULI - Urban Land Institute *Shared Parking,* Third Edition, 2020.

[2] Code parking rates for all land uses based on Section 16-622(F) of the Code of the City of Oxnard.

[3] Weekend parking rates based on the weekday parking demand ratios, as summarized in Figure 2-2 of the *Shared Parking* manual.

[4] Fast-Food Restaurant use (In-N-Out Burger) assumed to open to customers at 10:30 AM. Customer parking not assumed between 6:00 AM and 10:00 AM.

[5] Per Code of the City of Oxnard, stacking credit in drive-through lane may count toward the required parking at a stacking basis of one automobile per each 23 lineal feet of striped stacking lane. A maximim credit not-to-exceed 30% of total parking requirement or no more than 20 spaces may be applied for stacking credit (whichever is less). Stacking credit of 20 spaces applied.

[6] Weekend time of day parking ratios based on *Parking Analysis for the Remodel and Tenancy Modification - Former Orange County Teacher's Federal Credit Union (OCTFCU) Site at 450 E. 17th Street,* Linscott, Law & Greenspan, Engineers, March 1, 2012.

[7] Per Code of the City of Oxnard, stacking credit in drive-through lane may count toward the required parking at a stacking basis of one automobile per each 23 lineal feet of striped stacking lane. A maximim credit not-to-exceed 30% of total parking requirement or no more than 20 spaces may be applied for stacking credit (whichever is less). Stacking credit of 11 spaces applied.

[8] Per Code of the City of Oxnard, 1 space per 75 square feet required for first 6,000 square feet of restaurant, and 1 space required per additional 180 square feet.

APPENDIX A

DERIVED STARBUCKS PARKING DATA

TABLE A-1
DERIVATION AND APPLICATION OF STARBUCKS PARKING PROFILE - WEEKDAY

TIME	No. of Spaces Occupied by Starbucks Customers/ Employees		(1) Total Occupied Spaces	(2) Actual Parking Ratio (1) Divided by 2.984sf	(3) Actual Parking Ratio Divided by Maximum of 11.06	(4) 12x2.356x%
	Site 1 1,464 SF	Site 2 1,520 SF				
6:00 AM	9	11	20	6.70	61%	17
7:00 AM	11	21	32	10.72	97%	27
8:00 AM	15	18	33	11.06	100%	28
9:00 AM	16	14	30	10.05	91%	26
10:00 AM	6	8	14	4.69	42%	12
11:00 AM	6	6	12	4.02	36%	10
12:00 PM	3	5	8	2.68	24%	7
1:00 PM	2	5	7	2.35	21%	6
2:00 PM	4	4	8	2.68	24%	7
3:00 PM	7	5	12	4.02	36%	10
4:00 PM	4	6	10	3.35	30%	9
5:00 PM	4	7	11	3.69	33%	9
6:00 PM	7	8	15	5.03	45%	13
7:00 PM	4	4	8	2.68	24%	7
8:00 PM	6	7	13	4.36	39%	11
9:00 PM	11	5	16	5.36	48%	14
10:00 PM	6	6	12	4.02	36%	10
11:00 PM	4	3	7	2.35	21%	6

TABLE A-2
DERIVATION AND APPLICATION OF STARBUCKS PARKING PROFILE - WEEKEND

TIME	No. of Spaces Occupied by Starbucks Customers/ Employees		(1) Total Occupied Spaces	(2) Actual Parking Ratio (1) Divided by 2.984sf	(3) Actual Parking Ratio Divided by Maximum Weekday of 11.06	(4) 12x2.356x%
	Site 1 1,464 SF	Site 2 1,520 SF				
6:00 AM	4	0	4	1.34	12%	3
7:00 AM	10	0	10	3.35	30%	9
8:00 AM	13	4	17	5.70	52%	15
9:00 AM	17	12	29	9.72	88%	25
10:00 AM	13	17	30	10.05	91%	26
11:00 AM	11	13	24	8.04	73%	21
12:00 PM	7	12	19	6.37	58%	16
1:00 PM	11	10	21	7.04	64%	18
2:00 PM	3	5	8	2.68	24%	7
3:00 PM	6	7	13	4.36	39%	11
4:00 PM	6	9	15	5.03	45%	13
5:00 PM	6	6	12	4.02	36%	10
6:00 PM	5	7	12	4.02	36%	10
7:00 PM	6	11	17	5.70	52%	15
8:00 PM	11	5	16	5.36	48%	14
9:00 PM	11	5	16	5.36	48%	14
10:00 PM	9	5	14	4.69	42%	12
11:00 PM	10	7	17	5.70	52%	15

ATTACHMENT
J

RESOLUTION NO. 2022-XX
(21-500-03 (SPECIAL USE PERMIT))

RESOLUTION NO. 2022 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-500-03 (SPECIAL USE PERMIT) TO ALLOW FOR THE DEMOLITION OF THE EXISTING APPROXIMATELY 7,000 SQUARE FOOT BUILDING AND CONSTRUCT A NEW 1,800 SQUARE-FOOT COFFEE SHOP WITH A DRIVE-THROUGH WITH A 15-VEHICLE CAPACITY, OUTDOOR PATIO, AN ASSOCIATED PARKING LOT FOR 25 VEHICLES, AND LANDSCAPING AND INFRASTRUCTURE IMPROVEMENTS ON A 0.85-ACRE SITE AT 1720 VENTURA BOULEVARD WITHIN AN 3.67-ACRE COMMERCIAL CENTER AND ADMINISTRATIVE PARKING RELIEF TO DECREASE THE NUMBER OF REQUIRED PARKING SPACES FROM 207 TO 182 IN THE CENTER, LOCATED AT 1700, 1720, 1740 VENTURA BOULEVARD (APNS: 144-0-134-085, -095, & -115) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY HOLLEE KING WINEGAR, OF SITE SPECIFIC PLANNING, 7584 EISENHOWER STREET, VENTURA, CA 93003, DESIGNATED AGENT, ON BEHALF OF DARREL W. WRIGHT, OF CHANNEL ISLANDS MARKETPLACE, LP, OVERPASS ROAD, BUILDING C, SANTA BARBARA, CA 93111 (PROPERTY OWNER)

WHEREAS, on May 26, 2021, Darrel W. Wright (the **"Applicant"** and/or **"Permittee"**) submitted a request to permit the demolition of the existing approximately 7,000 square foot building and construct a new 1,800 square-foot coffee shop, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements on a 0.85-acre project site. Other changes include upgraded landscaping, lighting upgrades and new parking lot striping. The request also includes a request for a parking modification for the center to allow for a reduction in the amount of required parking from 207 parking spaces to 182 parking spaces within the overall 3.67-acre commercial center. The project is located in the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district at 1700, 1720, 1740 Ventura Boulevard (APNs: 144-0-134-085, -095, & -115); and

WHEREAS, on January 20, 2022, 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. 21–500-03 (Special Use Permit) to allow for the demolition of the existing approximately 7,000 square foot building and construct a new 1,800 square-foot coffee shop, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements on a 0.85-acre site within the overall 3.67-acre commercial center (the **"Project"**), in accordance with Section 16-536 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 207 parking spaces to 182 parking spaces in accordance with RSCSP Section 5.7.10.C; and

WHEREAS, Sections 16-536 of the OCC and RSCSP Section 5.7.10.C authorize the Planning Commission to approve a Special Use Permit 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 16-536 of the OCC and RSCSP Section 5.7.10.C; 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 32 Categorical Exemption (Section 15332). 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 Regional and is in the Rose-Santa Clara Corridor Specific Plan (RSCSP) zoning designation. The project is currently developed within an existing commercial center, which contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial 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 commercial center contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial urban development. The proposed development is consistent with the development previously in operation on site. The proposed uses would potentially increase the amount of pedestrian traffic to the site, however the project also includes site modifications which are intended to improve the site conditions for pedestrians including providing a pedestrian crosswalk and a direct pedestrian connection to the public right-of-way. 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 commercial center contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial urban development. The proposed development is consistent with the development previously in operation on site. The proposed uses would potentially increase the amount of pedestrian traffic to the site, however the project also includes site modifications which are intended to improve the site conditions for pedestrians including providing a pedestrian crosswalk and a direct pedestrian connection to the public right-of-way. 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) character of the surrounding development and the property does not contain any unusual environmental characteristics as the property will be surrounded on all sides by commercial development. Therefore, the Project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site 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 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 vacant building (1720 Ventura Boulevard) within the existing commercial center would be demolished to allow for the construction of a drive-through coffee Shop. The Project is within the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district which is consistent with the 2030 General Plan land use designation of Commercial Regional. As discussed in detail in the Planning Commission Staff Report Sections b, c, d, e, f, and g and Attachment F, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under RSCSP Section 5.7.10.C, "Decrease in required parking spaces" to reduce the number of required parking spaces. 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 Regional" and the Rose-Santa Clara Corridor Specific Plan (RSCSP) 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, restaurants, and auto sales. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements, 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 Rose-Santa Clara Corridor Specific Plan (RSCSP) zone as described above in Finding Section 1(1). Pursuant to the RSCSP, the Project has been designed to be consistent with the maximum building height, front, side and rear setbacks, and lot coverage. The project is requesting the approval of the Administrative Parking Relief under RSCSP Section 5.7.10.C, "Decrease in required parking spaces" to reduce the number of required parking spaces. However, as detailed in the Staff report and attached parking study, the provided parking is sufficient for the Center, and thus the site is sufficient to accommodate the required parking. 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 vacant commercial buildings and a restaurant. The center includes three parcels with shared access points. Currently, the center has two driveway access points, however a third access point would be provided subject to the approval and development of the Project. The two access points currently provided would provide sufficient access to the site and would allow for adequate circulation around the site. The third access point would not adversely impact the circulation of the site, and would allow each of the properties to operate more independently, since each property would have its own driveway. There is shared access and parking across all three properties in the Center. The City 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 vacant commercial buildings and a restaurant. The proposed development would redevelop the 1720 Ventura Boulevard parcel, by demolishing the existing building to allow the construction of 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 (construction of a commercial building) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15332 (Class 32) of the State CEQA Guidelines. The Project involves a request to demolish the existing building at 1720 Ventura Boulevard and construct a 1,800 square-foot restaurant, outdoor patio with a drive-through with 15-vehicle capacity, an associated parking lot for 25 vehicles, and landscaping and infrastructure improvements. In addition to the physical 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. 21-500-03 (Special Use Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of 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 January 20, 2022, ("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. Where the value of the trees cannot be accommodated onsite, as determined by the City, the City may approve an alternative method for replacing the value of the removed trees. (PK)

27. Consistent with the City Council Resolution 14,741 which declared a continuance of the Stage 2 water shortage condition within the City of Oxnard, the project is required to implement and maintain the follow mandatory water conservation requirements for as long as City Council Resolution 14,741 is in effect:

    a. The use of potable water in a fountain or other decorative water feature is prohibited, except where the water is part of a recirculating system.

    b. Watering of lawns, ornamental turf, trees, shrubs, vegetation, landscape and other outside irrigation is prohibited except between 4:00 p.m. and 9:00 a.m. or 6:00 p.m. and 9:00 a.m. during daylight savings. Additionally, watering is limited to no more than twice a week and only on the designated days per odd and even addresses. Exceptions to allow for irrigation outside of the designated periods include (1) watering of newly installed, drought-tolerant landscapes for up to 1 year after planting, and (2) hand watering of potted plants or stressed vegetation with use of a container (e.g., bucket or watering can) or a hose fitted with a shut-off valve.

    c. Irrigation of newly constructed home and building exteriors with potable water is prohibited unless drip or microspray systems are used.

    d. Irrigation of ornamental turf on public medians with potable water is prohibited.

    e. Irrigation of park and school ground areas with potable water will only be permitted during the twice weekly designated irrigation periods noted above in this condition and only if necessary. Sport activity fields may irrigate more frequently, but only as necessary to maintain playing surface quality.

    f. Application of potable water to landscapes during and within 48 hours after measurable rainfall is prohibited.

PLANNING DIVISION SPECIAL CONDITIONS

28. 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)

29. 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.

30. 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)

31. 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)

32. Prior to building permit issuance, the developer shall provide a public improvement plan which identifies, and includes, city fiber optic network infrastructure. This connection shall be established by installing fiber optic conduit to the project's frontage 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. The pedestrian walkway from the rear parking area to the building must be maintained at all times. The walkway materials must be of contrasting colors and consist of decorative colored concrete and/or stone pavers.

34. Where pedestrian walkways cross drive through lanes, signage shall be provided to alert vehicles of the pedestrian crossing. Signage shall include the language, “Pedestrian Crossing”, or other language approved by the Community Development Director. Each sign shall not exceed 5 feet in height or a sign area of two (2) square feet, and shall not include any advertising or business identification.

35. 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.

36. 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.

37. 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.

38. 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.

39. 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, 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.

40. 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.

41. 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.

42. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property due to the construction of the Project, as directed by the City Inspector. (DS)

43. 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)

44. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7).

45. During construction, Developer shall post and maintain onsite signs, in highly visible

areas, restricting all vehicular traffic to 15 miles per hour or less.

46. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.

47. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

48. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. A City approved archeologist shall be retained to evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey.

49. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and parking agreement with the adjacent property owners. (DS-102)

50. A master sign program for the center, including drive-through signage, must be approved and associated drive-through signage must be installed prior to the issuance of a certificate of occupancy for the project site. The drive-through signage (i.e. directional signage and menu boards) must be installed and maintained incompliance with the approved master sign program (i.e. the location, dimensions, color, letter style, letter height, and sign type of all signs to be installed in conjunction with the drive-through use) for as long as the drive-through will be in operation.

PLANNING DIVISION STANDARD CONDITIONS

51. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)

52. 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*)

53. 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*)

54. 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*)

55. 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*)

56. 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*)

57. 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)

58. 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)

59. 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).

60. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)

61. During construction, Developer shall control dust by the following activities:

    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.

    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)

62. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)

63. Developer agrees to participate in a water conservation program that includes refitting

water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, PL-14)

64. 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)

65. 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).

66. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, PL-41)

67. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, PL-42)

68. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, PL-43)

69. Developer shall stripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, PL-49)

POLICE DEPARTMENT STANDARD CONDITIONS

70. 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 on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.

c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one food-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.

71. 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.

72. All exterior lighting shall operate from dusk to dawn.

73. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).

74. 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.

75. 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.

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

77. 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. Greyscale 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 and able 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 a period of at least 30 days.

f. Recorded images shall bear a date and time stamp that cannot be altered.

g. Camera installations shall cover areas open to the general public and where cash or other assets are maintained.

h. Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.

i. A camera shall be installed at to monitor all persons entering the premises from each exterior doorway. The camera shall be mounted 7-feet above the floor and shall be adjusted to capture images of the head and shoulders of all who enter.

78. Any intrusion alarm system installed at the site shall utilize technology to differentiate between human and non-human motion. The alarm system shall be compliant with Oxnard City Code 11-95 through 11-100.

79. All vehicular entrances to the parking area shall be posted in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)

80. An irrigated landscape strip shall be placed adjacent to the CMU walls of any trash enclosure. This strip shall be planted with creeping fig or similar plant to protect the enclosure from the application of graffiti.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

81. 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)

82. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)

83. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior

to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)

84. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)

85. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)

86. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)

87. 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)

88. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)

89. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)

90. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)

91. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

92. 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)

93. 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)

94. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

95. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)

96. 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 Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

97. 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)

98. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

99. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

100. 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)

101. "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)

102. Prior to issuance of a grading/site improvement permit, developer shall obtain Development Services Director approval for any proposed construction phasing. The improvement plans (and associated phasing plans) shall clearly indicate any interim or off-site improvements required by City. (DS-28)

103. 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)

104. 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)

105. Developer shall construct sufficient drainage facilities concurrent with rough grading operations to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way. (DS-31)

106. 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)

107. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

108. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)

109. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

110. 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)

111. 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)

112. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

113. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)

114. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

115. 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)

116. 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)

117. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

118. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

119. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)

120. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

121. 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)

122. 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)

123. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

124. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning; 2) Requirement to maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)

125. 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)

126. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

127. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot paving material to clearly identify pedestrian areas. (DS-101)

128. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

DEVELOPMENT DIVISION SPECIAL CONDITIONS

129. Developer shall list all grading or air quality-related environmental mitigation measures on the grading plan cover sheet. Developer shall cause all project contractors to comply with these mitigations during all phases of construction. (DS)

130. Developer shall provide the City Engineer with a 100-scale base map for addressing purposes on 18-inch by 24-inch mylar per City Standards. (DS)

131. Prior to site improvement/grading permit issuance, Developer shall submit an exhibit showing all existing and proposed easements to the City for review and approval. Upon approval, the Developer shall have the identified existing easements quitclaimed/vacated before the site improvement/grading permit can be issued. Developer shall be responsible for vacating all public easements that are no longer needed for their intended use. Developer is required to request a City Council hearing, pay all associated hearing fees, prepare all easement vacation documents and pay all document review fees. (DS)

132. The project shall comply with the latest California Building Code disabled access requirements, including installing yellow truncated domes at required locations. (DS)

133. All existing Americans with Disabilities Act (ADA) curb ramps along the project frontages shall be brought up to current ADA standards. Damaged and missing sidewalks shall be reconstructed. (DS)

134. Developer shall provide a 15-foot wide waterline easement to the City for the onsite public water system. The City Engineer may approve specific locations at point constrictions where the waterline may be located a minimum of 5-feet (both sides) horizontally from the foundation of walls, other structures, or tree trunks. In no case shall the clearance be less than 5-feet. (DS)

135. At the direction of the City Engineer or Fire Marshal, Developer shall provide a fire access easement over the drive aisle of this project and the drive aisles of the other two parcels identified as APNs 144-0-134-115, 144-0-134-095. The purpose of the fire access easement is to ensure that safe fire access will be maintained for any of the three project sites regardless of the development or redevelopment of each lot. (DS)

136. Prior to permit issuance, Developer shall provide an executed recorded reciprocal access, parking, drainage, and maintenance agreement or Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for the drainage, access, and shared parking between the three existing lots, identified as APNs 144-0-134-115, 144-0-134-085, and 144-0-134-095. The agreement or CC&Rs shall clearly outline the responsible parties, funding, and maintenance requirements of all shared facilities. (DS)

137. Designated ADA and Electric Vehicle (EV) parking stalls shall be 19-feet deep. Where the 17-foot deep parking stall depth design is used for other parking spaces, the entire parking

stall shall be kept clear from all obstructions, including landscape curbing. The sidewalk affected by the reduced sparking depth design is to be 7-feet wide minimum to maintain a 5-foot unobstructed sidewalk with the 2-foot overhang. (DS)

138. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") to treat all stormwater runoff from this site that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures. The location of the trash device is subject to the approval of the City Engineer. (DS)

139. Stormwater runoff from this project site shall be limited to a post-development discharge of 1.1 CFS/acre for all events up to a 100-year event. Onsite detention shall be provided at a rate of 1000 cubic feet per acre or based on approved detention calculations, whichever is greater, in conformance with the approved storm drainage design prepared for the original development Tract 4169. The detention basin(s) shall be designed in accordance with Public Works Standards and policies. The Developer shall provide a city standard Declaration of Restrictive Covenant for Detention Basin Perpetual Maintenance by the property owner prior to the approval of the grading/site improvement plans. (DS)

140. The onsite stormwater pipeline system shall be sized hydraulically to handle the 100-year storm event to ensure that runoff from the 100-year storm event is routed to the detention system before discharging the controlled release downstream. The sizing of the flow release, which is limited to 1.1 CFS/acre, shall account for the hydraulic grade line from the existing drainage structure in the public right-of-way per the storm drainage improvements constructed for Ventura Boulevard, DWG 86-94A. Onsite drain inlets shall be designed with a 50% clogging factor at depressed locations. (DS)

141. The Developer shall demonstrate to the satisfaction of the City Engineer the drainage calculations for the required MS4 retention and detention volumes. The Developer shall show that the detention basin discharges or infiltrates the entire required volume in 24 hours. As required by the Technical Guidance Manual ('TGM'), the MS4 retention volume stored in the infiltration basin (separate from the detention basin) has to be completely infiltrated in 72 hours or less. The altered pervious and impervious surface areas of the adjacent Red Lobster's parcel (APN 144-0-134-095) have to be accounted for in drainage design and meet stormwater mitigation requirements for detention and retention. (DS)

142. During engineering plan check, the Developer shall conduct at least one (1) percolation test within the general footprint of the proposed infiltration facility to validate the infiltration rate used in the sizing calculations. The infiltration test shall account for the Reduction Factor from the Los Angeles County "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. (DS)

143. Developer's Geotechnical Engineer shall perform percolation tests on the exposed bottom of all infiltration chambers immediately prior to facility construction and provide the City with an opinion that the exposed soil layer is suitable for the proposed infiltration facility

based on the review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be clearly noted on the improvement plans. The report shall be reviewed and approved by the Project Civil Engineer. (DS)

144. Locate the infiltration basin(s) 10-feet minimum away from water and sanitary sewer lines, and away from structures consistent with the TGM. (DS)

145. Developer shall abandon all existing sewer, water, and storm drain laterals to the project site that aren't used by the project. (DS)

146. Developer shall analyze the public sewer, water, and storm drain systems and verify that they are adequate to serve the project, meeting City standards. Developer shall upgrade/replace all downstream improvements determined to be inadequate as required by the City Engineer. (DS)

147. Developer shall update the existing water system with a loop system; dead-ends to be removed at the direction of the City Engineer. A water system hydraulic report shall be submitted for review and approval to demonstrate that the onsite water system is sufficient in providing the required fire flow. (DS)

148. Developer shall install protective bollards for all fire hydrants within 4-feet of a roadway surface that are not protected by a raised curb. (DS)

149. If this project moves forward with construction ahead of the proposed In-N-Out Project (PZ 21-500-04), Developer shall prepare the project site improvements as a standalone project, without the In-N-Out Project site and demonstrate to the satisfaction of the City Engineer how the proposed site circulation, fire access, and utilities will match up with the existing adjoining sites and utility improvements. (DS)

150. If this project moves forward with construction after the proposed In-N-Out Project (PZ 21-500-04), Developer shall demonstrate how the proposed site improvements align with the In-N-Out Project site and utility improvements and provide evidence that the design between the two projects has been coordinated. (DS)

151. Developer shall construct a triple-bin trash enclosure-type (or approved equal) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. A hose bib shall be installed within the enclosure, and a traffic-rated drain shall be installed inside the enclosure to capture all enclosure wash water. This drain shall connect to the onsite grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan, as well as an ADA path of travel to connect the trash enclosure to the nearest sidewalk. Developer shall finish the trash enclosure to match the major design elements of the main structure, subject to approval by the Planning Division. The location and configuration shall be approved by the Environmental Resources Division. (DS)

152. Developer shall construct the floor and a loading/service pad of the trash enclosure to be substantially level (2% max slope). (DS)

153. All site refuse bins shall be stored in the approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. Developer shall design the enclosure not to require the bins to be shuffled around when being serviced. (DS)

TRAFFIC DIVISION SPECIAL CONDITIONS

154. If this project moves forward with construction before the In-N-Out Project (PZ 21-500-04), this project is responsible for constructing the pedestrian crosswalk across Ventura Boulevard with rectangular rapid flashing beacons. Final locations, signing and striping shall be approved by the City Traffic Engineer. It is the responsibility of the Developer of this project to pursue and execute a cost-sharing agreement with the In-N-Out Project (PZ 21-500-04) for the pedestrian crosswalk and flashing beacons improvements. (TR)

155. The Developer shall demonstrate (to the satisfaction of the City Traffic Engineer) with turning exhibit(s) on the engineering site plan that Fire Department engines and trash trucks can safely navigate through the proposed drive aisle and driveway approaches. (TR)

156. Developer shall install crosswalk warning signs and pavement markings where pedestrians cross the proposed drive-through lanes. Final signing and striping shall be approved by the City Traffic Engineer. (TR)

157. Developer shall install directional signs and pavement markings indicating the route to the proposed drive-through and the flow of traffic exiting at the proposed drive-through exit. (TR)

158. Developer shall retrofit existing High-Pressure Sodium Vapour (HPSV) street lights along Ventura Boulevard on both sides of the street along the project frontage with LED. LED specification is subject to the approval of the City Traffic Engineer. (TR)

ENVIRONMENTAL RESOURCES DIVISION

159. This property is required to comply with state mandated diversion laws (AB 939, AB 341, AB 1826, SB 1383, AB 827) and must make provisions to manage three material streams (recycling, organics, trash) in any waste enclosure(s) constructed.

160. 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.

161. 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.

162. 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.

163. 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, AB 827); 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.

164. 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.

165. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.

166. 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.

167. 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

168. 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

169. 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*)

170. 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*)

171. 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*)

172. 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*)

173. 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*)

174. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)

175. 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*)

176. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

177. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)

178. 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*)

179. 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*)

180. 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*)

181. The intersection of Ventura Boulevard and Auto Center Drive shall be equipped with pre-emption equipment. (FD/TR, *F-15*)

182. 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

183. 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.

184. 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.

185. 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 20th day of January 2022.

_____
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 20th day of January 2022, 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
K

RESOLUTION NO. 2022-XX
(21-500-04 (SPECIAL USE PERMIT))

RESOLUTION NO. 2022 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-500-04 (SPECIAL USE PERMIT) TO ALLOW FOR THE DEMOLITION OF THE EXISTING APPROXIMATELY 18,000 SQUARE FOOT BUILDING AND CONSTRUCT A NEW 3,885 SQUARE-FOOT RESTAURANT WITH A DRIVE-THROUGH WITH A 23-VEHICLE CAPACITY, OUTDOOR PATIO, AN ASSOCIATED PARKING LOT FOR 73 VEHICLES, AND LANDSCAPING AND INFRASTRUCTURE IMPROVEMENTS ON A 1.47-ACRE SITE AT 1700 VENTURA BOULEVARD WITHIN AN 3.67-ACRE COMMERCIAL CENTER AND ADMINISTRATIVE PARKING RELIEF TO DECREASE THE NUMBER OF REQUIRED PARKING SPACES FROM 207 TO 182 IN THE CENTER, LOCATED AT 1700, 1720, 1740 VENTURA BOULEVARD (APNS: 144-0-134-085, -095, & -115) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY HOLLEE KING WINEGAR, OF SITE SPECIFIC PLANNING, 7584 EISENHOWER STREET, VENTURA, CA 93003, DESIGNATED AGENT, ON BEHALF OF DARREL W. WRIGHT, OF CHANNEL ISLANDS MARKETPLACE, LP, OVERPASS ROAD, BUILDING C, SANTA BARBARA, CA 93111 (PROPERTY OWNER)

WHEREAS, on May 26, 2021, Darrel W. Wright (the **"Applicant"** and/or **"Permittee"**) submitted a request to permit the demolition of the existing approximately 18,000 square foot building and construct a new 3,885 square-foot fast foot restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements on a 1.47-acre project site. Other changes include upgraded landscaping, lighting upgrades and new parking lot striping. The request also includes a request for a parking modification for the center to allow for a reduction in the amount of required parking from 207 parking spaces to 182 parking spaces within the overall 3.67-acre commercial center. The project is located in the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district at 1700, 1720, 1740 Ventura Boulevard (APNs: 144-0-134-085, -095, & -115); and

WHEREAS, on January 20, 2022, 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. 21–500-04 (Special Use Permit) to allow for the demolition of the existing approximately 18,000 square foot building and construct a new 3,885 square-foot fast food restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements on a 1.47-acre site within the overall 3.67-acre commercial center (the **"Project"**), in accordance with Section 16-536 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 207 parking spaces to 182 parking spaces in accordance with RSCSP Section 5.7.10.C; and

WHEREAS, Sections 16-536 of the OCC and RSCSP Section 5.7.10.C authorize the Planning Commission to approve a Special Use Permit 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 16-536 of the OCC and RSCSP Section 5.7.10.C; 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, Rose-Santa Clara Corridor Specific Plan, 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 32 Categorical Exemption (Section 15332). 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 Regional and is in the Rose-Santa Clara Corridor Specific Plan (RSCSP) zoning designation. The project is currently developed within an existing commercial center, which contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial 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 commercial center contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial urban development. The proposed development is consistent with the development previously in operation on site. The proposed uses would potentially increase the amount of pedestrian traffic to the site, however the project also includes site modifications which are intended to improve the site conditions for pedestrians including providing a pedestrian crosswalk and a direct pedestrian connection to the public right-of-way. 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 commercial center contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial urban development. The proposed development is consistent with the development previously in operation on site. The proposed uses would potentially increase the amount of pedestrian traffic to the site, however the project also includes site modifications which are intended to improve the site conditions for pedestrians including providing a pedestrian crosswalk and a direct pedestrian connection to the public right-of-way. 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) character of the surrounding development and the property does not contain any unusual environmental characteristics as the property will be surrounded on all sides by commercial development. Therefore, the Project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site 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 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 vacant building (1700 Ventura Boulevard) within the existing commercial center would be demolished to allow for the construction of a drive-through fast food restaurant. The Project is within the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district which is consistent with the 2030 General Plan land use designation of Commercial Regional. As discussed in detail in the Planning Commission Staff Report Sections b, c, d, e, f, and g and Attachment F, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under RSCSP Section 5.7.10.C, "Decrease in required parking spaces" to reduce the number of required parking spaces. 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 Regional" and the Rose-Santa Clara Corridor Specific Plan (RSCSP) zoning district, the proposed use of the project site as a drive-through fast food restaurant, is an allowed use, subject to a Special Use Permit. The surrounding uses are characterized by commercial uses, which are predominantly commercial centers, restaurants, and auto sales. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements, 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 Rose-Santa Clara Corridor Specific Plan (RSCSP) zone as described above in Finding Section 1(1). Pursuant to the RSCSP, the Project has been designed to be consistent with the maximum building height, front, side and rear setbacks, and lot coverage. The project is requesting the approval of the Administrative Parking Relief under RSCSP Section 5.7.10.C, "Decrease in required parking spaces" to reduce the number of required parking spaces. However, as detailed in the Staff report and attached parking study, the provided parking is sufficient for the Center, and thus the site is sufficient to accommodate the required parking. 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 vacant commercial buildings and a restaurant. The center includes three parcels with shared access points. Currently, the center has two driveway access points, however a third access point would be provided subject to the approval and development of the adjacent project. The two access points currently provided would provide sufficient access to the site and would allow for adequate circulation around the site. The third access point would not adversely impact the circulation of the site, and would allow each of the properties to operate more independently, since each property would have its own driveway. There is shared access and parking across all three properties in the Center. The City 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 vacant commercial buildings and a restaurant. The proposed development would redevelop the 1700 Ventura Boulevard parcel, by demolishing the existing building to allow the construction of 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 (construction of a commercial building) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15332 (Class 32) of the State CEQA Guidelines. The Project involves a request to demolish the existing building at 1700 Ventura Boulevard and construct a 3,885 square-foot restaurant, outdoor patio with a drive-through with 23-vehicle capacity, an associated parking lot for 73 vehicles, and landscaping and infrastructure improvements. In addition to the physical 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. 21-500-04 (Special Use Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of 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 January 20, 2022, ("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. Where the value of the trees cannot be accommodated onsite, as determined by the City, the City may approve an alternative method for replacing the value of the removed trees. (PK)

27. Consistent with the City Council Resolution 14,741 which declared a continuance of the Stage 2 water shortage condition within the City of Oxnard, the project is required to implement and maintain the follow mandatory water conservation requirements for as long as City Council Resolution 14,741 is in effect:

    a. The use of potable water in a fountain or other decorative water feature is prohibited, except where the water is part of a recirculating system.

    b. Watering of lawns, ornamental turf, trees, shrubs, vegetation, landscape and other outside irrigation is prohibited except between 4:00 p.m. and 9:00 a.m. or 6:00 p.m. and 9:00 a.m. during daylight savings. Additionally, watering is limited to no more than twice a week and only on the designated days per odd and even addresses. Exceptions to allow for irrigation outside of the designated periods include (1) watering of newly installed, drought-tolerant landscapes for up to 1 year after planting, and (2) hand watering of potted plants or stressed vegetation with use of a container (e.g., bucket or watering can) or a hose fitted with a shut-off valve.

    c. Irrigation of newly constructed home and building exteriors with potable water is prohibited unless drip or microspray systems are used.

    d. Irrigation of ornamental turf on public medians with potable water is prohibited.

    e. Irrigation of park and school ground areas with potable water will only be permitted during the twice weekly designated irrigation periods noted above in this condition and only if necessary. Sport activity fields may irrigate more frequently, but only as necessary to maintain playing surface quality.

    f. Application of potable water to landscapes during and within 48 hours after measurable rainfall is prohibited.

PLANNING DIVISION SPECIAL CONDITIONS

28. 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)

29. 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.

30. 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)

31. 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)

32. Prior to building permit issuance, the developer shall provide a public improvement plan which identifies, and includes, city fiber optic network infrastructure. This connection shall be established by installing fiber optic conduit to the project's frontage 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. The pedestrian walkway from the rear parking area to the building must be maintained at all times. Where the walkway crosses the drive through lane or drive aisles the walkway materials must be of contrasting colors and consist of decorative colored concrete and/or stone pavers.

34. Where pedestrian walkways cross drive through lanes, signage shall be provided to alert vehicles of the pedestrian crossing. Signage shall include the language,"Pedestrian Crossing", or other language approved by the Community Development Director. Each sign shall not exceed 5 feet in height or a sign area of two (2) square feet, and shall not include any advertising or business identification.

35. 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.

36. 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.

37. 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.

38. 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.

39. 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, 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.

40. 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.

41. 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.

42. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property due to the construction of the Project, as directed by the City Inspector. (DS)

43. 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)

44. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APDC regularities regarding Asbestos (Rule 63.7).

45. During construction, Developer shall post and maintain onsite signs, in highly visible

areas, restricting all vehicular traffic to 15 miles per hour or less.

46. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite.

47. Prior to grading permit approval, Developer shall include on the grading plans a reproduction of all conditions of this permit pertaining to dust control requirements. (PL)

48. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. A City approved archeologist shall be retained to evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey.

49. All loading and unloading activities shall occur only outside of regular store hours, when the facility is closed to the public. All loading and unloading shall occur completely onsite (1700 Ventura Boulevard).

50. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and parking agreement with the adjacent property owners. (DS-102)

51. A master sign program for the center, including drive-through signage, must be approved and associated drive-through signage must be installed prior to the issuance of a certificate of occupancy for the project site. The drive-through signage (i.e. directional signage and menu boards) must be installed and maintained incompliance with the approved master sign program (i.e. the location, dimensions, color, letter style, letter height, and sign type of all signs to be installed in conjunction with the drive-through use) for as long as the drive-through will be in operation.

PLANNING DIVISION STANDARD CONDITIONS

52. Plans submitted by Developer with building permit applications shall show on the building elevation sheets all exterior building materials and colors, including product and finish manufacturer name, color name and number, and surface finish type (such as: stucco with sand finish, plaster with smooth finish) to be used in construction. (PL/B, PL-1)

53. 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*)

54. 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*)

55. 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*)

56. 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*)

57. 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*)

58. 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)

59. 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)

60. 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).

61. During construction, Developer shall water the area to be graded or excavated prior to commencement of grading or excavation operations. Such application of water shall be at least twice per day and shall penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)

62. During construction, Developer shall control dust by the following activities:

    a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.

    b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, PL-12)

63. Developer shall provide for dust control at all times during project property preparation

and construction activities. (B/DS, PL-13)

64. Developer agrees to participate in a water conservation program that includes refitting water fixtures existing on the project property with water conserving devices within residences or businesses in the City's water service area, if such a program is in effect when building permits are issued for this project. Among the requirements of such a program might be refitting existing toilets, faucets, shower heads, landscaping irrigation or other fixtures and items that consume water within the structure. (PL, PL-14)

65. 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)

66. 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).

67. Developer shall recess or screen roof heating and cooling systems and other exterior mechanical equipment from adjoining property and public streets, as required by this permit. Plumbing vents, ducts and other appurtenances protruding from the roof of structures shall be placed so that they will not be visible from the front of the property or other major public vantage points. Developer shall include a note on the construction plumbing drawings of exterior elevations to indicate to contractors that roof features shall be grouped and located in the described manner. Roof vents shall be shown on construction drawings and painted to match roof material color. (PL/B, PL-41)

68. Developer shall install all roof and building drainpipes and downspouts inside building elements. These items shall not be visible on any exterior building elevations. (PL, PL-42)

69. For any exterior utility meter panels, Developer shall paint such panels to match the structure upon which it is located. Such panels shall be located to take advantage of screening (e.g. landscaping or other building elements) from public right-of-ways, to the maximum extent feasible. (PL, PL-43)

70. Developer shall stripe loading zones placed partly or wholly within a structure for loading and unloading activities only and post to prohibit storage or other non-loading activity within the loading zone. (PL/B, PL-49)

POLICE DEPARTMENT STANDARD CONDITIONS

71. 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 on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.

c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one food-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.

72. 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.

73. All exterior lighting shall operate from dusk to dawn.

74. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).

75. 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.

76. 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.

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

78. 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. Greyscale 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 and able 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 a period of at least 30 days.

f. Recorded images shall bear a date and time stamp that cannot be altered.

g. Camera installations shall cover areas open to the general public and where cash or other assets are maintained.

h. Cameras in domed casings are highly encouraged as their area of focus is not easily determined by a casual observer.

i. A camera shall be installed at to monitor all persons entering the premises from each exterior doorway. The camera shall be mounted 7-feet above the floor and shall be adjusted to capture images of the head and shoulders of all who enter.

79. Any intrusion alarm system installed at the site shall utilize technology to differentiate between human and non-human motion. The alarm system shall be compliant with Oxnard City Code 11-95 through 11-100.

80. All vehicular entrances to the parking area shall be posted in compliance with California Vehicle Code 22658(a). Persons in lawful possession of the property may then cause the removal of a vehicle parked on the property to the nearest public garage if parked without the owner's permission. (PD)

81. An irrigated landscape strip shall be placed adjacent to the CMU walls of any trash enclosure. This strip shall be planted with creeping fig or similar plant to protect the enclosure from the application of graffiti.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

82. 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)

83. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)

84. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)

85. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)

86. Developer shall protect building pads from inundation during a 1% chance (100-year) storm. (DS-5)

87. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)

88. 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)

89. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)

90. Developer's site improvement plans shall include an on-site sewer plan. (DS-10)

91. Developer shall provide fire hydrants such that all points of all structures are within one hundred fifty (150) feet of a fire hydrant, or as otherwise approved by the Fire Department. Fire hydrant line improvements shall be designed in accordance with City standards and shown on the civil site improvement plans prior to issuance of a site improvement/grading permit. Developer shall provide the City with an easement over onsite waterlines using standard City format. (DS-11)

92. Developer shall install on-site and off-site electric, cable, telephone and similar utility service laterals underground in accordance with City ordinances in effect at the time City issues a building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)

93. 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)

94. 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)

95. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

96. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, parkways, landscaping, utilities, drainage facilities, or other improvements as required by City. If such easements cannot be obtained from the property owner by negotiation, City may acquire them at the expense of Developer by exercise of the power of eminent domain. Developer shall bear all costs of eminent domain proceedings, including appraisal, acquisition, attorney's fees, and court costs. Before City issues a site improvement permit, Developer shall dedicate all required easements to City. (DS-19)

97. 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 Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)

98. 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)

99. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)

100. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)

101. 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)

102. "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)

103. Prior to issuance of a grading/site improvement permit, developer shall obtain Development Services Director approval for any proposed construction phasing. The improvement plans (and associated phasing plans) shall clearly indicate any interim or off-site improvements required by City. (DS-28)

104. 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)

105. 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)

106. Developer shall construct sufficient drainage facilities concurrent with rough grading operations to mitigate any potential flooding or erosion affecting adjacent properties and public rights-of-way. (DS-31)

107. 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)

108. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)

109. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)

110. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consent (as determined appropriate by the Development Services Director) from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project. (DS-36)

111. 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)

112. 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)

113. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

114. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Developer shall obtain permits from the City Engineer prior to performing tests. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)

115. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

116. 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)

117. 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)

118. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)

119. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

120. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)

121. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

122. 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)

123. 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)

124. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

125. Developer's stormwater quality control measures maintenance and operations plan shall include: 1) Requirement to clean on-site storm drains at least twice a year; once immediately before the first of October (the beginning of the rainy season) and once in January. The City Engineer may require additional cleaning; 2) Requirement to maintain parking lots free of litter and debris. Developer shall sweep sidewalks, drive aisles, and parking lots regularly to prevent the accumulation of litter and debris. When swept or cleaned, debris must be trapped and collected to prevent entry into the storm drain system. Developer may not discharge any cleaning agent into the storm drain system; 3) Requirement to label all on-site storm drain inlets with the message "Don't Dump - Drains to Ocean" in accordance with City standards. (DS-83)

126. 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)

127. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall provide evidence of assignment of a permit identification number by the California State Water Resources Control Board indicating submittal of a Notice of Intent (NOI) by the Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all requirements of the General Permit and the Ventura Countywide MS4 Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). Developer shall keep the SWPPP updated to reflect current site conditions and a copy of the SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-86)

128. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot paving material to clearly identify pedestrian areas. (DS-101)

129. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)

DEVELOPMENT DIVISION SPECIAL CONDITIONS

130. Developer shall list all grading or air quality-related environmental mitigation measures on the grading plan cover sheet. Developer shall cause all project contractors to comply with these mitigations during all phases of construction. (DS)

131. Developer shall provide the City Engineer with a 100-scale base map for addressing purposes on 18-inch by 24-inch mylar per City Standards. (DS)

132. Prior to site improvement/grading permit issuance, Developer shall submit an exhibit showing all existing and proposed easements to the City for review and approval. Upon approval, the Developer shall have the identified existing easements quitclaimed/vacated before the site improvement/grading permit can be issued. Developer shall be responsible for vacating all public easements that are no longer needed for their intended use. Developer is required to request a City Council hearing, pay all associated hearing fees, prepare all easement vacation documents and pay all document review fees. (DS)

133. The project shall comply with the latest California Building Code disabled access requirements, including installing yellow truncated domes at required locations. (DS)

134. All existing Americans with Disabilities Act (ADA) curb ramps along the project frontages shall be brought up to current ADA standards. Damaged and missing sidewalks shall be reconstructed. (DS)

135. Developer shall provide a 15-foot wide waterline easement to the City for the onsite public water system. The City Engineer may approve specific locations at point constrictions where the waterline may be located a minimum of 5-feet (both sides) horizontally from the foundation of walls, other structures, or tree trunks. In no case shall the clearance be less than 5-feet. (DS)

136. At the direction of the City Engineer or Fire Marshal, Developer shall provide a fire access easement over the drive aisle of this project and the drive aisles of the other two parcels identified as APNs 144-0-134-085, 144-0-134-095. The purpose of the fire access easement is to ensure that safe fire access will be maintained for any of the three project sites regardless of the development or redevelopment of each lot. (DS)

137. Prior to permit issuance, Developer shall provide an executed recorded reciprocal access, parking, drainage, and maintenance agreement or Declaration of Covenants, Conditions, and Restrictions (CC&Rs) for the drainage, access, and shared parking between the three existing lots, identified as APNs 144-0-134-115, 144-0-134-085, and 144-0-134-095. The

agreement or CC&Rs shall clearly outline the responsible parties, funding, and maintenance requirements of all shared facilities. (DS)

138. Designated ADA and Electric Vehicle (EV) parking stalls shall be 19-feet deep. Where the 17-foot deep parking stall depth design is used for other parking spaces, the entire parking stall shall be kept clear from all obstructions, including landscape curbing. The sidewalk affected by the reduced sparking depth design is to be 7-feet wide minimum to maintain a 5-foot unobstructed sidewalk with the 2 foot overhang. (DS)

139. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") to treat all stormwater runoff from this site that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures. The location of the trash device is subject to the approval of the City Engineer. (DS)

140. Stormwater runoff from this project site shall be limited to a post-development discharge of 1.1 CFS/acre for all events up to a 100-year event. Onsite detention shall be provided at a rate of 1000 cubic feet per acre or based on approved detention calculations, whichever is greater, in conformance with the approved storm drainage design prepared for the original development Tract 4169. The detention basin(s) shall be designed in accordance with Public Works Standards and policies. The Developer shall provide a city standard Declaration of Restrictive Covenant for Detention Basin Perpetual Maintenance by the property owner prior to the approval of the grading/site improvement plans. (DS)

141. The onsite stormwater pipeline system shall be sized hydraulically to handle the 100-year storm event to ensure that runoff from the 100-year storm event is routed to the detention system before discharging the controlled release downstream. The sizing of the flow release, which is limited to 1.1 CFS/acre, shall account for the hydraulic grade line from the existing drainage structure in the public right-of-way per the storm drainage improvements constructed for Ventura Boulevard, DWG 86-94A. Onsite drain inlets shall be designed with a 50% clogging factor at depressed locations. (DS)

142. The Developer shall demonstrate to the satisfaction of the City Engineer the drainage calculations for the required MS4 retention and detention volumes. The Developer shall show that the detention basin discharges or infiltrates the entire required volume in 24 hours. As required by the Technical Guidance Manual ('TGM'), the MS4 retention volume stored in the infiltration basin (separate from the detention basin) has to be completely infiltrated in 72 hours or less. (DS)

143. During engineering plan check, the Developer shall conduct at least one (1) percolation test within the general footprint of the proposed infiltration facility to validate the infiltration rate used in the sizing calculations. The infiltration test shall account for the Reduction Factor from the Los Angeles County "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. (DS)

144. Developer's Geotechnical Engineer shall perform percolation tests on the exposed bottom of all infiltration chambers immediately prior to facility construction and provide the City with an opinion that the exposed soil layer is suitable for the proposed infiltration facility based on the review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be clearly noted on the improvement plans. The report shall be reviewed and approved by the Project Civil Engineer. (DS)

145. Locate the infiltration basin(s) 10-feet minimum away from water and sanitary sewer lines, and away from structures consistent with the TGM. (DS)

146. Developer shall abandon all existing sewer, water, and storm drain laterals to the project site that aren't used by the project. (DS)

147. Developer shall analyze the public sewer, water, and storm drain systems and verify that they are adequate to serve the project, meeting City standards. Developer shall upgrade/replace all downstream improvements determined to be inadequate as required by the City Engineer. (DS)

148. Developer shall update the existing water system with a loop system; dead-ends to be removed at the direction of the City Engineer. A water system hydraulic report shall be submitted for review and approval to demonstrate that the onsite water system is sufficient in providing the required fire flow. (DS)

149. Developer shall install protective bollards for all fire hydrants within 4 feet of a roadway surface that are not protected by a raised curb. (DS)

150. If this project moves forward with construction ahead of the proposed Starbucks Project (PZ 21-500-03), Developer shall prepare the project site improvements as a standalone project, without the Starbucks Project site and demonstrate to the satisfaction of the City Engineer how the proposed site circulation, fire access, and utilities will match up with the existing adjoining site and utility improvements. (DS)

151. If this project moves forward with construction after the proposed the Starbucks Project (PZ 21-500-03), Developer shall demonstrate how the proposed site improvements align with the Starbucks Project site and utility improvements and provide evidence that the design between the two projects has been coordinated. (DS)

152. Developer shall construct a triple-bin trash enclosure-type (or approved equal) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. A hose bib shall be installed within the enclosure, and a traffic-rated drain shall be installed inside the enclosure to capture all enclosure wash water. This drain shall connect to the onsite grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan, as well as an ADA path of travel to connect the trash enclosure to the nearest sidewalk. Developer shall finish the trash enclosure to match the major design elements of the main structure, subject to approval by the Planning Division. The location and configuration shall be approved by the Environmental Resources Division. (DS)

153. Developer shall construct the floor and a loading/service pad of the trash enclosure to be substantially level (2% max slope). (DS)

154. All site refuse bins shall be stored in the approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. Developer shall design the enclosure not to require the bins to be shuffled around when being serviced. (DS)

TRAFFIC DIVISION SPECIAL CONDITIONS

155. If this project chooses to move forward with construction before the Starbucks Project (PZ 21-500-03), this project is responsible for constructing the pedestrian crosswalk across Ventura Boulevard with rectangular rapid flashing beacons. Final locations, signing and striping shall be approved by the City Traffic Engineer. It is the responsibility of the Developer of this project to pursue and execute a cost-sharing agreement with the Starbucks Project (PZ 21-500-03) for the pedestrian crosswalk and flashing beacons improvements. (TR)

156. The Developer shall demonstrate (to the satisfaction of the City Traffic Engineer) with turning exhibit(s) on the engineering site plan that Fire Department engines and trash trucks can safely navigate through the proposed drive aisle and driveway approaches. (TR)

157. Developer shall install crosswalk warning signs and pavement markings where pedestrians cross the proposed drive-through lanes. Final signing and striping shall be approved by the City Traffic engineer. (TR)

158. Developer shall install directional signs and pavement markings indicating the route to the proposed drive-through and the flow of traffic exiting at the proposed drive-through exit. (TR)

159. Developer shall retrofit existing High-Pressure Sodium Vapour (HPSV) street lights along Ventura Boulevard on both sides of the street along the project frontage with LED. LED specification is subject to the approval of the City Traffic Engineer. (TR)

ENVIRONMENTAL RESOURCES DIVISION

160. This property is required to comply with state mandated diversion laws (AB 939, AB 341, AB 1826, SB 1383, AB 827) and must make provisions to manage three material streams (recycling, organics, trash) in any waste enclosure(s) constructed.

161. 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.

162. 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.

163. 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.

164. 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, AB 827); 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.

165. 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.

166. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.

167. 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.

168. 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

169. 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

170. 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*)

171. 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*)

172. 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*)

173. 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*)

174. 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*)

175. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)

176. 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*)

177. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)

178. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)

179. 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*)

180. 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*)

181. 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*)

182. The intersection of Ventura Boulevard and Auto Center Drive shall be equipped with pre-emption equipment. (FD/TR, *F-15*)

183. 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

184. 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.

185. 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.

186. 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 20th day of January 2022.

_____
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 20th day of January 2022, 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
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RESOLUTION NO. 2021-XX
(21-520-03 (SPECIAL USE PERMIT))

RESOLUTION NO. 2022 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-520-03 (SPECIAL USE PERMIT - MINOR) TO ALLOW FOR A NEW SIGN PROGRAM FOR THE CENTER, WHICH WILL PROVIDE STANDARDS FOR BUILDING SIGNAGE, DRIVE-THROUGH SIGNAGE AND INCORPORATION OF AN EXISTING FREESTANDING FREEWAY ORIENTED SIGN STRUCTURE WITHIN AN 3.67-ACRE COMMERCIAL CENTER, LOCATED AT 1700, 1720, 1740 VENTURA BOULEVARD (APNS: 144-0-134-085, -095, & -115) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY HOLLEE KING WINEGAR, OF SITE SPECIFIC PLANNING, 7584 EISENHOWER STREET, VENTURA, CA 93003, DESIGNATED AGENT, ON BEHALF OF DARREL W. WRIGHT, OF CHANNEL ISLANDS MARKETPLACE, LP, OVERPASS ROAD, BUILDING C, SANTA BARBARA, CA 93111 (PROPERTY OWNER)

WHEREAS, on May 26, 2021, Darrel W. Wright (the **"Applicant"** and/or **"Permittee"**) submitted a request to permit a new sign program for the center, which will provide standards for building signage, drive-through signage, and incorporation of an existing freestanding freeway oriented sign structure within the overall 3.67-acre commercial center. No changes are proposed to the existing sign structure. The project is located in the Rose-Santa Clara Corridor Specific Plan (RSCSP) zone district at 1700, 1720, 1740 Ventura Boulevard (APNs: 144-0-134-085, -095, & -115); and

WHEREAS, on January 20, 2022, 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. 21–520-03 (Special Use Permit - Minor) to allow a new sign program for the center, which will provide standards for building signage, drive-through signage and incorporation of the existing freestanding freeway oriented signage within the overall 3.67-acre commercial center (the **"Project"**), in accordance with Section 16-608(J) of the Oxnard City Code (OCC) and RSCSP Section 6.7; and

WHEREAS, Section 16-608(J) of the OCC and RSCSP Section 6.7 authorize the Planning Commission to approve a Special Use Permit for a sign program; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the project meets the criteria set out in Section 16-608(J) of the OCC and RSCSP Section 6.7; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof, the Rose-Santa Clara Corridor Specific Plan, 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 11 Categorical

Exemption (Section 15311). 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 Regional and is in the Rose-Santa Clara Corridor Specific Plan (RSCSP) zoning designation. The project site is currently developed within an existing commercial center, which contains an existing restaurant and vacant commercial buildings and the project consists of only the creation of standards for the development of on-premise signage consistent with the RSCSP. 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 commercial center contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial urban development. The project site is currently developed within an existing commercial center, which contains an existing restaurant and vacant commercial buildings and the project consists of only the creation of standards for the development of on-premise signage consistent with the RSCSP. 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 commercial center contains an existing restaurant and vacant commercial buildings and is surrounded by other commercial urban development. The project site is currently developed within an existing commercial center, which contains an existing restaurant and vacant commercial buildings and the project consists of only the creation of standards for the development of on-premise signage consistent with the RSCSP. 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) character of the surrounding development and the property does not contain any unusual environmental characteristics as the property will be surrounded on all sides by commercial development. Therefore, the Project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

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

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

The project site 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 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 sign program would provide standards for the creation of the on-site signage associated with the development on the three properties. Signage is generally limited to building signage, drive through signage, and freestanding signage. The sign program has been designed to be consistent with the Commercial Regional (CR) General Plan land use designation, as well as with the Auto-Sales and Service Land Use of the Rose-Santa Clara Corridor Specific Plan. As discussed in detail in the Planning Commission Staff Report Section g, the Project, as designed and conditioned, meets all applicable development standards with Section 6.7 (Sign Guidelines and Standards) of RSCSP. All future businesses would be subject to these requirements, including the proposed businesses. All sign permits requested for businesses at any of these three businesses would be reviewed by planning staff for compliance with the sign program. 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 project subject to the Master Sign Program has been approved subject to a Specific Plan, Development Plan, Planned Development Permit, or Special Use Permit.**

   The properties subject to the new sign program are located within the Rose-Santa Clara Corridor Specific Plan which required a sign program for all projects with the RSCSP. The project site will also be subject to the Special Use Permits being processed concurrent with this application (21-500-03 and 21-500-04) and the original special use permit for the Red Lobster (U-1427). Therefore, the proposed project meets this Finding.

3. **The amount of sign area does not exceed that which would be allowed by this chapter and otherwise meets the intent of the sign provisions of this chapter.**

   The sign program will comply with the maximum aggregate sign area allowed by the OCC Section 16-608(A)(1) and the RSCSP Section 6.7. As allowed under the OCC and the RSCSP, the sign program requires that the total aggregate sign area for applicable individual site identity signs shall not exceed 2 square feet of sign area for each lineal foot of building on its principal street, or 1 square foot of sign area for each lineal foot of lot frontage on its principal street, whichever is larger. Therefore, the proposed sign program meets this finding.

4. **The type and appearance of the proposed signs is consistent with the design guidelines or architectural character of the development.**

   The proposed sign program is consistent with the RSCSP sign guidelines. The type and scale of the signage will be appropriate for the type of development and will be proportionate to the size of the property and proposed buildings. The primary monument signs will be designed to be compatible with the design of the development

onsite and within the adjacent commercial centers. As all future signage or sign changes must comply with the proposed sign program, the future sign development will remain consistent with the RSCSP, and therefore the sign program meets this finding.

5. **The master sign program provides for a unique and unified sign program that cannot be accommodated through strict application of the provisions of this chapter.**

   The proposed future development includes drive-through facilities, the proposed sign program is required to outline standards for the associated drive-through signage. As the OCC and the RSCSP do not address drive-through signage the proposed sign program will allow for unified drive through signage throughout the Center. The sign program will also allow for consistent individual monument signs, which will be compatible with the architectural guidelines of the RSCSP. Therefore, the proposed sign program meets this finding.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (new sign program) will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to CEQA Guidelines §15311 (Class 11) of the State CEQA Guidelines. The Project involves a new sign program that would provide standards for the creation of the on-site signage associated with the development on the three properties. Signage is generally limited to building signage, drive through signage, and freestanding signage. 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. 21-520-03 (Special Use Permit - Minor), 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 January 20, 2022, ("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. This sign program shall apply to all tenants applying for new signs or changes to existing signs as of the date of this letter. New signs shall conform to the provisions of this sign program.

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. 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*).

10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)

11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)

12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)

14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on

this 20th day of January 2022.

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 20th day of January 2022, 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
M

Staff Presentation

Starbucks & In-N-Out - Ventura Boulevard

Planning & Zoning Permit Nos.

- 21-500-03 (Special Use Permit - Starbucks),
- 21-500-04 (Special Use Permit - In-N-Out),
- 21-520-03 (Special Use Permit - Minor - Plaza Del Norte Master Sign Program)

Applicant: Hollee King Winegar, Site Specific Planning

Joe Pearson II, Senior Planner
Scott Kolwitz, Planning and Environmental Services Manager

Planning Commission
January 20, 2022

CITY OF OXNARD CALIFORNIA

Project Description

- A request for the following actions:
  - PZ 21-500-03 - Special Use Permit - Starbucks
    - Demolish the existing approximately 7,000 square foot building
    - Construct a new 1,800 square-foot coffee shop and outdoor patio
    - Drive-through with 15-vehicle capacity
    - Parking lot for 25 vehicles,
    - Landscaping and infrastructure improvements
    - 0.85-acre project site.

Project Description

- A request for the following actions:
  - PZ 21-500-04 - Special Use Permit - In-N-Out
    - Demolish the existing approximately 18,000 square foot building
    - Construct a new 3,885 square-foot restaurant and outdoor patio
    - Drive-through with 23-vehicle capacity,
    - Parking lot for 73 vehicles,
    - Landscaping and infrastructure improvements
    - 1.47-acre project site.

Project Description (Continued)

- A request for the following actions:
  - An administrative parking relief to decrease the number of required parking spaces required by the center (1700-1740 Ventura Boulevard)
    - 207 parking spaces to 182 parking spaces.
  - PZ 21-520-03 - Plaza Del Norte Master Sign Program
    - New sign program for the center, which will provide standards for
      - Building Signage,
      - Drive-through signage,
      - Incorporate the existing freestanding freeway oriented signage (no changes).

Project Location

Subject Site: 1700, 1720, and 1740 Ventura Boulevard

Existing Commercial Center

Project Location

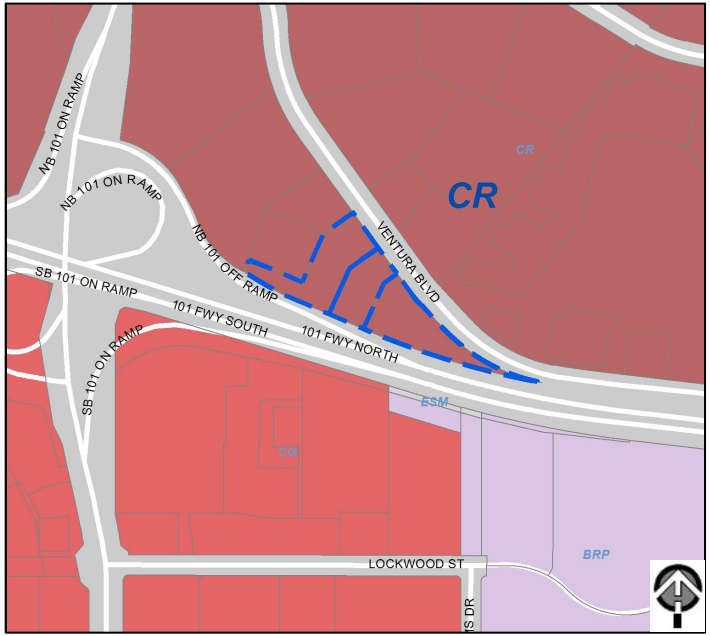
Project Location

Aerial-View

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Two Vacant Commercial Buildings and Restaurant (Red Lobster)
North	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Retail Center
South	Highway 101	Highway 101	Highway 101
East	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Retail Center
West	Commercial Regional	Specific Plan (Rose-Santa Clara Corridor Specific Plan)	Utility Building/Car Dealership

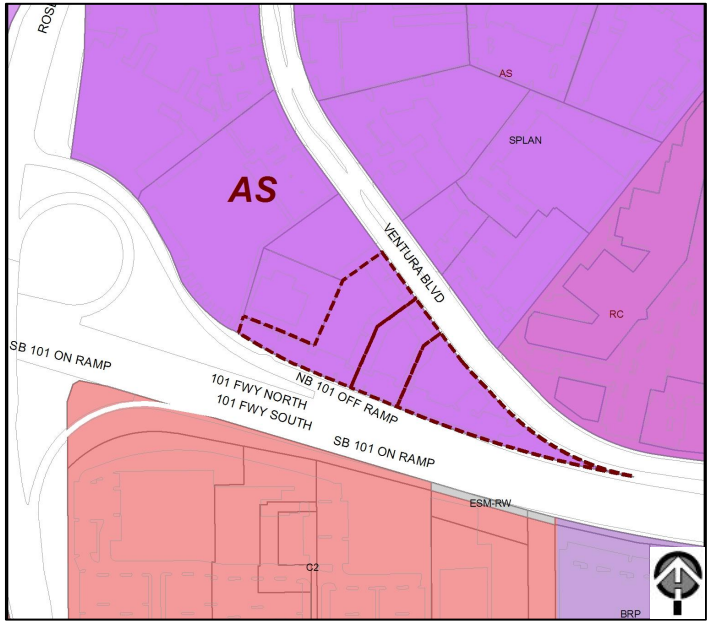
General Plan & Zoning Maps

General Plan Land Use Designation



Commercial Regional (CR)

Zoning Designation



Specific Plan (Rose-Santa Clara Corridor Specific Plan) (RSCSP)

Background - Existing Center

- On August 2, 1990, the Planning Commission conditionally approved Special Use Permit U-1427 via Resolution No. 7456 to three retail buildings to be located on 1700, 1720, and 1740 Ventura Boulevard.

- On September 11, 1990, U-1427 also upheld by City Council Resolution No. 10,039.

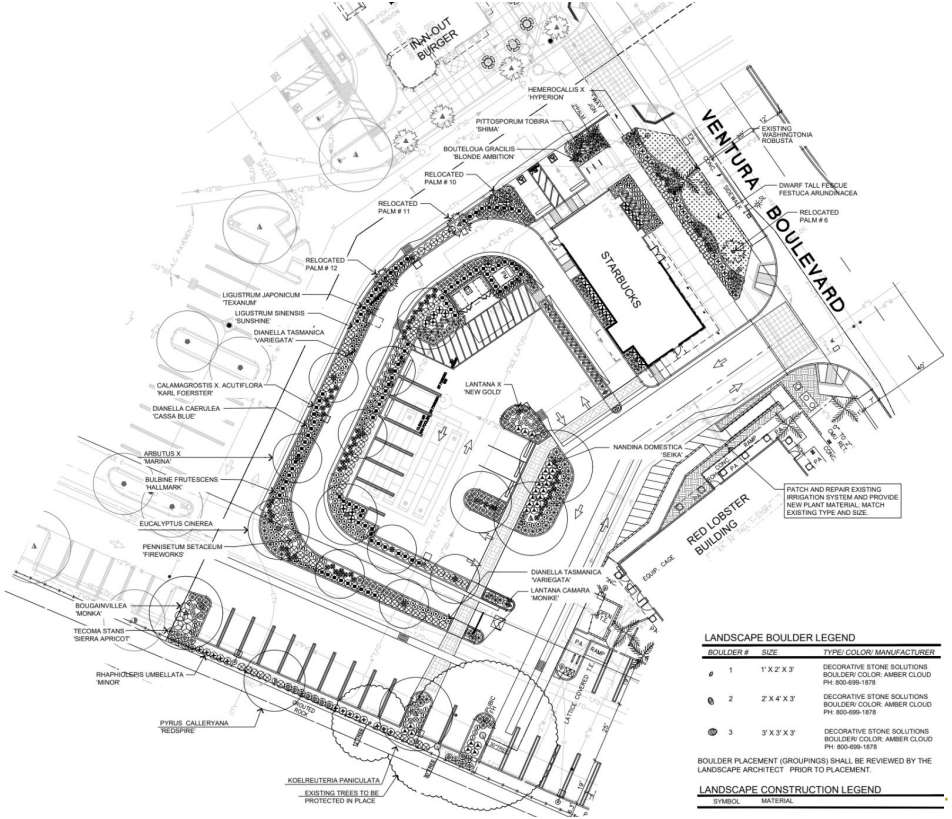
- While various businesses have operated on the site over the intervening years, the building configuration has remained the same.

Proposed Site Plan (Commercial Center)

Proposed Site Plan

Proposed Site Plan (Starbucks)

Proposed Site Plan



Starbucks Elevations - Rendered

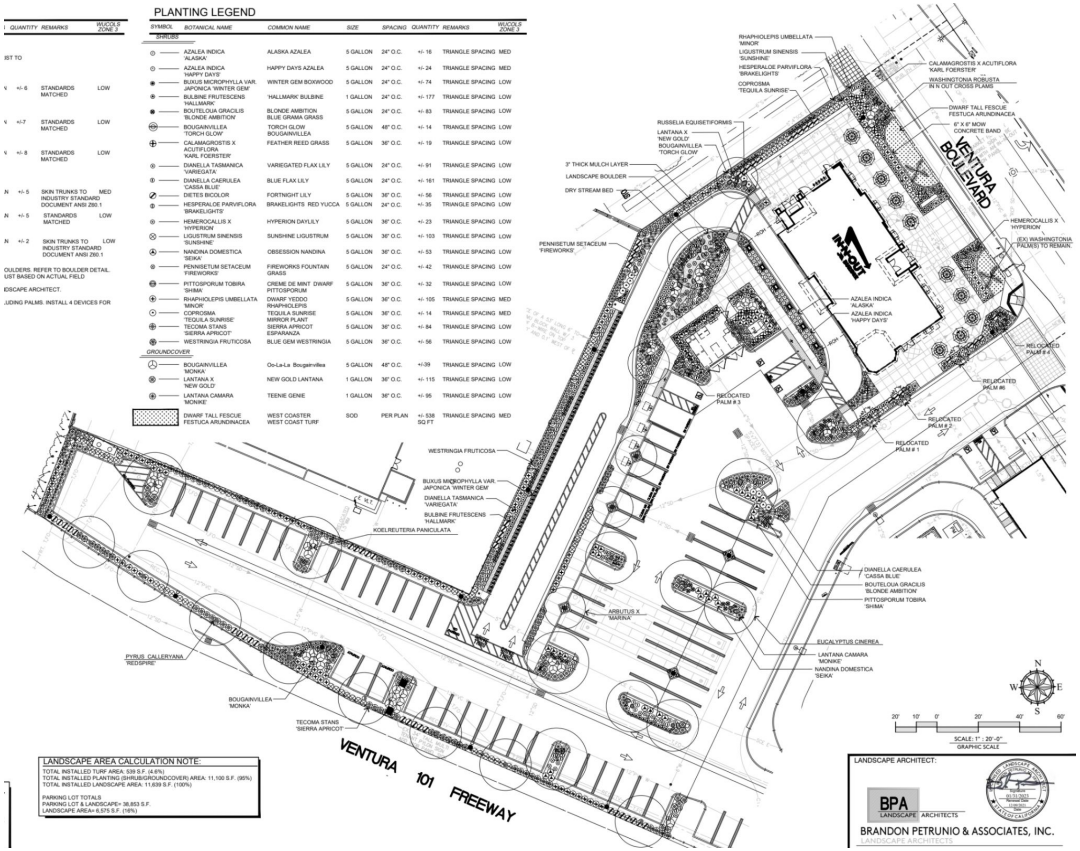
NORTH ELEVATION
SCALE 1/8" : 1'-0"
0 5 10 20

EAST ELEVATION
SCALE 1/8" : 1'-0"
0 5 10 20

SOUTH ELEVATION
SCALE 1/8" : 1'-0"
0 5 10 20

WEST ELEVATION
SCALE 1/8" : 1'-0"
0 5 10 20

Proposed Site Plan (In-N-Out)



In-N-Out Elevations - Rendered

Proposed Sign Program

- As part of the RSCSP a sign program is required for all development projects within the specific plan area.
- The proposed sign program outlines the type of signs and standards for all other building signs, freestanding signs, window graphics, and door graphics on site, which are consistent with the RSCSP standards for in Section 6.7.
- The new sign program will incorporate the existing free standing signage on site.

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 9.2 - Revitalization and Redevelopment
  - Community Development Policy 14.1 & 14.2 - DAC Process
  - Community Development Policy 18.1 & 18.5 - Attract new Business
  - Infrastructure & Community Services Policy 8.1 & 8.5 - Improved Pedestrian Connections and Pedestrian Orientation

Zoning Code Compliance

- The Project is subject to the "Rose-Santa Clara Corridor Specific Plan" (RSCSP) zone district.
- Development tables were incorporated into the staff report showing and comparing applicable development standards for this project.
- One variation from the standards are being requested:
  - A reduction in the required parking from 207 to 182 pursuant to the approval of a administrative parking relief under RSCSP Section 5.7.10.C

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 PARKING PROVIDED PER OXNARD CITY CODE	PARKING STUDY PEAK DEMAND (WEEKEND) WEEKEND DIFFERENCE (SUPPLY - DEMAND)
Existing Red Lobster	Restaurant: Less than or equal to 6,000 gsf - 1 space per 75 gsf. Greater than 6,000 gsf - 1 space per 180 gsf. < 6,000 gsf =80 spaces > 6,000 gsf =13 spaces Total Required = 93	N/A	53 parking spaces	53 spaces	89 spaces **-36 spaces**
Proposed In-N-Out	Fast Food: 3,885 space per 50 gsf. 3,885 gsf =78	8 Spaces	73 parking spaces + 23 stacking spaces	93 spaces (Maximum of 20 spaces can count toward parking requirement)	47 spaces **+26 spaces**
Proposed Starbuck	Fast Food: 1,800 space per 50 gsf. 1,800 gsf =36	8 Spaces	25 parking spaces + 15 stacking spaces	36 spaces (Maximum of 11 spaces can count toward parking requirement)	13 spaces **+12 Spaces**
Total Project	207 parking spaces		151 Parking space + 38 stacking spaces	182 spaces (include 31 stacking spaces)	149 spaces **+2 Spaces**

Environmental Review

- In accordance with Section 15332 (Infill Development) and 15311(a) (On-Premise Signs) of the California Environmental Quality Act (CEQA) Guidelines, projects characterized as in-fill development and on site signage may be found to be exempt from the requirements of CEQA. The project includes:
  a. The project includes redevelopment of a existing commercial center to allow for two drive-through restaurants.
  b. The overall proposed development site is located on a 3.67-acre site which is surrounded by urban uses.
  c. The Project site will be adequately served by all required utilities and public services.
  d. The Project site has no value as habitat for endangered, rare or threatened species.
  e. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
  f. The sign program would provide standards for the creation of the on-site signage associated with the development on the three properties. Signage is generally limited to building signage, drive through signage, and freestanding signage.
- No substantial evidence the project will have a significant effect on environment.
- A Notice of Exemption will be filed.

Select Recommended Conditions of Approval (PZ 21-500-03 and PZ 21-500-04)

- The permit is granted for 36 months.
- Requires the drive-through speaker box use automatic volume control.
- Requires the applicant implement a Transportation Demand Management Plan (TDMP) and allows for re-evaluation by the City.
- Requires the installation of a pedestrian crosswalk.

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 15332 (Infill Development) and 15311(a) (On-Premise Signs)

b) Adopt Resolution a approving Planning and Zoning Permit No. 21-500-03 (Special Use Permit - Starbucks), subject to certain findings and conditions

c) Adopt Resolution a approving Planning and Zoning Permit No. 21-500-04 (Special Use Permit - In-N-Out), subject to certain findings and conditions

d) Adopt Resolution a approving Planning and Zoning Permit No. 21-520-03 (Special Use Permit - Minor - Plaza Del Norte Master Sign Program), subject to certain findings and conditions

CITY OF OXNARD CALIFORNIA

Questions