

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jose Coyotl, Associate Planner

DATE: February 17, 2022

SUBJECT: **Project Name: Advocate Society LLC dba Advocate Society - Commercial Cannabis Business Retail Special Use Permit (SUP); Planning and Zoning Permit No. 21-516-17 (Retail); Located at 2550 North Vineyard Avenue (APN: 145-0-232-165).**

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. 21-516-17 (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 4,566 square-foot commercial suite of an approximately 5,270 square-foot multi-tenant commercial building on a 1.01-acre site located at 2550 North Vineyard Avenue (APN: 145-0-232-165) within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, and installation of new secure doors/windows (Attachments A and B). Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. The project also includes a request for an administrative parking relief to allow for a decrease in the number of required parking spaces required by the center, which include the properties located at 2250 North Vineyard Avenue, from 53 parking spaces to 47 parking spaces. For the purposes of this Staff Report, the foregoing project description shall be referred to as the “**Project**”. Filed by Ronald Jakins (“**Applicant**”), 3549 Glen Abbey Lane, Oxnard, CA 93036, on behalf of Advocate Society LLC dba Advocate Society.

3) Existing & Surrounding Land Uses: The 1.01-acre property is developed with a 5,270 square-foot commercial building, a second 9,675 square-foot commercial building, and private parking lot area. The project will be located within the 5,270 square-foot commercial

building located at 2550 North Vineyard Avenue. The nearest established sensitive use is Child Development Resource of Ventura County, Inc. - Julie Irving Head Start Center (Commercial Day Care Facility), located approximately 820 feet southeast of the project site which is outside the required 600-foot radius away from a sensitive use. The following table identifies the General Plan and zoning designations of the project site and adjacent properties:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Commercial shopping center.
North	CG	C-2-PD	Commercial shopping center.
South	CG	C-2-PD	Commercial shopping center.
East	CG	C-2-PD	Commercial shopping center.
West	CG	C-2-PD	Fast food restaurant with drive through.

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 City Council also repealed Chapter 11, Article XV (Medical Cannabis Delivery), and Chapter 7, Article XVI (Cannabis and Medical Cannabis Activities) due to State legalization of state-licensed cannabis delivery operators.

Development History

On September 30, 1988, the Planning Commission approved Planned Development 461 to allow the construction of two commercial buildings. Since the initial construction to present day, permits for various tenant improvements have been approved to accommodate the turnover of commercial establishments.

Commercial Cannabis Retail License Selection

On January 7, 2021, Advocate Society LLC dba Advocate Society filed for a request to obtain a Commercial Cannabis Business Permit for a 4,566 square-foot cannabis retail facility.

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

5) Environmental Determination:

In accordance with Section 15301, Class 1 (Existing Facilities) of the State California Environmental Quality Act (CEQA) Guidelines, projects involving “negligible or no expansion of use beyond that existing at the time of the lead agency’s determination” may be found to be exempt from the requirements of CEQA. The Project involves a request for retailing of cannabis products within an existing commercial building, the project request will not increase the square footage of the existing building. 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, General Commercial zone, and the OCC.

In accordance with OCC Section 11-473(A) and 11-473(B), permitted uses within the General Commercial zone, includes a commercial cannabis business retail of cannabis, provided that the owner has first obtained a commercial cannabis business permit per

discretionary cannabis use pursuant to Article XVI, Chapter 11 of the OCC (SUP for retail). The site will be secure at all times by the use of proper security measures as reviewed by the Police Department.

b) General Plan, and Zoning Consistency:

General Plan Consistency:

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

Zoning Consistency:

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

Location and Design of Cannabis Business Requirements:

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

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

c) Circulation and Parking:

Vehicular access to the site will occur via one existing 25-foot driveway from the adjacent shopping center's parking lot. The project will have one dedicated parking space on off peak hours to accommodate unloading of cannabis products with access from the storefront into the tenant space.

The shopping center was originally approved with a parking rate of one parking space per 300 square feet of commercial gross floor area, which would have required a total of 50 parking spaces although only 47 currently exist on the project site, of which 9 are compact spaces. The shopping center is legal nonconforming by the current code standards which requires one parking space per 250 square feet of gross floor area

(consistent with the cannabis parking requirements). Per the OCC, the introduction of the cannabis use into the 4,566 square foot tenant space results in a net increase of 3 required parking spaces, meaning a total of 53 parking spaces would be required.

The applicant is seeking Administrative Parking Relief to the amount of required parking spaces for the 14,945 square foot shopping center located at 2550 North Vineyard Avenue. In accordance with the provisions of OCC Section 16-651 (Administrative Relief from Parking Provisions), the applicant submitted a parking study prepared on January 23, 2022, by Collins Allan, P.E. Traffic Engineers Riverside California, to demonstrate parking demand based on the established and proposed uses at the site (Attachment I).

The submitted parking study calculated the total parking space demand based on the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition, for the uses of Shopping Center (LU820) and Marijuana Dispensary (LU882). The parking study concluded a total requirement of 53 parking spaces was needed on the project site based on either the OCC or ITE calculations. The parking study also surveyed the number of occupied and available parking spaces in the shopping center and found the percentage of occupied parking spaces was below 45% (a maximum of 21 of 47 spaces were used, of which 3-5 were used by a mobile car washing service). The complete assessment of parking is outlined in the following table:

DEVELOPMENT	PARKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-622(F)	PARKING REQUIREMENT PER ITE PARKING GENERATION MANUAL	TOTAL PROVIDED	PARKING STUDY PEAK OBSERVED DEMAND
Shopping Center - Retail 10,575 Square feet	1 per 300 square feet of gross floor area (Legal nonconforming) Total Required = 35 parking spaces	1.95 parking spaces per 1,000 square feet. Total Required per ITE = 20 parking spaces	35 parking spaces	21 spaces
Proposed Cannabis Retail 4,566 square feet	1 per 250 square feet of gross floor area. Total Required = 18	7.19 parking spaces per 1,000 square feet. Total Required per ITE = 33	12 parking spaces	

		parking spaces		
Total Project	53 parking spaces	53 parking spaces	47 parking spaces	

Using either the OCC or ITE parking rates, the project will be deficient by 6 parking spaces. In its current state, the shopping center was found to use less than 45% of the parking spaces currently available; however, it is acknowledged that not all of the tenant spaces are currently occupied. The parking study included a number of incentive programs for staff and customers to reduce the parking load at the facility throughout the day. Of note, the parking study identifies that no staff parking will be provided onsite.

The parking study was reviewed by the City staff, who supported the conclusions contained in the traffic study prepared by Collins Allan, P.E. Traffic Engineers including 53 required parking spaces is appropriate for a fully occupied project site; however, 47 parking spaces can be supported with conditions. The Project has been conditioned to prohibit employees from the cannabis retail facility to park onsite which will result in 6 or more parking spaces to be free of vehicles, thereby lowering the amount of required parking spaces from 53 to 47 parking spaces. This condition requires Advocate Society to cover the employee's costs to travel to and from work. On a monthly basis, or as may otherwise be requested by the City, Advocate Society is to provide a manifest providing 1) each employee's name, 2) documentation identifying employee's method of travel to and from work, and 3) associated receipts to cover employee's cost to travel to and from work. Each employee of Advocate Society is to sign an affidavit affirming the accuracy of the monthly report and attest that they have not parked on the project site. The Applicant will be subject to periodic parking management inspections. The City finds that the proposed project, as conditioned and in the context of the documentation provided and reviewed, demonstrates that there is sufficient parking capacity. Therefore, administrative relief from this provision is included within the SUP applications.

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 Salinas 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 J) in order to reduce the risk for potential policing problems in the future. The Applicant has accepted all proposed conditions of approval.

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

8) Community Workshop and Public Input:

The project site is located within the El Rio Neighborhood. On September 10, 2021, the site was posted with Project details and Community Workshop information, and the Developer mailed out 2,008 meeting agenda notices. On September 20, 2021, the project was presented to the public during a Community Workshop meeting. There were approximately 28 members that participated at the Community Workshop for this item. Staff received six comments during the meeting regarding the cannabis retail facility which are summarized below.

1. Educating the local youth on cannabis products.
2. Law enforcement needs to be more transparent on cannabis home growing, possession.
3. Possible robberies due to close proximity to the 101 freeway.
4. Local equity program for minorities.
5. Inspiration to see members of the Oxnard community running cannabis businesses.
6. Need to give back to the community.

9) Appeal Procedure:

In accordance with OCC Section 16-545, the Planning Commission's action on Planning and Zoning Permit No. 21-516-17 (Commercial Cannabis Retail- Special Use permit) may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk's Office and must be submitted with the appropriate fees before the end of the appeal period. If an appeal to the City Council is not filed within 18 days of the Planning Commission's decision, the decision of the Planning Commission shall be deemed final.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Cannabis Ordinance No. 2994
- D. Advocate Society LLC dba Advocate Society 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. Parking Occupancy and Supply Study prepared by Collins Allan, P.E. Traffic Engineers

PZ No. 21-516-17, Advocate Society LLC dba Advocate Society (Cannabis Retail - SUP)
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- J. Draft Resolution of Approval for Commercial Cannabis Retail
- K. Staff Presentation

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

Vicinity Map



OXNARD PLANNING
JANUARY 27, 2022

PZ: 21-516-17
Address: 2550 N. Vineyard Ave. Oxnard CA
APN: 145-0-232-165
Advocate Society LLC dba Advocate Society

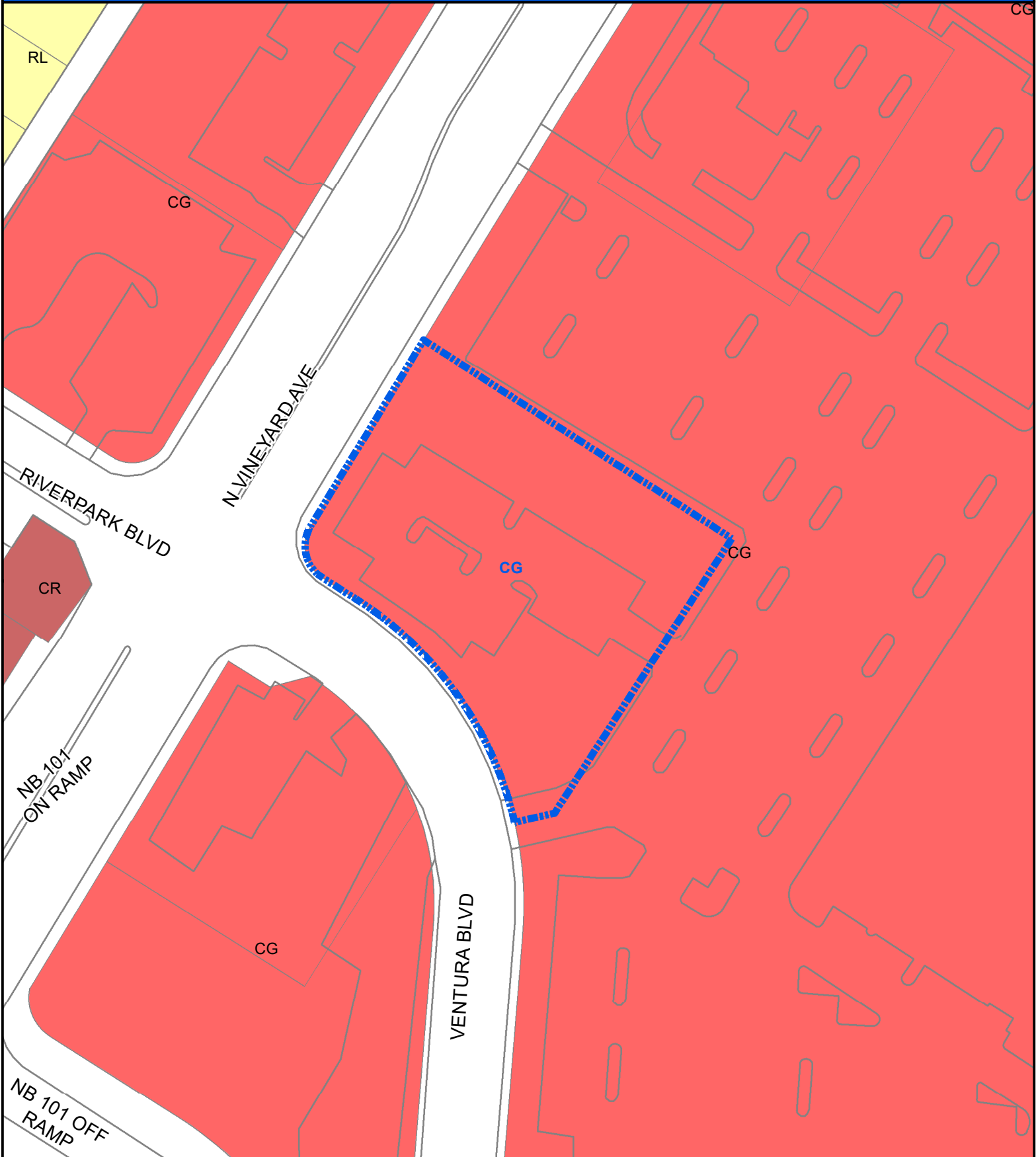
Vicinity Map

0 2,000 4,000 6,000 8,000
Feet



1:70,000

2030 General Plan Land Use Map



OXNARD PLANNING
JANUARY 27, 2022

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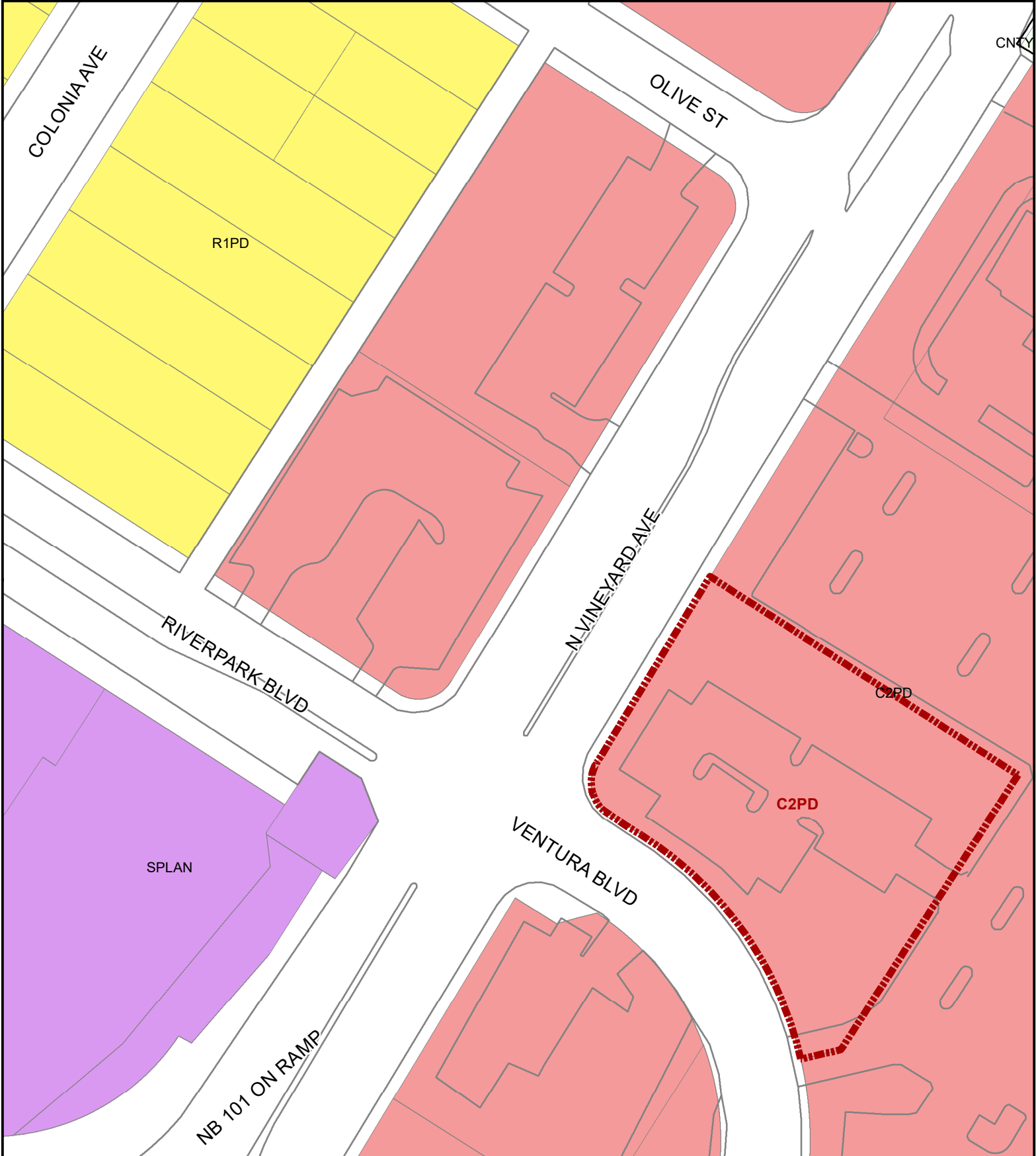
**2030 General Plan
Land Use Map**

0 40 80 120 160 Feet



1:1,000

Zoning Map



OXNARD PLANNING
JANUARY 27, 2022

PZ: 21-516-17
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Advocate Society LLC dba Advocate Society

Zoning Map

0 40 80 120 160 Feet



1:1,000

Aerial Map



OXNARD PLANNING
JANUARY 27, 2022

PZ: 21-516-17
Address: 2550 N. Vineyard Ave. Oxnard CA
APN: 145-0-232-165
Advocate Society LLC dba Advocate Society

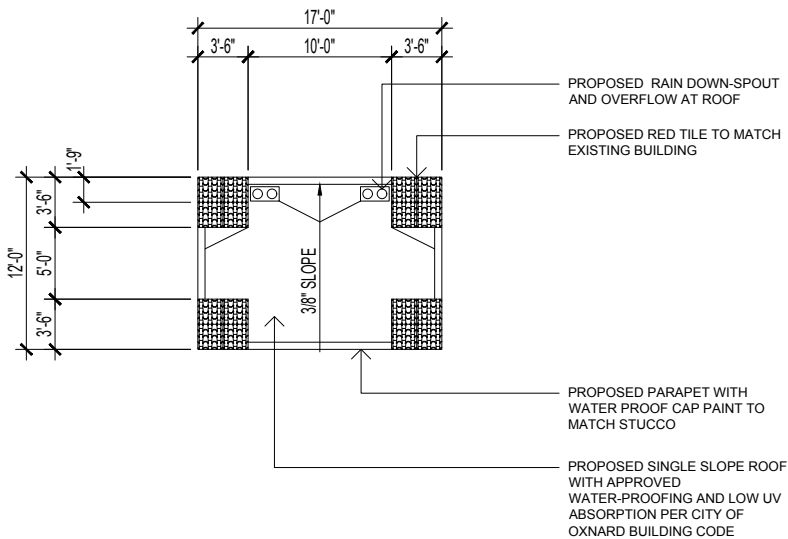
Aerial Map

0 40 80 120 160 Feet



1:1,000

B. Reduced Project Plans



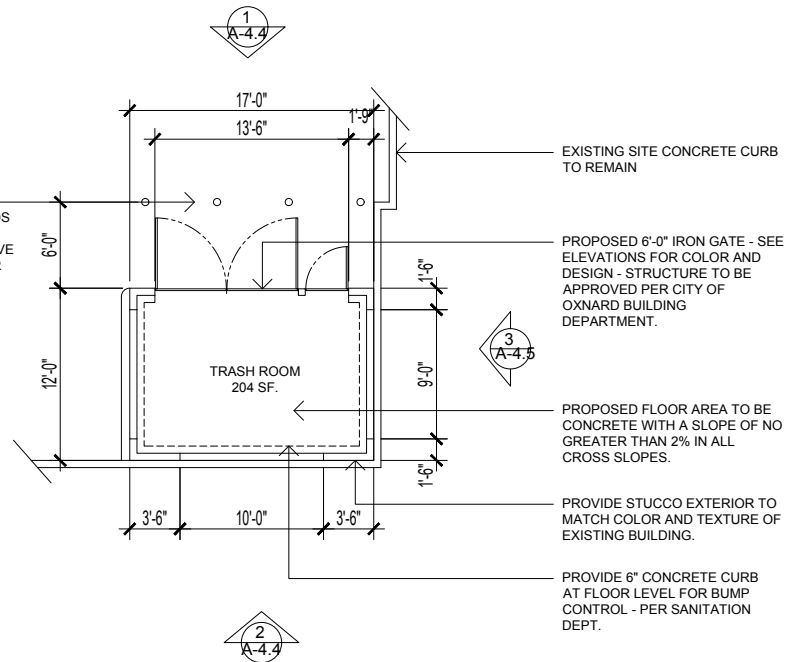
PROPOSED ROOF PLAN TRASH AREA



SCALE
1/4" = 1' - 0"

2

(N) PROPOSED 4" STEEL CONCRETE FILLED BOLLARDS AT TRASH RM. TYPICAL 4 LOCATIONS AT 3'-6" HT. ABOVE FINISH PAVING AT EXTERIOR OF TRASH RM.



PROPOSED FLOOR PLAN TRASH AREA



SCALE
1/4" = 1' - 0"

1

REVISION

**TENANT IMPROVEMENT
INTERIOR REMODELING OF SUITES 210 & 220
2550 VINEYARD - OXNARD**

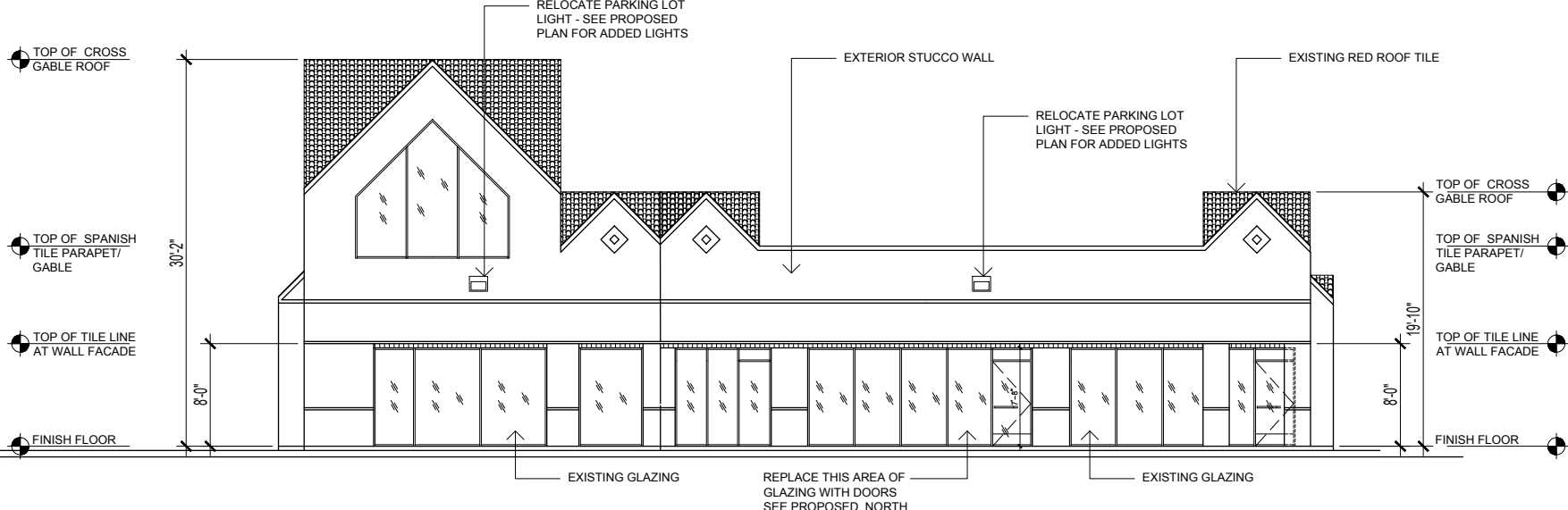
PROJECT

JOB NUMBER
PROJECT NUMBER
LICENSE STAMP

DATE 05-17-2021

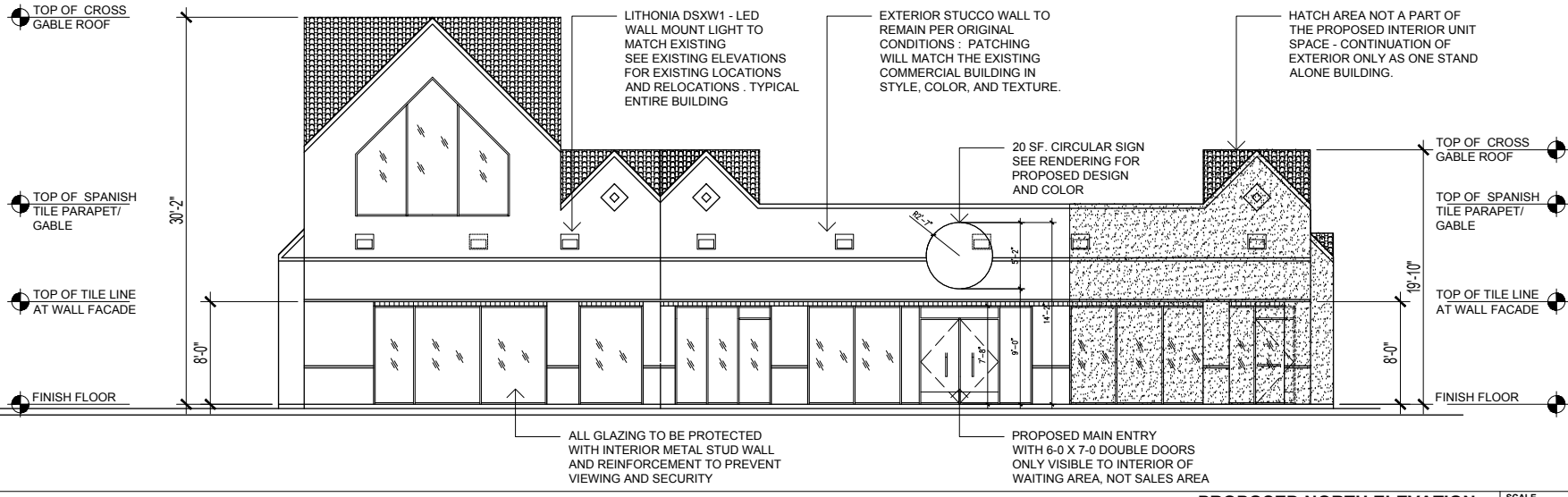
SHEET
PROPOSED
FLOOR PLAN
TRASH AREA

A-3.2



EXISTING NORTH ELEVATION

SCALE	1
1/4" = 1' - 0"	



PROPOSED NORTH ELEVATION

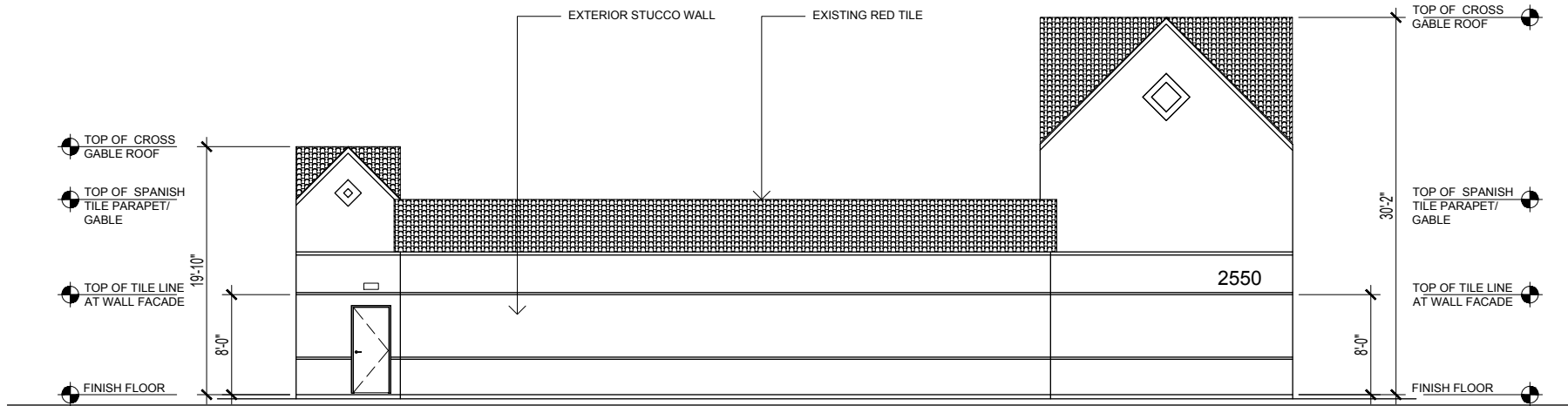
SCALE	1
1/4" = 1' - 0"	

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tcsdesign@tcsdesign.com

**TENANT IMPROVEMENT
INTERIOR REMODELING OF SUITES 210 & 220
2550 VINEYARD - OXNARD**

PROJECT	
JOB NUMBER	
PROJECT NUMBER	
LICENSE STAMP	
DATE	05-17-2021
SHEET	
NORTH	
ELEVATION	
PROPOSED	
& EXISTING	

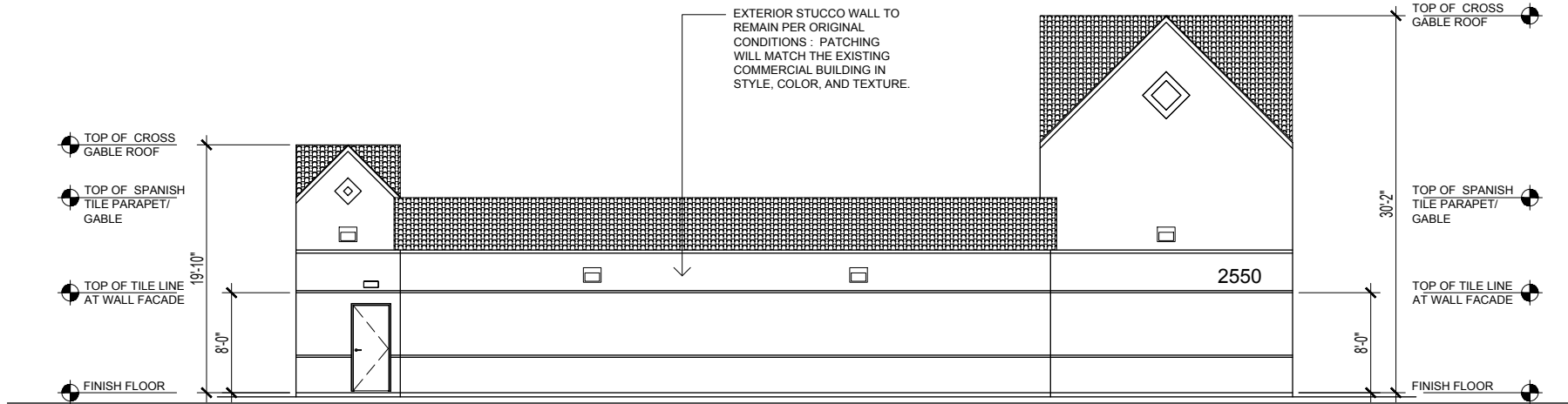
A-4.0



EXISTING EAST ELEVATION

SCALE
1/4" = 1' - 0"

2



PROPOSED EAST ELEVATION

SCALE
1/4" = 1' - 0"

2

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REVISION

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2550 VINEYARD - OXNARD**

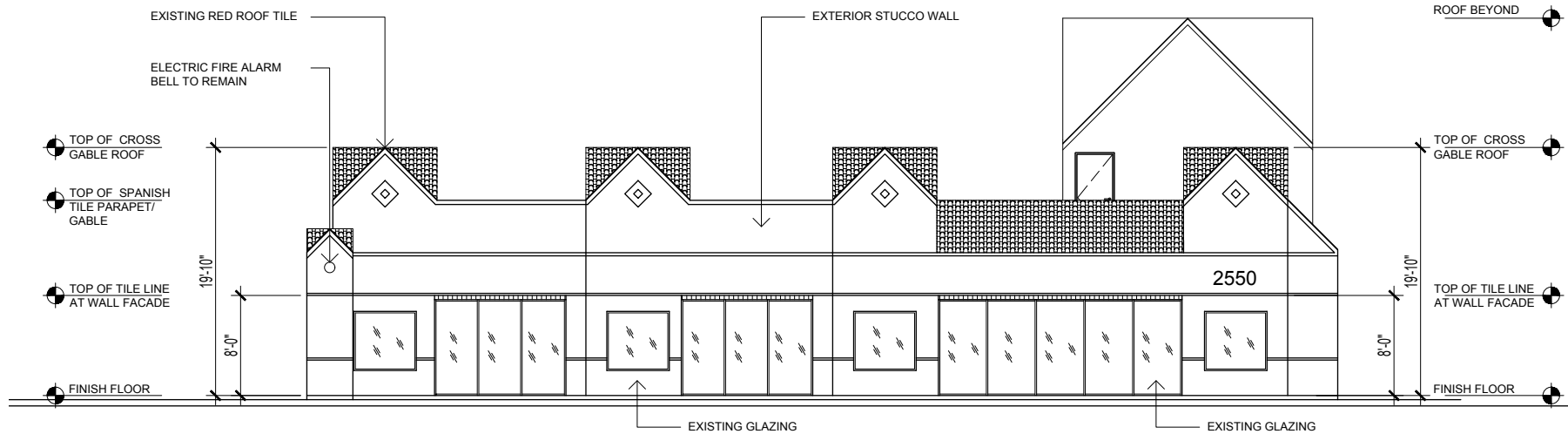
PROJECT

JOB NUMBER
PROJECT NUMBER
LICENSE STAMP

DATE 05-17-2021

SHEET
EAST
ELEVATION
PROPOSED
& EXISTING

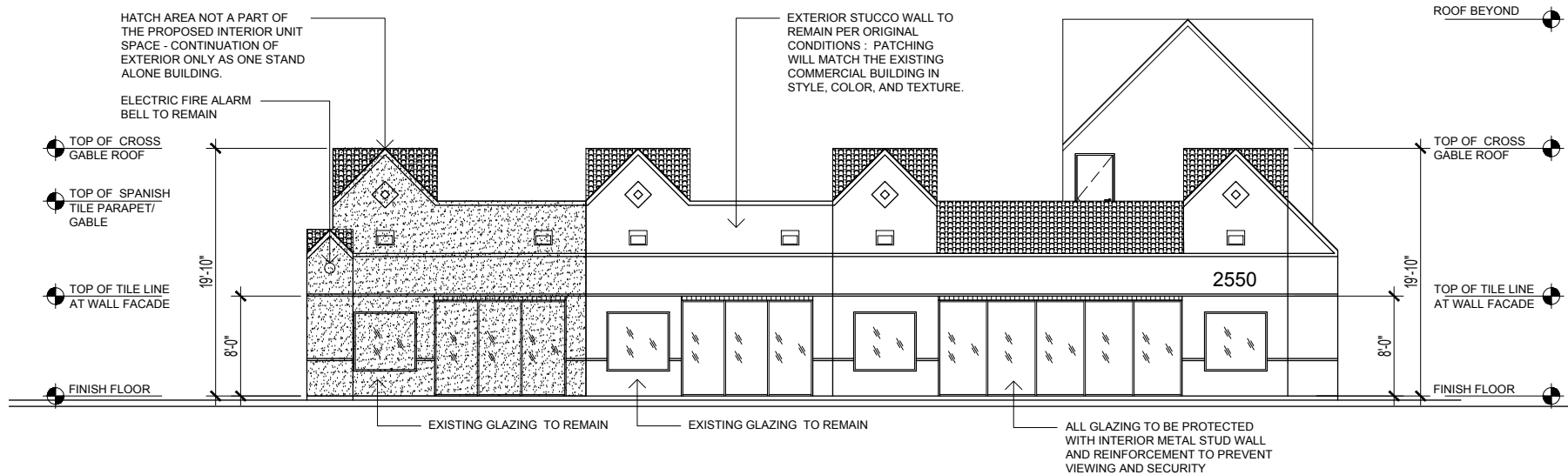
A-4.1



EXISTING WEST ELEVATION

SCALE
1/4" = 1' - 0"

3



PROPOSED WEST ELEVATION

SCALE
1/4" = 1' - 0"

3

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**TENANT IMPROVEMENT
INTERIOR REMODELING OF SUITES 210 & 220
2550 VINEYARD - OXNARD**

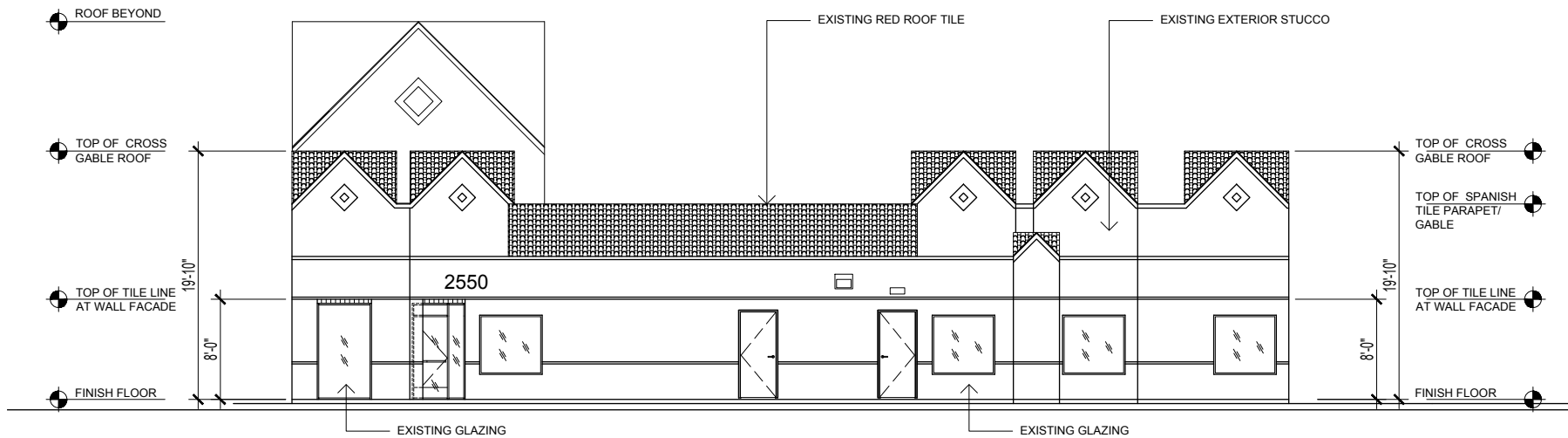
PROJECT

JOB NUMBER
PROJECT NUMBER
LICENSE STAMP

DATE 05-17-2021

SHEET
SOUTH
ELEVATION
PROPOSED
& EXISTING

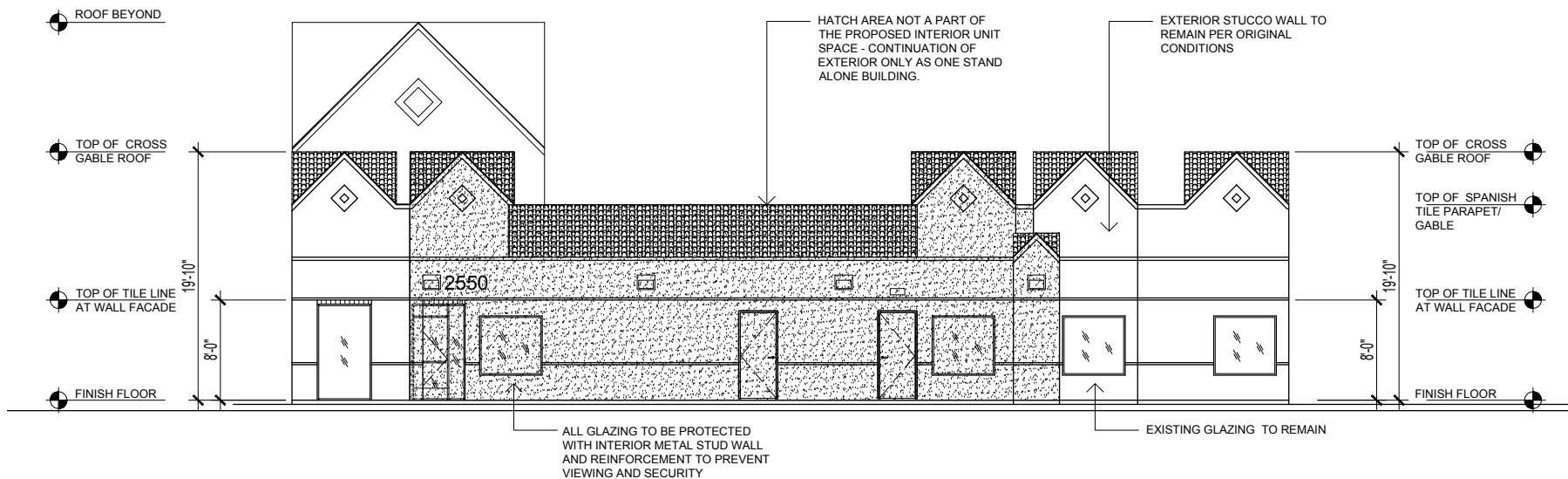
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EXISTING WEST ELEVATION

SCALE
1/4" = 1' - 0"

4



PROPOSED WEST ELEVATION

SCALE
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4

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**TENANT IMPROVEMENT
INTERIOR REMODELING OF SUITES 210 & 220
2550 VINEYARD - OXNARD**

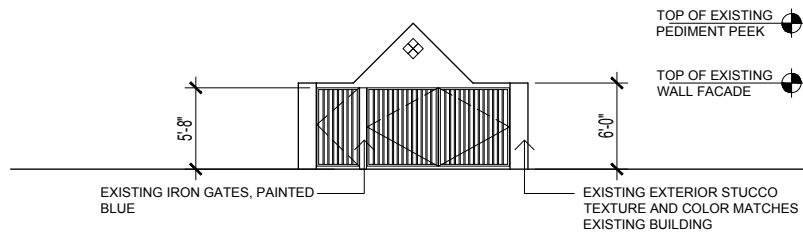
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LICENSE STAMP

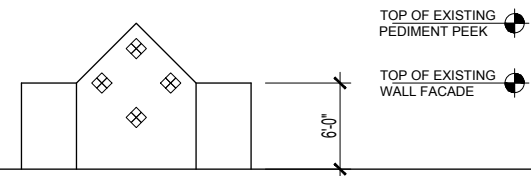
DATE 05-17-2021

SHEET
WEST
ELEVATION
PROPOSED
& EXISTING

A-4.3



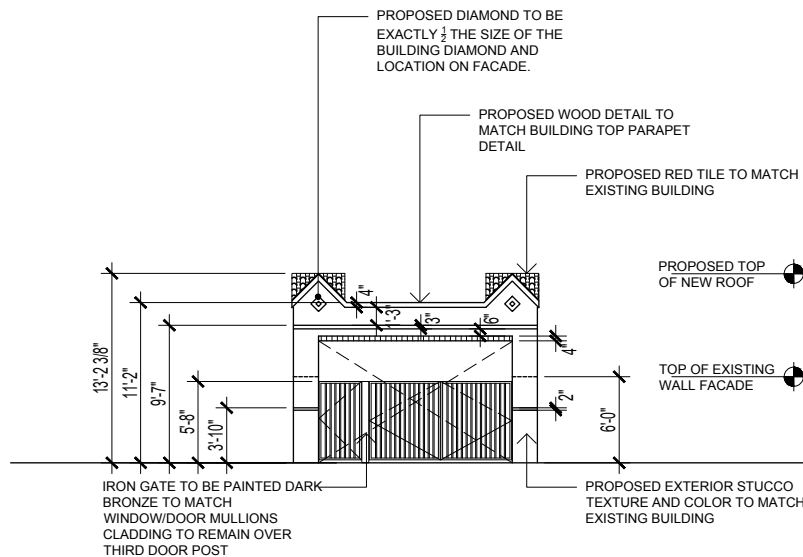
EXISTING NORTH ELEVATION



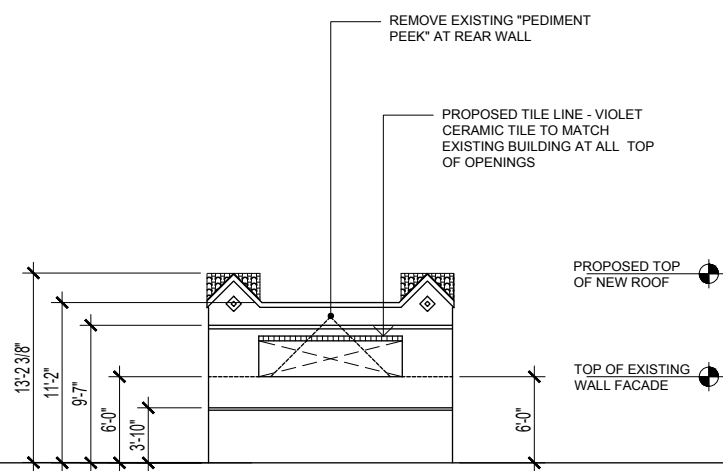
EXISTING SOUTH ELEVATION

SCALE
1/4" = 1' - 0"

2



EXISTING NORTH ELEVATION



PROPOSED SOUTH ELEVATION

SCALE
1/4" = 1' - 0"

1

REVISION

**TENANT IMPROVEMENT
INTERIOR REMODELING OF SUITES 210 & 220
2550 VINEYARD - OXNARD**

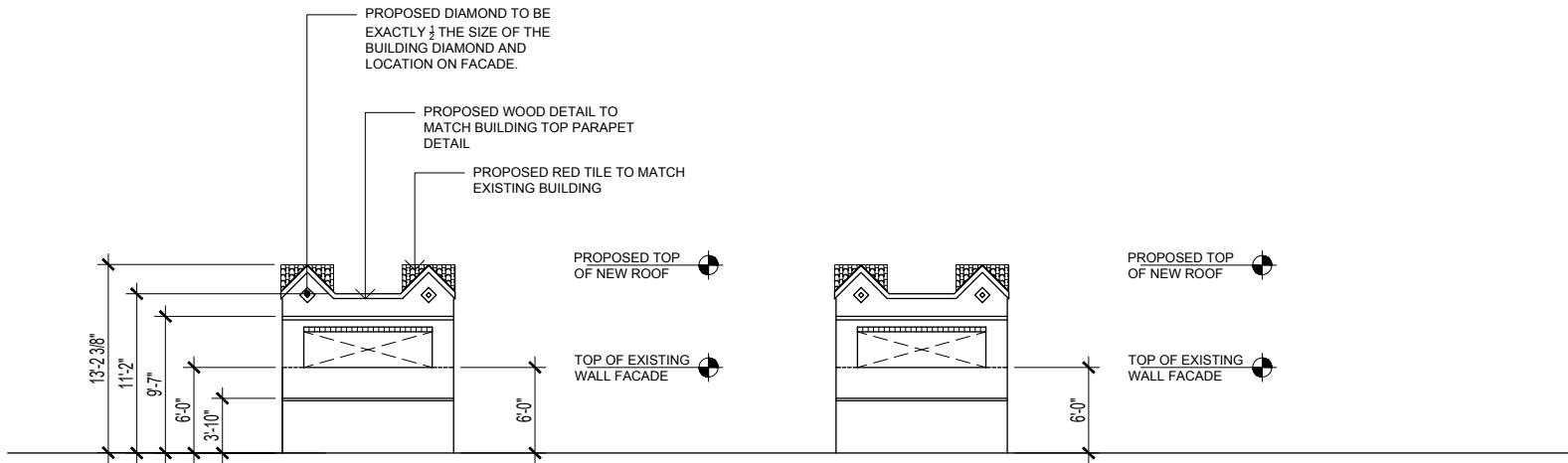
PROJECT

JOB NUMBER
PROJECT NUMBER
LICENSE STAMP

DATE 06-17-2021

SHEET
NORTH & SOUTH
ELEVATION
PROPOSED
& EXISTING
TRASH AREA

A-4.4

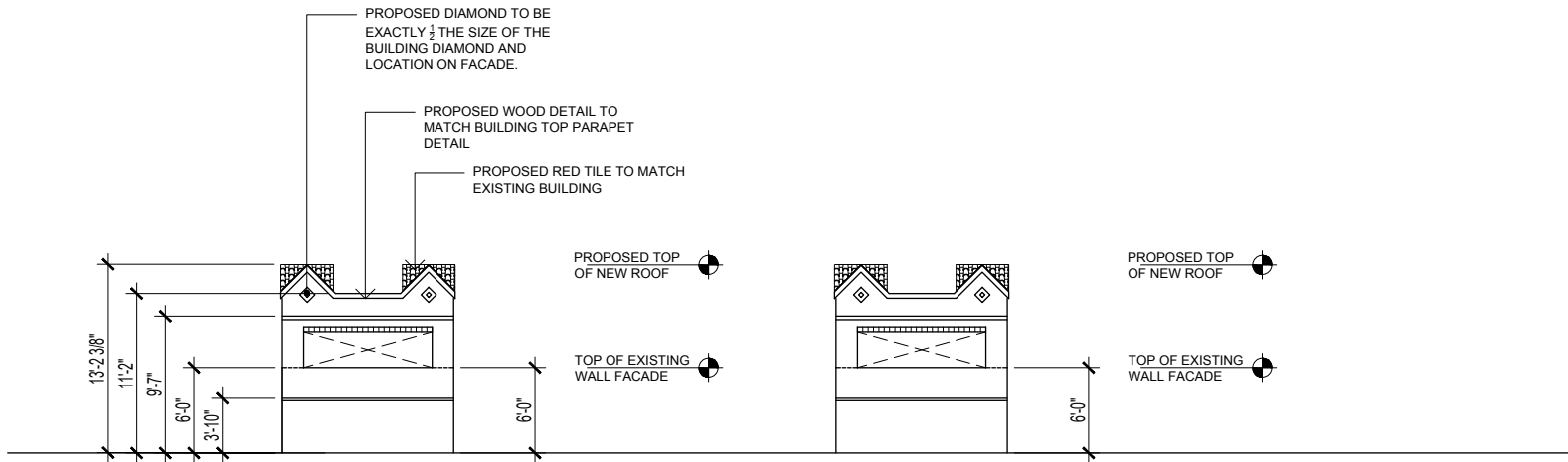


EXISTING EAST ELEVATION

EXISTING EAST ELEVATION

SCALE
1/4" = 1' - 0"

4



EXISTING EAST ELEVATION

PROPOSED WEST ELEVATION

SCALE
1/4" = 1' - 0"

3

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REVISION

**TENANT IMPROVEMENT
INTERIOR REMODELING OF SUITES 210 & 220
2550 VINEYARD - OXNARD**

PROJECT

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LICENSE STAMP

DATE 05-17-2021

SHEET
EAST & WEST
ELEVATIONS
PROPOSED
& EXISTING
TRASH AREA

A-4.5



PROPOSED INTERIOR DECOR

SCALE
N/A

2



PROPOSED EXTERIOR RENDERING DECOR

SCALE
N/A

1

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REVISION

**TENANT IMPROVEMENT
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PROJECT

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LICENSE STAMP

DATE 05-17-2021

SHEET
EXTERIOR
&
INTERIOR
RENDERINGS

A-4.6

C. Cannabis Ordinance No. 2994

ORDINANCE NO. 2994

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

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

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

“ARTICLE XVII. COMMERCIAL CANNABIS ACTIVITY

SEC. 11-450. PURPOSE AND INTENT.

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

SEC. 11-451. LEGAL AUTHORITY.

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

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

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

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

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

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

SEC. 11-454. DEFINITIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

space(s) within the boundaries; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ZZ) OWNER - Any of the following:

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

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

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

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

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

Products.

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

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

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

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

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

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

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

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

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

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

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

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

(2) Licensed by the State of California.

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

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

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

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

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

SEC. 11-455. CANNABIS EMPLOYEE PERMIT REQUIRED.

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

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

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

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

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

which the applicant or employee has been convicted;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 11-460. REVOCATION OF PERMITS.

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

SEC. 11-461. RENEWAL APPLICATIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 11-463. APPEALS.

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

SEC. 11-464. WRITTEN REQUEST FOR APPEAL.

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

decision was not proper.

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

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

SEC. 11-465. APPEAL HEARING.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 11-469. CITY BUSINESS TAX CERTIFICATE.

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

SEC. 11-470. BUILDING PERMITS AND INSPECTION.

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

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

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

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

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

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

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

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

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

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

(C) Compliance with any specific plan requirements.

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

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

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

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

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

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

(E) Each proposed Commercial Cannabis Business use shall:

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 11-475. [RESERVED]

SEC. 11-476. RECORDS AND RECORDKEEPING.

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

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

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

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

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

SEC. 11-477. OPERATIONAL STANDARDS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) Any other breach of security.

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

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

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

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

SEC. 11-479. FEES AND CHARGES.

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

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

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

SEC. 11-480. MISCELLANEOUS OPERATING REQUIREMENTS.

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

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

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

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

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

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

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

(G) Signage and notices -

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

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

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

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

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

(H) Minors -

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

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

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

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

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

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

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

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

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

SEC. 11-481. OTHER OPERATIONAL REQUIREMENTS.

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

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

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

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

verified methods.

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

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

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

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

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

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

SEC. 11-483. OPERATING REQUIREMENTS FOR DISTRIBUTORS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

engineer and serial number of the extraction unit being certified.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(I) Access to retailer premises -

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 11-489. COMMUNITY RELATIONS.

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

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

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

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

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

SEC. 11-491. INSPECTION AND ENFORCEMENT.

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

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

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

SEC. 11-492. COMPLIANCE WITH STATE REGULATIONS.

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

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

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

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

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

SEC. 11-495. CRIMINAL PENALTIES.

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

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

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

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

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

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

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

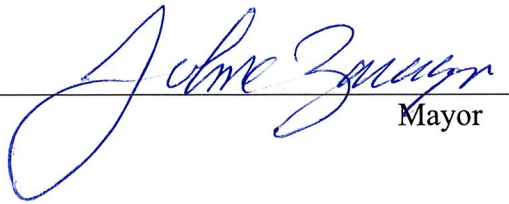
The foregoing Ordinance was adopted at a regular meeting of the City Council of the City of Oxnard, State of California, held on the 15th day of December, 2020, by the following vote:

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

NOES: None.

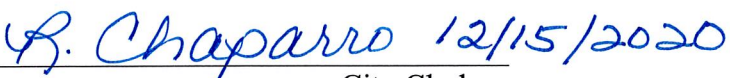
ABSTAIN: None.

ABSENT: None.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, City Attorney

D. Advocate Society LLC dba Advocate Society 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



Advocate Society, LLC
Ronald Jenkins
3549 Glen Abbey Lane
Oxnard, CA 93036
(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.

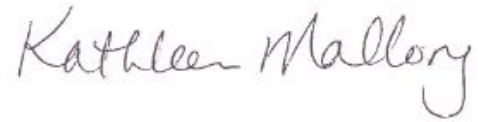
In accordance with the Retail Cannabis Application Procedures Guideline and Oxnard City Code Section 11-457, the City Manager has reviewed the City Selection Committee's evaluation and accepted the final determination.

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.

A handwritten signature in dark ink that reads "Kathleen Mallory". The signature is written in a cursive, flowing style.

Kathleen M. Mallory
Planning & Sustainability Manager

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

Attachment: Final Retail Cannabis Ranking - February 26, 2021

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

E. Notice of Exemption

NOTICE OF EXEMPTION

Advocate Society LLC dba Advocate Society - Commercial Cannabis Business Retail Special Use Permit (SUP); PLANNING AND ZONING PERMIT NO. 21-516-17 (Retail): A request to permit the operation of a commercial cannabis retail facility within an existing 4,566 square-foot commercial suite of an approximately 5,270 square-foot multi-tenant commercial building on a 1.01-acre within the General Commercial Planned Development (C-2-PD) zone. Proposed development includes tenant improvements: installation of interior wall partitioning, plumbing upgrades, upgrades to an existing fire alarm system, security upgrades to the existing building, and installation of new secure doors/windows. Cannabis retail operations will be conducted between the hours from 9:00 AM to 9:00 PM daily. The project also includes a request for an administrative parking relief to allow for a decrease in the number of required parking spaces required by the center, which include the properties located at 2250 North Vineyard Avenue, from 53 parking spaces to 47 parking spaces. The proposed project is exempt from environmental review, pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act. Filed by Ronald Jakins on behalf of Advocate Society LLC dba Advocate Society.

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

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

G. Zoning Consistency Chart

ATTACHMENT G

Zoning Consistency with The General Commercial Planned Development

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Maximum Building Height OCC Sec. 16-137	35 feet	30 feet No Change	YES
Front Yard Setback OCC Sec. 16-139	30 feet on Vineyard Avenue Scenic Corridor	20 feet No Change	YES
Side Yard Setback OCC 16-140	5 feet, 0 feet when a lot is zoned general commercial abuts another lot so zoned.	30 feet No Change	YES
Rear Yard Setback OCC Sec. 16-141	15 feet for buildings over 16 feet in height.	0 feet (legal non conforming) No Change	YES
Vehicle Parking Requirements for Commercial Uses OCC Sec. 16-622	<u>Shopping Center - Neighborhood</u> One space per 300 square feet of gross floor area (legal nonconforming). Total Required: 35 Parking Spaces <u>Cannabis Retail</u> One parking space per 250 square feet or as stipulated in a city traffic engineer approved parking study. Total Required: 18 Parking Space Total Parking Required: 53	47 Parking Spaces	YES, with approval of Administrative Parking Relief and as conditioned.
Bicycle Parking Requirements Commercial OCC Sec. 16-623	Five spaces at each entrance.	A minimum of 5 spaces	YES, as conditioned
Motorcycle Parking Requirements Commercial OCC Sec. 16-624	Uses with more than 25 automobile parking spaces shall provide one designated space for use by motorcycles, Required Motorcycle Parking: 1	1 spaces	YES

Outdoor Loading and Storage Areas OCC Sec. 16-644	2 loading spaces per 15,001 - 40,000 square feet of commercial gross floor area Shall be placed in the side or rear yards only and shall be screened. A minimum 12-foot high wall shall be provided adjacent to unloading areas to provide for proper screening. Required Loading Spaces: 1	The shopping center is legal nonconforming so, one parking space will be dedicated to the unloading of cannabis products. The designated parking space will be accessible through the main entrance of the tenant space floor area.	YES, AS CONDITIONED
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H. Location and Design of Cannabis Business Consistency Chart

Attachment H

Location and Design of Cannabis Business Requirements Consistency Chart

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

Sec. 11-473(C)	company or association	property is not located within a specific plan management company or association area.	
Distance Requirements Sec. 11-473(D)	(1) It shall be no closer than 600 feet of any of the following: (a) Any school providing instruction in kindergarten or any grades 1 through 12, whether public, private, or charter, including pre-school, transitional kindergarten, and K-12. (b) A commercial daycare center licensed by the city or county that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius. (c) A youth center that is in existence at the time the license is issued, unless the State licensing authority or the city specifies a different radius. (2) The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the identified use to the closest property line of the lot on which the cannabis use is located without regard to intervening structures.	The nearest public commercial day care facility (Child Development Resource of Ventura County, Inc. - Julie Irving Head Start Center) is approximately 820 feet away from the project site.	YES
Findings Sec. 11-473(E)(1)	Conform with the city's General Plan, any applicable specific plans, master plans, and design requirements.	The project is in compliance with the General Plan and C-2-PD zone (see Attachment F and G).	YES
Findings Sec. 11-473(E)(2)	Comply with all applicable zoning, and specific plan requirements, and related development standards.	The project is in compliance with the C-2-PD zone district and other pertinent sections of the OCC (see Attachment F and G).	YES
Findings Sec. 11-473(E)(3)	Be constructed in a manner that minimizes odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties.	The project includes Odor Control devices	YES, AS CONDITIONED

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

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

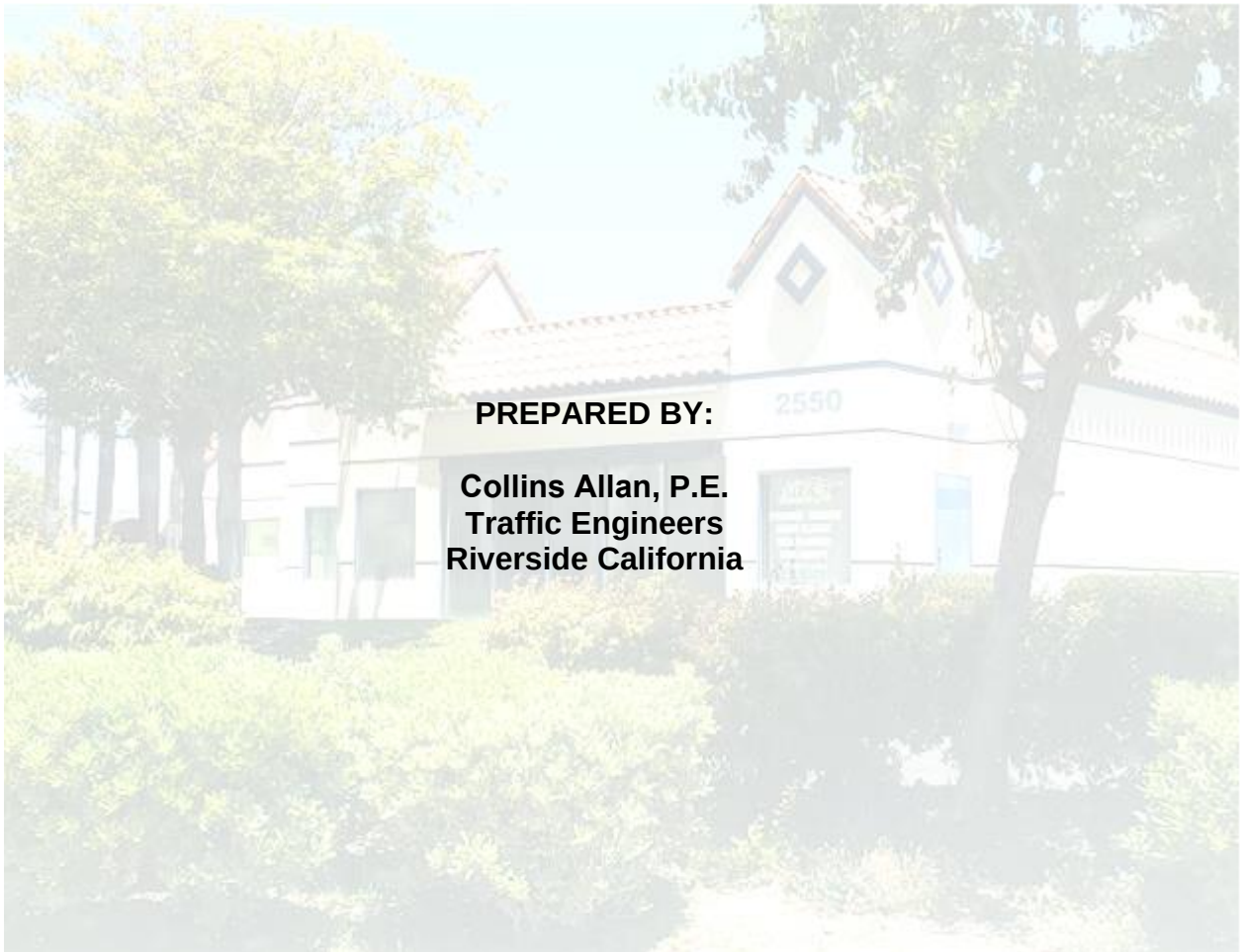
I. Parking Occupancy and Supply Study prepared by Collins Allan, P.E. Traffic Engineers

PARKING OCCUPANCY AND SUPPLY STUDY

PROPOSED TENANT IMPROVEMENT FROM DANCE STUDIO TO
CANNABIS RETAIL SALES

2550 EAST VINYARD AVENUE

OXNARD, CALIFORNIA



January 23, 2022



INTRODUCTION

Traffic Engineers has conducted a parking occupancy and supply analysis for the new cannabis retail project located at 2550 East Vineyard Avenue, Oxnard, California. The analysis was performed to determine if the current parking supply of the existing shopping center is adequate for the needs of the existing and newly proposed retail land use per the direction from the City of Oxnard.

Under the project's Special Use Permit (SUP) process with the City of Oxnard, it has been determined that the existing shopping center should have provide 35 spaces and the cannabis retail should provide 18 spaces. The current number of parking spaces provided at the site is 47, two less than the City of Oxnard required 49 under the current tenant occupation. This memorandum summarizes the peak parking generation and observed parking occupation for the proposed and the details of the surrounding project area. As this analysis indicates, the current parking supplied is not being fully utilized and the project would like to request a variance to the SUP to reduce the parking requirement by three spaces.

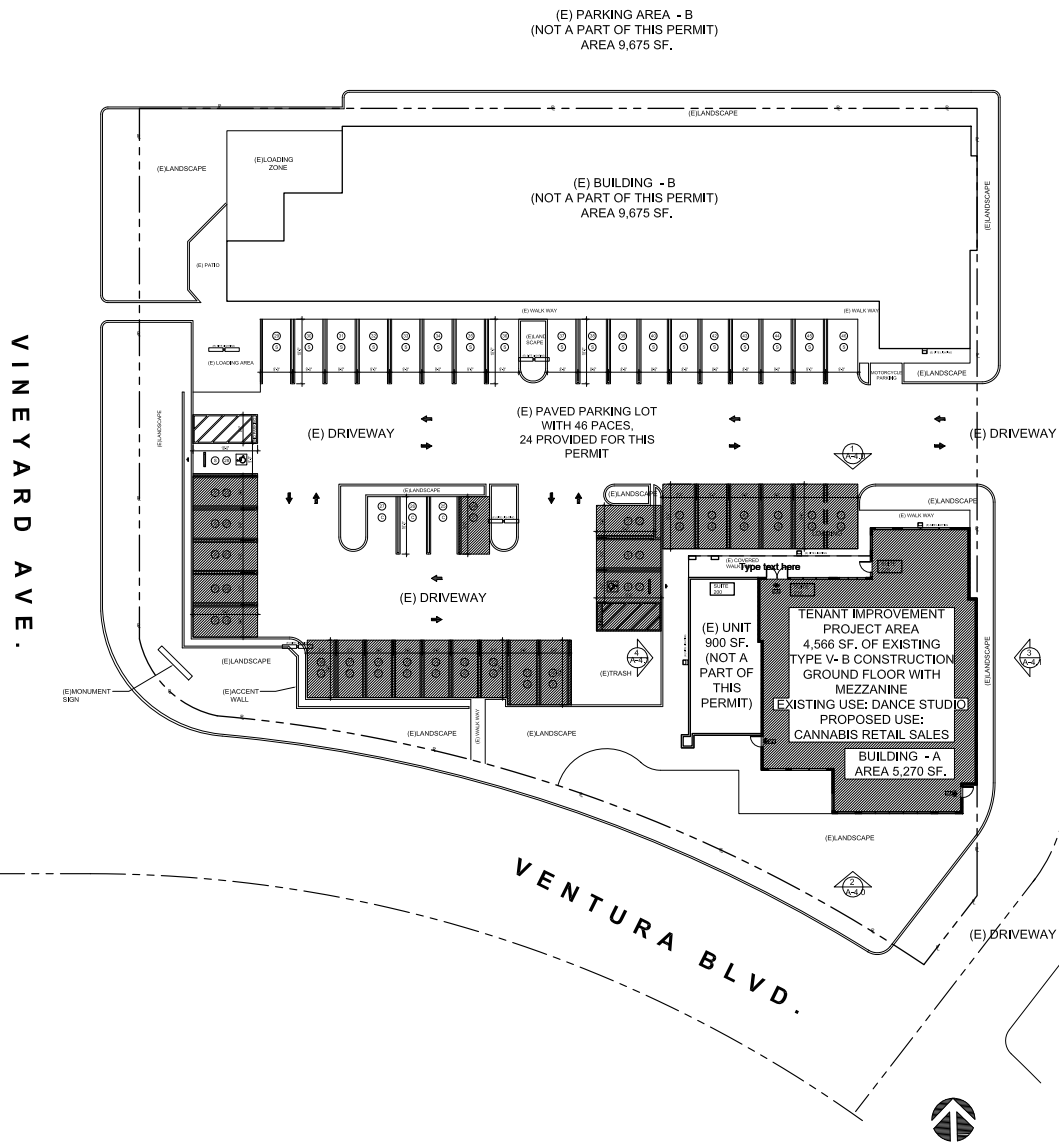
PROJECT DESCRIPTION

The proposed project is to convert 4,566 square-feet of an existing dance studio into a retail land use for the sale of cannabis. The remaining 10,575 square-feet of the retail center is occupied by a variety of business and some vacant spaces. The existing shopping center is accessed off of one of the main driveways into the overall commercial site that the project is located within. There are 47 vehicle parking spaces existing for use by the shopping center. Figure 1 shows the project's proposed site plan.

PROJECT LOCATION

The proposed cannabis retail land use is located on the northeast corner of Ventura Boulevard and Vineyard Avenue in a small shopping center that occupies part of a larger site with a Grocery Store and fast-food restaurant. The site is zoned General Commercial by the City of Oxnard 2030 General Plan. The existing building will be renovated and converted from the dance studio to cannabis sales. A map of the project location is contained in Figure 2.

Figure 1

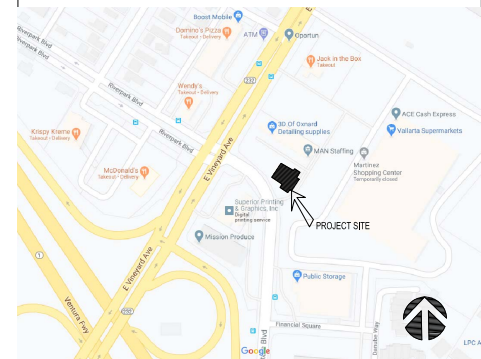


OWNER:	ADVOCATE SOCIETY, 2550 E VINELAND AVE OXNARD, CA 93036
PROJECT APN:	145-0232-185
LAND AREA:	1.01 AC (43,965 SF)
BUILDING - A - AREA:	5,270 SF.
BUILDING - B - AREA:	9,675 SF.
PAVING AREA:	18,550 SF.
INTERIOR YARD SPACE:	N/A
LANDSCAPE AREA:	10,500 SF.
ZONE:	C-2
USE:	COMMERCIAL GENERAL (CG)
BUILDING TYPE:	V-B FULLY SPRINKLERED.
NUMBER OF STORES:	ONE WITH MEZZANINE
EXISTING USE:	DANCE STUDIO
EXISTING OCCUPANCY:	B
PROPOSED USE:	RETAIL
PROPOSED OCCUPANCY:	B
EXISTING BUILDING AREA:	5,469 SF.
TENANT AREA:	4,566 SF. (TENANT AREA OF IMPROVEMENT)
OCCUPANT LOAD (B) USE:	4,566 SF. / 100 GROSS = 46
PARKING LOAD:	4,566 SF. / 100 GROSS = 16.25 - 19 TOTAL STALLS FOR CANNABIS TENANT
PARKING PROVIDED:	24 STALLS (INCLUDING ONE ACCESSIBLE STALL)
GRADE DOWN:	1 STANDARD ACCESSIBLE 14 STANDARD 9 COMPACT
BICYCLE PARKING:	NO EXISTING BICYCLE PARKING ON SITE

SHEET INDEX

A-1.0	SITE PLAN
A-3.0	PROPOSED FLOOR PLAN
A-3.1	REFLECTED CEILING PLAN
A-3.2	PREMISES DIAGRAM
A-4.0	EXTERIOR ELEVATIONS
A-4.1	EXTERIOR ELEVATIONS
A-4.1	EXTERIOR AND INTERIOR RENDERINGS

VICINITY MAP



PROPOSED SITE PLAN

SCALE
1/16" = 1' - 0"

1

architecture
interior
planning
landscape consultation

TCS

1125 West 6th Street Unit 205, Los Angeles, California 90017
Tel: 213.527.0158
admin@tcsconsulting.com

REVISION

1

TENANT IMPROVEMENT INTERIOR REMODELING OF SUITES 210 & 220 2550 VINEYARD - OXNARD

PROJECT

JOB NUMBER
PROJECT NUMBER
LICENSE STAMP

DATE 09-19-2021
SHEET
PROPOSED
SITE PLAN

A-1.0

Figure 2



Existing Street System

Vineyard Avenue is generally a north-south running Primary Arterial¹ within the vicinity of the project bordered by mostly commercial land uses. Vineyard Avenue Street is generally three lanes in each and left-turn pockets at intersections. The posted speed limit is 35 m.p.h. Parking is prohibited in the vicinity of the project.

Ventura Boulevard is generally an east-west running Local Arterial² that ends at Vineyard Avenue. Ventura Boulevard provides access to mostly commercial uses. Ventura Boulevard is generally on lane in each direction with left-turn pockets at intersections.

¹ Designation per the City of Oxnard 2030 General Plan, adopted October 2011 and amended December 2016.

² Designation per the City of Oxnard 2030 General Plan, adopted October 2011 and amended December 2016.

Parking is prohibited in the vicinity of the project.

Area Transit

Route 15 of Gold Coast Transit, travels along Vineyard Avenue and serves the project area. The route goes from Esplanade Shopping Center to Auto Center Drive at Paseo Mercado and has daily service.

Route 17 of Gold Coast Transit, travels along Ventura Boulevard and serves the project area. The route goes from Esplanade Spur to Oxnard College and has daily service.

ANALYSIS

Project Trip Generation

Trip generation estimates are based on the type of land use and the unit of measure that relates to the appropriate trip generation factor. For example, an apartment trip rate is usually per room, a school is per student, and a restaurant is per 1,000 square-feet. Typically, the trip generation for three time periods is calculated. The trips are calculated for a typical day (24 hours), the AM peak hour, and the PM peak hour. Except in rare cases, most trip generation numbers are calculated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. Using statistical data gathered in the field across the United States for numerous land use categories, trip rate factors are derived to be used to estimate trip generation.

The proposed project is a 4,566 square-foot space for cannabis sales. Land Use Code 882 from the *Trip Generation Manual 10th Edition* was used to determine the project trips. The category of cannabis dispensary is a relatively new category and the trip rates are based on a limited number of studies from Oregon and Washington. Therefore, it is likely that the rates are speculative. The retail use trips come from the shopping center rate, Land Use Code 820. Since there is no Dance Studio rate, the community center rate, Land Use Code 495, was chosen as an equivalent rate. Table 1, below, indicates that the net project trips expected to be generated are 1020 daily trips with 40 trips in the AM peak hour and 89 trips in the PM peak hour. It should be noted that the net total trips do not include any trip credits. Typically, a transit credit of 5-10% and a pass-by trip credit of 50% would be applied to similar land uses.

Table 1
PROJECT TRIP GENERATION
2550 E. Vineyard Avenue Commercial Project

Land Use	Time	Rate	In	Out
Shopping Center (820) (1) unit vacant	ADT	112.18/KSF		
	AM	9.94/KSF	55%	45%
	PM	9.77/KSF	62%	38%
Dance Studio (495)	ADT	28.82/KSF		
	AM	1.76/KSF	66%	34%
	PM	2.31/KSF	47%	53%
Cannabis Dispensary (882)	ADT	252.7/KSF		
	AM	10.44/KSF	56%	44%
	PM	21.83/KSF	50%	50%

Land Use	Size (SF)	ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
<u>Proposed</u>								
Cannabis Dispensary	4,566	1152	27	21	48	50	50	100
Retail (1 unit vacant)	10,575	399	6	4	10	19	21	40
Subtotal		1551	33	25	58	69	71	140
<u>Existing</u>								
Retail	10,575	399	6	4	10	19	21	40
Dance Studio	4,566	132	5	3	8	5	6	11
Subtotal		531	11	7	18	24	27	51
Net Total Trips		1020	22	18	40	45	44	89

ADT = Average Daily Trips, SF = Square-Foot
Rates per ITE Trip Generation Manual 10th Edition.

Parking Generation

City of Oxnard Parking Requirements

The City of Oxnard requires retail projects to provide 1 vehicle parking space per 300 square-feet of commercial land use per the City of Oxnard Municipal Code Section 16-622. The existing 10,575 square-feet of existing retail uses would require 35 parking spaces under the City Code. While there is no listing for cannabis sales in the existing code, the City Attorney Office of Oxnard determined that the cannabis sales should provide 1 parking space per 250 square-feet. This would require 18 parking spaces for the proposed project. Therefore, a total of 54 vehicle parking spaces should be available for the existing shopping center and the proposed project. Table 2 below, illustrates the parking requirements.

Table 2

Land Use	City of Oxnard Rate*	Size (Square-Feet)	Parking Spaces Required
Retail (existing)	1 space/300 square-feet	10,575	35.23
Cannabis Sales (proposed)	1 space/250 square-feet	4,566	18.26

Vacancies Suite 150 1,350 included in above

*City of Oxnard Municipal Code Section 16-622

An analysis has been performed to determine the current peak parking demand of the existing shopping center. The analysis has done a parking occupation study on site to determine the actual parking demand and an analysis of the parking generation using the *ITE Parking Generation Manual, 5th Edition*.

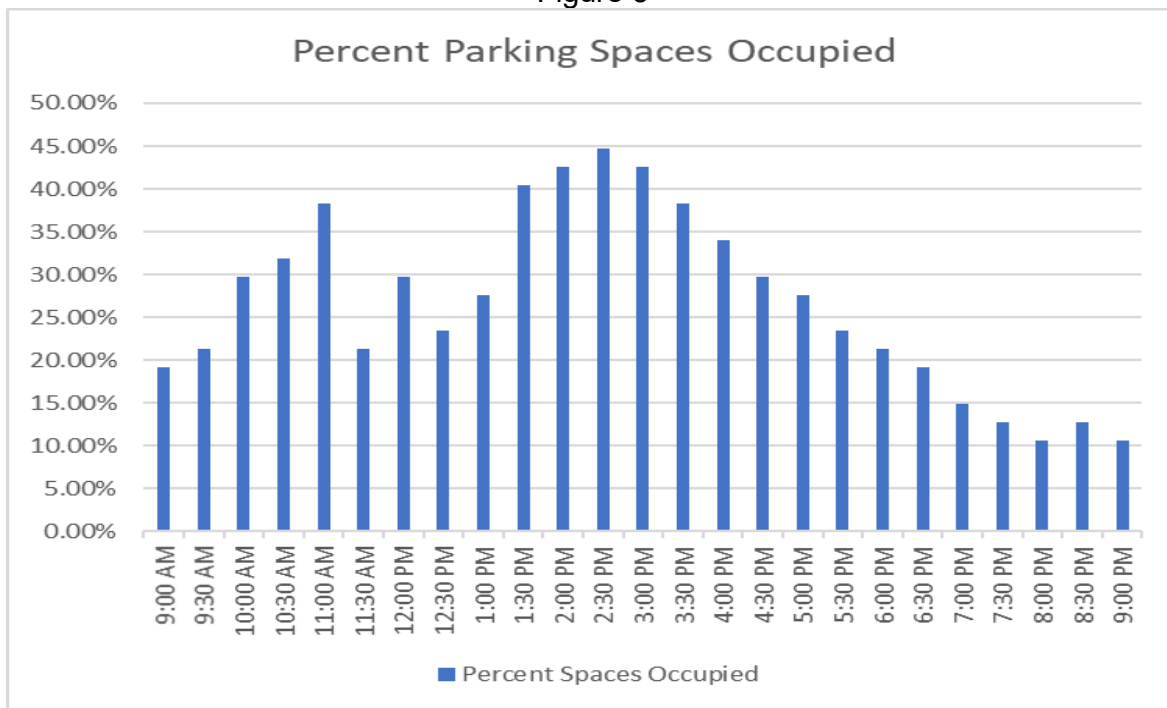
Parking Occupancy Survey

To determine which day to conduct the parking occupancy survey, research was performed on the existing retail services. Wait times at the services are available from Google and they indicated that Friday afternoon was a busy time for the detailing supply store and the pizza restaurant. The ice cream shop was busy on weekends, but some of the other uses were not open and the peak wait times for the other services were at an earlier time of day. Therefore, it was determined that between 9 a.m. to 9 p.m. on Fridays there is a large demand for the various land uses that make up the retail center. An on-site parking occupation assessment was taken on Friday, January 21, 2021. Table 3, below, shows the results of the survey.

Table 3

Time	Parking Spaces Occupied	Parking Spaces Available
9:00 a.m.	9	38
9:30 a.m.	10	37
10:00 a.m.	14	33
10:30a.m.	15	32
11:00 a.m.	18	29
11:30 a.m.	10	37
12:00 p.m.	14	33
12:30 p.m.	11	36
1:00 p.m.	13	34
1:30 p.m.	19	28
2:00 p.m.	20	27
2:30p.m.	21	26
3:00 p.m.	20	27
3:30 p.m.	18	29
4:00 p.m.	16	31
4:30 p.m.	14	33
5:00 p.m.	13	34
5:30 p.m.	11	36
6:00 p.m.	10	37
6:30 p.m.	9	38
7:00 p.m.	7	40
7:30 p.m.	6	41
8:00 p.m.	5	42
8:30 p.m.	6	41
9:00 p.m.	5	42

The percentage parking spaces occupied is indicated in Figure 3 below:

Figure 3

As the graph in Figure 3 illustrates, the percentage of parking spaces occupied throughout the day was below 45%. The highest number of spaces occupied at any one time during the survey was 21 leaving 26 spaces available. It should be noted that between three and five spaces were being utilized by a car washing service in the parking lot throughout the day.

ITE Parking Generation

The *ITE Parking Generation Manual, 5th Edition* lists the weekday peak parking generate rate as 1.95 spaces per thousand square-feet for commercial uses (shopping center – LU 820). The rate for marijuana dispensary (LU 882) in the latest *ITE Parking Generation Manual* is 7.19 spaces per thousand square-feet. The results of using the ITE rates for the existing and proposed use is indicated in Table 4 below:

Table 4

Land Use	Size	Rate (Spaces per 1,000 Square-Feet)	Peak Parking Demand (Spaces)
Shopping Center (LU 820)	10,575 Square-Feet	1.95	20
Marijuana Dispensary (LU 882)	4,566 Square-Feet	7.19	33
Total Parking Space Demand (ITE)			53

Using strictly ITE rates for both the existing commercial and the proposed cannabis retail, the site should have 53 spaces. ITE's rate for the parking demand of the proposed land use would be 15 spaces greater than the City of Oxnard's requirement. It should be noted that the ITE's marijuana dispensary rate is new and based on a limited number of studies in one state.

CONCLUSION

The proposed project is to convert 4,566 square-feet of an existing dance studio into a retail land use for the sale of cannabis. The remaining 10,575 square-feet of the retail center is occupied by a variety of business and some vacant spaces. The proposed cannabis retail land use is located on the northeast corner of Ventura Boulevard and Vineyard Avenue in a small shopping center that occupies part of a larger site with a Grocery Store and fast-food restaurant. The existing shopping center is accessed off of one of the main driveways into the overall commercial site that the project is located within. There are 47 vehicle parking spaces existing for use by the shopping center. The City of Oxnard has determined that the required parking for the existing retail is 35 vehicle parking spaces and the cannabis retail requires 18 vehicle parking spaces per Code. The key findings of the analysis are:

- The project's request for a variance to the SUP to reduce the parking requirement by three spaces is supported by the observed peak parking demand survey. Less than half of the existing 47 parking spaces were occupied during the peak demand for the

existing land uses. There appears to be more than enough unused parking capacity to accommodate a reduced parking requirement.

- The retail spaces with cannabis store will generate a net total of 1,020 daily trips, with 40 net a.m. peak hour trips and 89 net p.m. peak hour trips.
- A field survey of the parking demand was performed to measure the parking occupancy. This survey found that less than 45% of the parking was being utilized by the existing uses throughout the day.
- Using ITE rates for the existing retail and proposed use indicates a peak parking demand of 53 spaces for the site. The number of spaces for the proposed 4,566 square-foot marijuana dispensary, per ITE, indicates a weekday peak parking demand of 33 spaces. This would be greater than the required parking per City of Oxnard Municipal Code.

Operational Multi-Modal Parking Reduction Programs

Advocate Society has created a number of incentive programs for staff and customers that will reduce the parking load at the facility throughout the day.

Company Ride-share Program:

There will be no staff parking on site in accordance with store procedures and supported by recorded conditions. All staff members will be brought to the facility at the beginning of their shift and returned home through the use of a carpool/vanpool program. Advocate Society will lease one Dodge Sprinter Van with capacity for half of the daily staff requirement to reduce parking demand.

The van will be stored off-site and operate in concert with employee shifts:

- arrive at the facility with opening staff at 8:30 AM
- arrive at the facility with closing staff at 3:00 PM
- depart the facility with opening staff at 3:30 PM
- depart the facility with closing staff at 10:30 PM

Staff members who do not wish to use the Company's ride-share program will be required to use an alternate form of transportation that does not create parking demand such as public transportation, private ride-share companies (Uber/Lyft), or non-vehicular transportation such as a bicycle. Advocate Society subsidizes the costs of employees to use these alternatives.

Additionally, as an incentive to reduce customer parking demand, customers who use public transportation, carpool or ride-share services, alternative forms of transportation, as well as delivery services will receive a discount on their order total in the amount of (5%). This incentive is anticipated to be used on at least 20% of transactions, reducing expected parking load by approximately 8 spaces of spaces averaged throughout the day.

The facility design and location promotes the use of non-vehicular transportation to the store. There are two bus stops within 400 feet (walking distance) from the front door and five within 1,000 feet. Bicycle parking is provided on-site and it is fully-serviced by both Uber & Lyft

J. Draft Resolution of Approval for Commercial Cannabis Retail

RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-516-17 (COMMERCIAL CANNABIS RETAIL) TO ALLOW A COMMERCIAL CANNABIS RETAIL FACILITY WITHIN AN EXISTING 4,566 SQUARE-FOOT COMMERCIAL SUITE OF AN APPROXIMATELY 5,270 SQUARE FOOT MULTI-TENANT COMMERCIAL BUILDING ON A 1.01-ACRE SITE LOCATED AT 2550 NORTH VINEYARD AVENUE (APN: 145-0-232-165), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS.

WHEREAS, on February 17, 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. 21-516-17 filed by Ronald Jakins on behalf of Advocate Society LLC dba Advocate Society in accordance with Section 16-530 of the Oxnard City Code; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Section 15301 (Existing Facilities) Categorical Exemption. Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

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

The project site is located within the 2030 General Plan land use designation of Commercial General (CG) and a Zoning designation of General Commercial Planned Development (C-2-PD). The Project is surrounded by commercial buildings. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

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

The proposed cannabis retail facility is consistent with the 2030 General Plan, 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 February 8, 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 General Commercial Planned Development (C-2-PD) zone, subject to approval of a Special Use Permit. As documented in the attachments to the staff report, the Project, as conditioned, is in compliance with General Plan, zoning and cannabis regulations. As discussed in detail in the Planning Commission Staff Report Section 6 b, c, and d and Attachment I, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under OCC Section 16-651 to reduce the number of required parking spaces from 53 to 47. This Resolution includes 196 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 C-2-PD 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 196 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 Project should result in an increase in 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 Salinas 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 General Commercial Planned Development (C-2-PD) zone which has previously been reviewed and approved to ensure the development is adequately proportional to the size of the property and served by public infrastructure. The existing project site is a developed 1.01-acre lot. Pursuant to the C-2-PD zone, the Project will be located within an existing building designed to be consistent with the development and design standards included within the C-2-PD zone, including, but not limited to, maximum building height, front, side and rear setbacks, lot coverage, landscaping, and equipment screening standards. The existing development is not consistent with the City's parking standards for bicycle parking (5 required). As discussed in detail in the Planning Commission Staff Report Section 6 b, c, and d and Attachment I, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under OCC Section 16-651 to reduce the number of required parking spaces from 53 to 47. While the site plan shows 48 parking spaces are available onsite, the parking space located west of the existing trash enclosure (parking space 38) is to be eliminated to provide adequate clearance for the trash operation. Consequently, the parking lot will provide parking for a minimum of 47 vehicles, including 2 accessible parking spaces, 35 standard parking spaces, 9 compact parking spaces, and 1 motorcycle parking space, and the project has been conditioned to provide a total of 5 bicycle spaces within the whole of the shopping

center's shared parking lot. The project site has a frontage and vehicular access on North Vineyard Avenue. Proposed interior tenant improvements to the site will be reviewed for compliance with C-2-PD zoning requirements. Given these circumstances, the site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards. Therefore, this Project meets this finding.

4. **The site 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's vehicular access to the site will occur via one existing 25-foot drive by an access easement into the adjacent shopping center's parking lot.. The Project is currently served by existing infrastructure and will continue to be accessed indirectly from Vineyard Avenue, which indirectly connects to Highway 101. The proposed cannabis retailer is not anticipated to generate significant traffic that would require improvements to infrastructure. Therefore, the site for the proposed retail of cannabis products will be served by highways adequate in width and improved as necessary to carry project-generated traffic.

The existing development is not consistent with the City's parking standards for bicycle parking (5 required). As discussed in detail in the Planning Commission Staff Report Section 6 b, c, and d and Attachment I, the Project, as designed and conditioned, meets all applicable development standards with the approval of the Administrative Parking Relief under OCC Section 16-651 to reduce the number of required parking spaces from 53 to 47. While the site plan shows 48 parking spaces are available onsite, the parking space located west of the existing trash enclosure (parking space 38) is to be eliminated to provide adequate clearance for the trash operation. Consequently, the parking lot will provide parking for a minimum of 47 vehicles, including 2 accessible parking spaces, 35 standard parking spaces, 9 compact parking spaces, and 1 motorcycle parking space. Based on the configuration of the proposed cannabis retail facility the entire project site requires 1 loading space. The project will utilize a parking space on the north side of the building accessed by the main door entrance to the tenant space. The Project has been conditioned to not allow employees from the cannabis retail facility to park onsite which will result in 6 or more parking spaces to be free of vehicles, thereby lowering the amount of required parking spaces from 53 to 47 parking spaces. This condition requires Advocate Society to cover the employee's costs to travel to and from work. On a monthly basis, or as may otherwise be requested by the City, Advocate Society is to provide a manifest providing 1) each employee's name, 2) documentation identifying employee's method of travel to and from work, and 3) associated receipts to cover employee's cost to travel to and from work. Each employee of Advocate Society is to sign an affidavit affirming the accuracy of the monthly report and attest that they have not parked on the project site. As

conditioned, the project is consistent with City parking requirements. The project has been conditioned to include a total of 5 bicycle parking spaces within the whole of the shopping center's shared parking lot, to design bicycle space during the building permit process, and provide these spaces prior to a Certificate of Occupancy being issued. The project also includes short and long term parking to support bicycle use. Therefore, the site will be served by streets, highways, transit and bike facilities adequate to provide access to the proposed building and its anticipated uses. As such, this Project meets this finding.

5. The site 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. 21-516-17 (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. 21-516-17 (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 February 17, 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, 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. 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. For the life of this Special Use Permit, employees of the Cannabis Retail Establishment are not to park on the project site. Instead the Cannabis Retail Establishment is to cover the employee's costs to travel to and from work. On a monthly basis, or as may otherwise be requested by the City, the Cannabis Retail Establishment is to provide a manifest providing 1) each employee's name, 2) documentation identifying employee's method of travel to and from work, and 3) associated receipts to cover employee's cost to travel to and from work. Each employee of the Cannabis Retail Establishment is to sign an affidavit affirming the accuracy of the monthly report and attest that they have not parked on the project site. The ownership of the Cannabis Retail Establishment recognize that failure to comply with this condition may result in the commencement of Special Use Permit revocation proceedings.
35. A report on the effectiveness of the prohibition of the Cannabis Retail Establishment's employees parking onsite and the Cannabis Retail Establishment's follow-through to cover the employee's costs to travel to and from work shall be prepared by the Cannabis Retail Establishment and submitted for review and approval by the Community Development Director at 3, 6, 9 months after operations begin on the site to 1) verify parking is adequately addressed onsite, and 2) to identify if propose modifications are needed to ensure the site will be designed and operated in a manner for adequate parking to be provided onsite. Proposed design and operational modifications shall be subject to approval of a Major Modification to this Special Use Permit by the Planning Commission.

36. Prior to occupancy, faded striping in parking areas directly in front of the building shall be repainted per City standards.
37. 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 2250 North Ventura 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 General Commercial 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.
38. 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.
39. All landscape materials shall be as represented to or as specified by the Planning Commission, and any deviation will require the express approval of the Chief of Police. Once constructed or installed, all improvements shall be maintained in accordance with the approved plans and in a manner acceptable to the Chief of Police. This includes landscape materials being maintained in a healthy and weed-free manner at all times.

PLANNING DIVISION CANNABIS CONDITIONS

Automatic Expiration

40. 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

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

Appeals

42. 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 aggrieved party may appeal such action by filing a written appeal with the City Clerk setting forth the reasons why the decision was not proper. At the time of filing, the permittee shall pay the designated appeal fee, established by Resolution of the City Council from time to time.

Revocations of Commercial Cannabis Business Permits

43. 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.
44. 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

45. 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.
46. 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 21-516-17. 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.
47. All operators are subject to all penalties as outlined in Oxnard City Code.

Property Owner Authorization

48. 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

49. 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

50. 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

51. 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
52. 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.
53. 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

54. 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.
55. 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

56. Sales of cannabis may only occur between the hours of 9:00 A.M. and 9:00 P.M. daily.
57. 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.
- 58. Cannabis shall not be consumed by any employee or patron on the premises of any commercial cannabis business.
- 59. No outdoor storage of cannabis or cannabis products is permitted at any time.

Operational Requirements for Retailers

- 60. Sales and service of cannabis or cannabis products is limited to only the customer service area, which consists of approximately 4,566 square feet inside the building as identified on PZ No. 21-516-17 floor plans presented at the Planning Commission public hearing on February 17, 2022 and incorporated herein.
- 61. 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.
- 62. 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

- 63. 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

64. 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

65. 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:
66. 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.

Local Equity Applicant - One Time Payment

67. Prior to issuance of a certificate of occupancy, local equity applicants shall have the option to pay the one time payment over the course of three years. The first payment (one-third of

the total due) is due prior to issuance of a certificate of occupancy. The subsequent annual payment amount equal to one-third of the amount due is due at the time of business license renewal years 2 and 3, and would be in addition to the yearly business license fee/process and voter approved taxes.

68. Local Equity Applicant Operators

- a. Ownership is defined as residency within the City limits of the City of Oxnard
- b. A minimum of 40% of cannabis ownership (in the aggregate) is required to be composed of residents of the City of Oxnard for the duration of the local equity license.
 - i. In the aggregate, ownership by Oxnard residents shall not fall below 40% Oxnard residency, at any time and for the life of the Special Use Permit.
 - ii. Yearly Reporting - Cannabis Local Equity operators will be required to certify under penalty of perjury that a minimum of 40% of the ownership of the business is held by City of Oxnard residents. Such residency shall be maintained and verified by each Local Equity operator under penalty of perjury on a yearly basis as part of the business license renewal process. 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. Failure to maintain a minimum of 40% local ownership is grounds for revocation of the permit.
 - iii. Transfer of License - Should a Local Equity operator wish to sell their equity percentage, and such sale would bring the total ownership percentage to less than 40% local residency, the interest in the business must be to someone who meets the requirements of "Local Ownership" and the proposed transfer must comply with all applicable City regulations. The licensee and all individual owners will be considered in violation of the Special Use Permit conditions of approval and revocation of the

permit may be implemented if local ownership drops below 40% at any time during the life of the permit.

BILLING AND LICENSING CONDITIONS

Cannabis Business Tax Certificate

69. 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.
70. The Applicant for a Commercial Cannabis Business shall secure from the Department of Billing and Licensing a commercial cannabis business tax certificate.
71. 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

72. The Commercial Cannabis Business tax shall be paid in arrears on a quarterly basis.
73. 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.

74. 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.
75. 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.
76. 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.
77. 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

78. 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.

79. 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.
80. 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.
81. 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

82. 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

83. 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

84. 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

85. 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.
86. 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.
87. 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.
88. 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.
89. 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.
90. 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.
91. 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).

92. Any bars installed on the windows or the doors of the Commercial Cannabis Business shall be installed only on the interior of the building.
93. 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.
94. 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.
95. 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
96. 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.
97. 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.
98. Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.
99. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.
100. 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.

101. 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.
102. 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.
103. 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.

104. 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.
105. 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.
106. The Applicant shall prohibit loitering by persons outside the facility both on the premises and within fifty (50) feet of the premises.
107. 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.
108. 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.
109. The Applicant acknowledges no person shall cause or permit the sale or tobacco products on or about the premises of the Commercial Cannabis Business.
110. 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).
111. 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.
112. 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

113. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline Outdoor lighting shall comply with Title 24, Part 6, of the California Code of

Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.

- a. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
- b. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
- c. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
- d. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

114. 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.
115. All exterior lighting shall operate from dusk to dawn.
116. LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
117. 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.
118. 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.
119. 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.

120. 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.
121. 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

122. 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.
123. Cash handling procedures shall be approved by the police chief or his/her designee.
124. 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.
125. 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.

126. 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.
127. 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.
128. 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.
129. Each Commercial Cannabis Business shall have state of the art network security protocols in place to protect computer information and all digital data.
130. Exterior vegetation shall be planted, altered and maintained in a fashion that precludes its use as a hiding place for persons on the premises.
131. 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.
132. 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.
133. 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.
134. 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

135. 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.

136. 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

137. 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

- 138. 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

- 139. 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.
- 140. 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

141. 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.
142. 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.
143. 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.
144. 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

145. 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.
146. 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.

147. 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.
148. 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.
149. 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.
150. All signage for the site shall require joint approval from authorized designees of the Planning Division and the Police Department.

Cannabis Deliveries

151. 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

152. The unit's address "2550" shall be painted on the exterior of each rear door of the business in numerals that are 3-inches in height.
153. The unit's address "2550" Shall be painted on the roof of the business in numerals that are 3-feet in height.
154. The property shall have and maintain at each vehicle entrance signs posted pursuant to 22658(a) CVC to prohibit unauthorized parking on private property.
155. One parking stall at the front 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.
156. Bollards and enhanced security features are required for the storefront windows pursuant to general Police Conditions. Windows with landscaping strips beneath them shall be planted with defensive plantings in place of replacing existing windows with security features. Plant species selection and maintenance requirements shall be approved by the Community Development Director and the Police Chief.
157. 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.
158. Windows on the south side of the premises shall be protected with one of the below listed security improvements:
 - a) The window(s) shall be enclosed by wood or steel stud constructed walls 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%.
 - b) A security screen/barrier approved by the Police Department

FIRE DEPARTMENT STANDARD CONDITIONS

159. 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)
160. 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)

161. 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)
162. 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)
163. 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)
164. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
165. 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)
166. 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)
167. 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)
168. The applicant shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
169. 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)
170. 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)
171. 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)

172. 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)
173. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F-15)
174. 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)
175. 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.
176. 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.
177. 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.
178. 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

179. 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.

180. 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

181. 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)
182. 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)
183. 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)
184. 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)
185. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)
186. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
187. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
188. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

189. 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

190. 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)
191. Show all applicable existing and proposed utilities (sewer, water, storm, gas, electrical) affected by the proposed improvement on the site engineering plan. (DS)
192. The project shall comply with the latest California Building Code disabled access requirements for Americans with Disabilities Act (ADA). (DS)
193. Onsite irrigation, if proposed, shall be fed by a dedicated irrigation meter with a backflow device. (DS)
194. Developer to upgrade the existing trash enclosure meeting City standard with a roof cover. (DS)
195. Developer shall not install any bollards in front of the trash enclosure unless approved by the Environmental Resources Division. The service area in front of the trash enclosure, between the face of the trash enclosure to the ADA access aisle, shall be stripped and labeled as a no-parking zone, subject to review and approval of the City Engineer.
196. Developer shall eliminate the parking space located west of the existing trash enclosure to provide adequate clearance for the trash operation. The method of eliminating the parking stall is subject to review and approval of the City Engineer. (DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of February 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 17th day of February 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. Staff Presentation

PZ 21-516-17
Advocate Society LLC dba Advocate
Society
Commercial Cannabis Business Retail
Special Use Permit (SUP)
2550 North Vineyard Avenue
(APN: 145-0-232-165)

Planning Commission Hearing
By: Jose Coyotl, Associate Planner

February 17, 2022

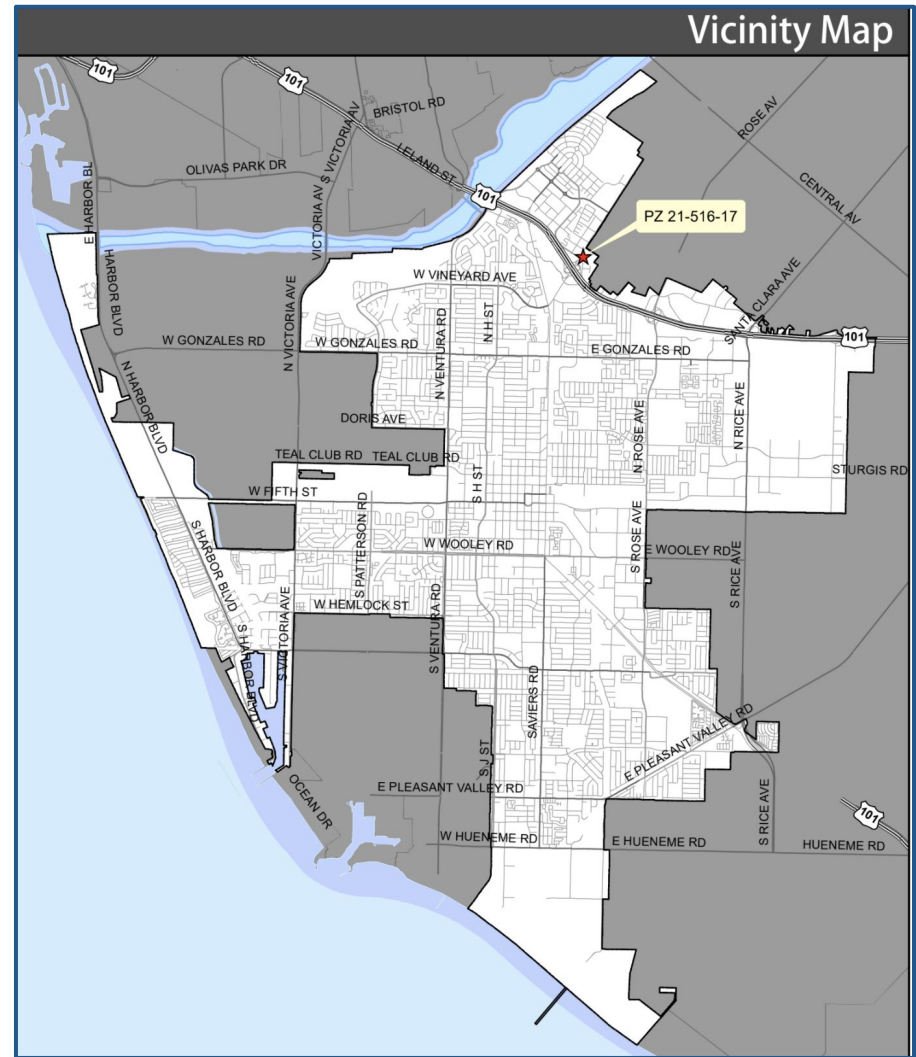


Project Description

- A request to permit the operation of a commercial cannabis retail facility within an existing 4,566 square-foot commercial suite of an approximately 5,270 square-foot multi-tenant commercial building on a 1.01-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
- Cannabis retail operations will be conducted between 9:00 AM to 9:00 PM daily.
- Administrative parking relief to decrease the number of required parking spaces required by the center from 53 parking spaces to 47 parking spaces.
- Application filed by Ronald Jakins

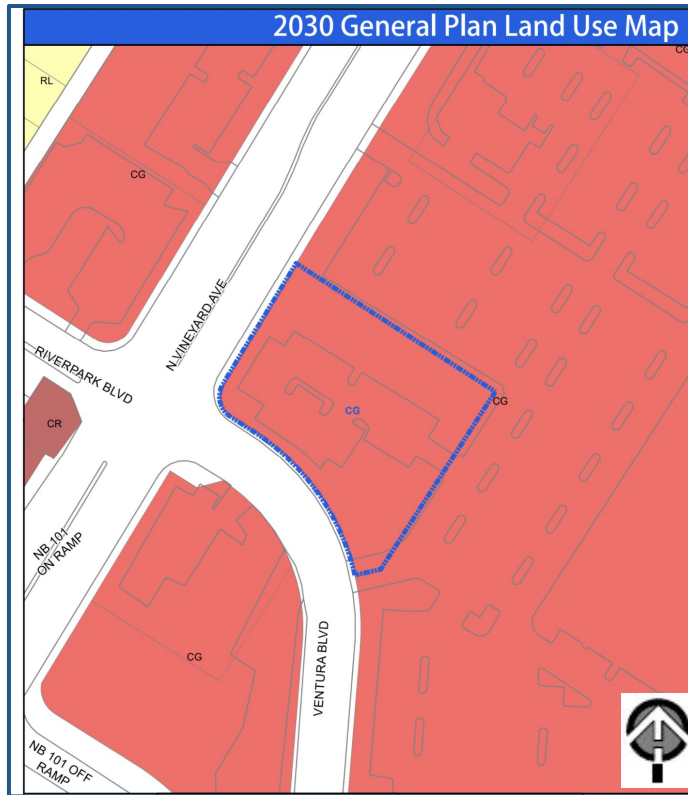
Project Location

Subject Site: 2550 North Vineyard Avenue



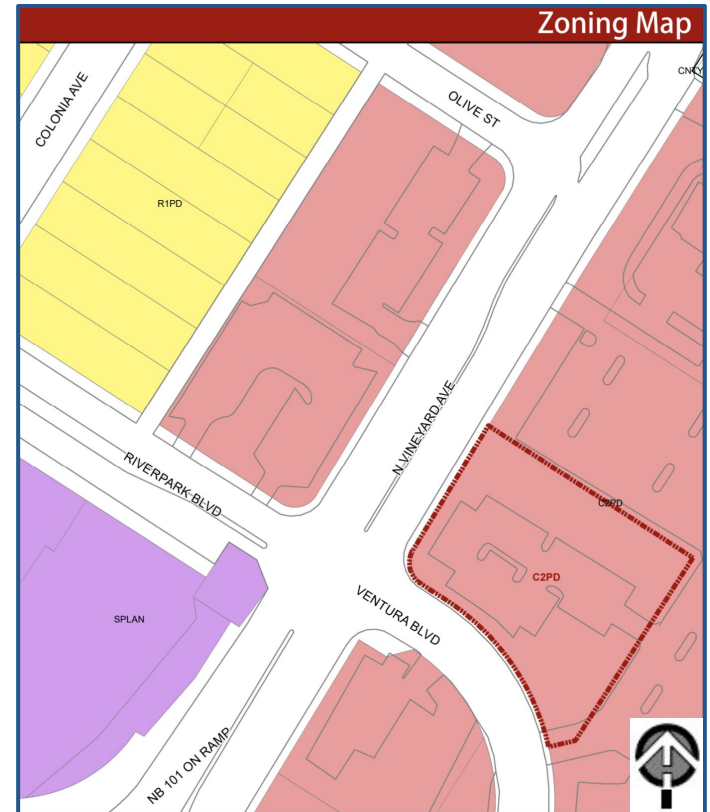
General Plan & Zoning Maps

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



General Commercial Planned Development
(C-2-PD)

Existing Site

Subject Site: 2550 North Vineyard Avenue

Surrounding Uses:

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial Planned Development (C-2-PD)	Commercial shopping center.
North	CG	C-2-PD	Commercial shopping center.
South	CG	C-2-PD	Commercial shopping center.
East	CG	C-2-PD	Commercial shopping center.
West	CG	C-2-PD	Fast food restaurant with drive through.

Existing Conditions

Street view looking southeast.



Background: Development History

- On September 30, 1988, the Planning Commission approved Planned Development 461 to allow the construction of two commercial buildings.
- 1988 to current: various tenant improvements to accommodate 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)).

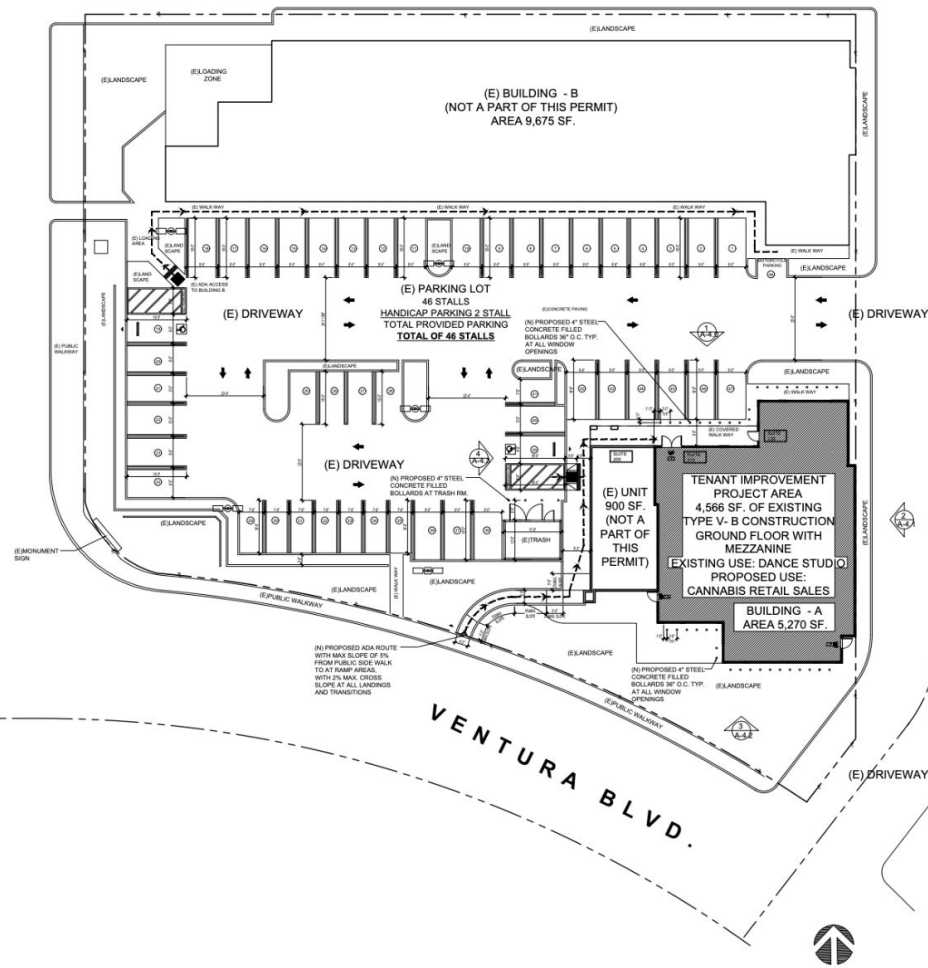
Background: Cannabis Regulations (cont.)

- 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, Advocate Society LLC dba Advocate Society filed for a request to obtain a Commercial Cannabis Business Permit for a 4,566 square foot cannabis retail facility.
- On March 1, 2021, Advocate Society LLC dba Advocate Society was awarded a conditional Commercial Cannabis Business Permit for cannabis retail. In order to successfully commence and inaugurate the Commercial Cannabis Business Permit Advocate Society LLC dba Advocate Society is required to receive approval of a SUP as specified within OCC Section 11-457.

VINEYARD AVE.



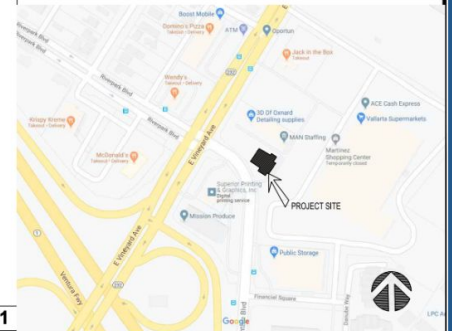
SCALE
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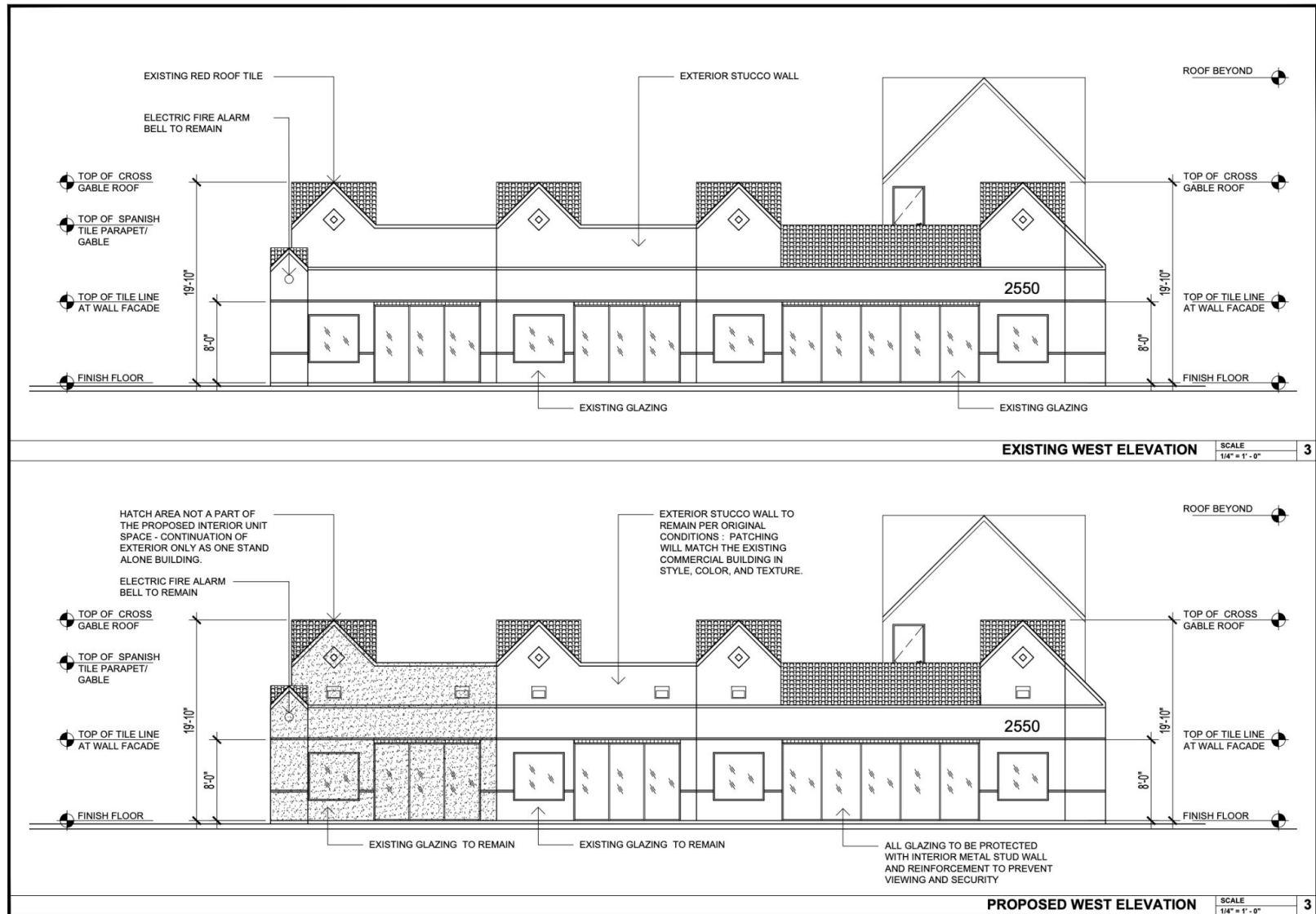
SHEET INDEX

A-1.0	SITE PLAN
A-3.0	PROPOSED FLOOR PLAN
A-3.1	REFLECTED CEILING PLAN
A-3.2	PROPOSED FLOOR PLANS AND ROOF PLAN TRASH AREA
A-4.0	NORTH ELEVATION PROPOSED & EXISTING
A-4.1	EAST ELEVATION PROPOSED & EXISTING
A-4.2	SOUTH ELEVATION PROPOSED & EXISTING
A-4.3	WEST ELEVATION PROPOSED & EXISTING
A-4.4	NORTH & SOUTH ELEVATIONS PROPOSED & EXISTING TRASH AREA
A-4.5	EAST & WEST ELEVATIONS PROPOSED & EXISTING TRASH AREA
A-4.6	EXTERIOR & INTERIOR RENDERING

VICINITY MAP



Elevations



Administrative Parking Relief

- The Project is proposing an Administrative Parking Relief via a Reduction in Parking based on the uses of the shopping center.

DEVELOPMENT	PARKING REQUIREMENT PER OXNARD CITY CODE SECTION 16-622(F)	PARKING REQUIREMENT PER ITE PARKING GENERATION MANUAL	TOTAL PROVIDED	PARKING STUDY PEAK OBSERVED DEMAND
Shopping Center - Retail 10,575 Square feet	1 per 300 square feet of gross floor area (Legal nonconforming) Total Required = 35 parking spaces	1.95 parking spaces per 1,000 square feet. Total Required per ITE = 20 parking spaces	35 parking spaces	21 spaces
Proposed Cannabis Retail 4,566 square feet	1 per 250 square feet of gross floor area. Total Required = 18	7.19 parking spaces per 1,000 square feet. Total Required per ITE = 33 parking spaces	12 parking spaces	
Total Project	53 parking spaces	53 parking spaces	47 parking spaces.	

Administrative Parking Relief

The Project has been conditioned to

- Prohibit employees from the cannabis retail facility to park onsite (results in 6 or more parking spaces to be free of vehicles)
- Require Advocate Society to
 - Cover the employee's costs to travel to and from work.
 - Provide a manifest to the City
 - Documenting employee's method of travel to and from work, Including associated receipts to cover employee's cost to travel to and from work.
 - Each employee to sign an affidavit affirming the accuracy of the manifest.

Floor Plan / Security Plan

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

Public Comments

- The project site is located within the El Rio Neighborhood
- On September 10, 2021, the site was posted with Project details and Community Workshop information and the Developer mailed out 2,008 meeting agenda notices.
- On September 20, 2021, the project was presented to the public during a Community Workshop meeting.
- The meeting was attended by approximately 28 members of the public and persons had an opportunity to ask questions.

Public Comments

- Staff received six comments during the Community Workshop
 - Educating the local youth on cannabis products.
 - Law enforcement needs to be more transparent on cannabis home growing, possession.
 - Possible robberies due to close proximity to the 101 freeway.
 - Local equity program for minorities.
 - Inspiration to see members of the Oxnard community running cannabis businesses.
 - Need to give back to the community.
- Following the Community Workshop Staff has not received additional comments.

Key Conditions of Approval

- **Conditions # 34 - 35:** Employee parking prohibition.
- **Conditions # 15, 43-44:** Abide by City of Oxnard and State of California rules and regulations related to this business.
- **Conditions # 40:** The commercial cannabis business permit shall expire, and be subject to the renewable process in Chapter 11 of the Oxnard City Code twelve (12) months after the date of issuance of the SUP pursuant to the Oxnard City Code Section 11-459.

Retail Operating Conditions

- **Conditions # 60-62, 135-136:** Provide regulatory action of cannabis retail procedures to allow only eligible members of the community to purchase product and allow for a secure selling environment.

Police Conditions

- **Conditions # 85-158:** Security features will be implemented as required by adopted cannabis Ordinance.

Key Conditions of Approval (Cont.)

Fire Department Conditions

- **Conditions #159-178:** This broad range of numbers indicates that the system is to be designed to be a safe facility.

Community Benefits / Community Relations

- **Condition #50-53, 65-66:** The project is conditioned to be a good neighbor / member of the community.

Taxes and Inventory Tracking

- **Condition #54-55, 69-77:** 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. 21-516-17 (Special Use Permit – Cannabis: Retail), subject to certain findings and conditions.

End of Presentation

Planning Commission Hearing: February 17, 2022



**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Jay Dobrowalski, Senior Planner

DATE: February 17, 2022

SUBJECT: **Project Name: Starbucks & Fast Food Drive-Throughs & Parcel Map - Ives Avenue;** Planning and Zoning Permit Nos. 21-300-04 (Parcel Map), 21-500-06 (Special Use Permit), 21-500-07 (Special Use Permit); 1600 Ives Avenue; APNs: 220-0-274-015, -025, -095

- 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 15332 (Infill Development); and
 - b)** Adopt Resolution 2022-XX recommending the City Council Approve Planning and Zoning Permit No. 21-300-04 (Parcel Map), subject to certain findings and conditions; and
 - c)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-500-06 (Special Use Permit), subject to certain findings and conditions; and
 - d)** Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-500-07 (Special Use Permit), subject to certain findings and conditions.
- 2) Project Description and Applicant:** The applicant requests permits to authorize the demolition of an existing 8,868 square-foot building and subdivide an existing 1.78 acre project area into two lots with new development. The proposed development includes the construction of a 983 square-foot coffee house (Starbucks) with drive-through with 14-vehicle capacity on a 0.79 acre lot and a 2,533 square-foot fast food restaurant (Fast Food) with drive-through with 9-vehicle capacity on a 0.99 acre site, and related site improvements including 72 shared parking spaces, sidewalks, patios, and landscaping.

The Project site is located at 1600 Ives Avenue (APNs: 220-0-274-015, -025, -095) within the Channel Islands Business Center (CIBC), the Commercial General, Planned Development (C-2-PD) zone district and within the Commercial General land use designation (Attachment A). For purposes of this staff report, the foregoing project description shall be referred to as the “Project.” Filed by Hassan Amirsadeghi of Habitat Properties, 10717 Wilshire Boulevard, Unit 607, Los Angeles, California 90024, designated agent (the “Applicant”) on behalf of Philippine Center of Ventura County, 1600 Ives Avenue,

Oxnard, California 93030 (the “Property Owner”).

Please see the reduced Project plans (Attachment B: Starbucks; Attachment C: Fast Food; Attachment D: Parcel Map) for more details.

- 3) Existing & Surrounding Land Uses:** The Project site is currently developed with an events center building and associated infrastructure improvements. The Project site 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:

Table 1
 Existing and Surrounding Land Uses

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Events center
North	Business Research Park (BRP)	Business Research Park (BRP)	Statham Boulevard, Pacific Avenue, Ives Avenue, church with preschool, distribution service
South	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	South Oxnard Boulevard, medical center (under construction)
East	Business Research Park (BRP) and Industrial Limited (ILM)	Business Research Park (BRP) and Limited Manufacturing, Planned Development (MLPD)	Ives Avenue, engineering consultants, vacant lot
West	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Statham Boulevard, commercial development

- 4) Background Information:** On August 7, 1989, the Community Development Director granted Development Design Review Permit No. 89-3 to authorize the construction of a speculative building that was subsequently operated as a Marie Callender’s Restaurant. In 2007, the Community Development Director granted a Zone Clearance for the operation of Liu City Buffet.

On October 16, 2013, City Council conducted a Pre-Application review for a proposed General Plan Amendment and Zone Change to change the zoning designation from Business and Research Park (BRP) to General Commercial Planned Development (C-2-PD). On January 27, 2014, City Council approved the proposed General Plan Amendment and Zone Change.

On December 17, 2017, the Community Development Director granted a Zone Clearance for the existing restaurant and events center.

On November 14, 2018, the Planning Commission granted a Special Use Permit for the sale of alcohol within the existing restaurant and events center.

On February 1, 2021, the current applicant submitted a conceptual plan for a Pre-Development Advisory Committee review of the proposed development.

- 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 existing 8,868 square-foot events center building, the subdivision of the existing 1.78 acre project site into two lots with development including a 983 square-foot coffee shop with a drive-through with 14-vehicle capacity on an 0.79 acre lot with 31 parking spaces, a 2,533 square-foot fast food restaurant with drive-through with 9-vehicle capacity on a 0.99 acre site, and related improvements with 41 parking spaces, sidewalks, patios and landscaping and infrastructure improvements. The 72 parking spaces are to be shared parking between the adjacent lots. Both of the new buildings have been designed to be consistent with the Commercial General (CG) General Plan land use designation, the General Commercial, Planned Development (C-2-PD) zoning designation, and the Channel Islands Business Center. The proposed development is located on an approximately 1.78-acre site which is generally 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 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 Channel Islands Business Center.

The Planning Commission is the decision maker for Special Use Permits pursuant to OCC §16-536, and the Planning Commission makes a recommendation to the City Council to approve or disapprove a Parcel Map pursuant to OCC §15-40.

- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Commercial General which allows retail centers and free-standing commercial uses along arterials (including drive-throughs). The proposed Project includes two free-standing commercial uses along the arterial Oxnard Boulevard. 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).

Table 2
 General Plan Consistency

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 an under-utilized site along Oxnard Boulevard with two 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 Oxnard 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 new walkways to Oxnard 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 General 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 includes 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 Zoning Code Development Standards:** The proposed development is located within the General Commercial, Planned Development (C-2-PD) zone district and is subject to the General Commercial (C-2) development standards.

The proposed project was evaluated for consistency with the C-2 development standards. As shown in Attachment F, the Project is designed to be consistent with the development

standards.

- d) Conformance with Channel Islands Business Center Guidelines:** The proposed development is located in the Channel Islands Business Center (CIBC) and is subject to the CIBC development plan.

The proposed project was evaluated for consistency with the CIBC development plan. As shown in Attachment G, the Project is designed to be consistent with the development plan.

- e) Site Design, Circulation, and Parking:** The project site has access from Ives Avenue via an existing driveway. The existing driveway will provide access to the site and allow for vehicle circulation around the site. While there is shared access and shared parking areas located between the two proposed buildings, the drive-through facilities of each building are 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, the proposed development has been designed for pedestrian access and circulation. Both facilities have been specifically designed to front directly onto Oxnard Boulevard, providing for direct pedestrian access to the project site from the right-of-way without having to cross the drive-through lanes or parking area. Additionally, an identified pedestrian path has been provided from Ives Avenue to Oxnard Boulevard to minimize pedestrian conflicts with vehicles circulating the site. In addition to the improved onsite circulation, the Project has been conditioned to provide an area for a future bus stop on Oxnard Boulevard. Currently, Gold Coast Transit does not provide bus service along the project site frontage on Oxnard Boulevard. The bus stop provides an option for future changes to the existing bus routes.

Due to the operational characteristics of existing Starbucks and other fast food restaurant 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 near the entrance of the parking lot and Ives Avenue, so that should the queue capacity exceed the queue amount the back-up will occur on site throughout the parking areas and is not anticipated to impact the adjacent road network and not onto either Statham Boulevard or Oxnard Boulevard. The Zoning Code requires a capacity of three vehicles between the pick-up window and the order board and five vehicles behind the order board. While both of the queues meet or exceed

the City requirements, the fast food development includes a Draft Transportation Management Plan (Attachment H), which were 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 fast food restaurant, in addition to the standard operation items, some of the key components include:

1. Cones and signage to direct vehicles through the main drive aisle.
2. Implementation of an expedited ordering process to reduce wait times.
3. Pavement marking to prevent blocking of the access aisle.

The proposed Starbucks site has a total of 25 parking spaces with a stacking credit of 6 parking spaces for a total of 31 parking spaces, which exceeds the on-site parking requirement of 20 spaces. The proposed fast food restaurant has a total of 32 parking spaces with a stacking credit of 9 spaces, for a total of 41 parking spaces, which is not in compliance with the on-site parking requirement of 51 spaces. However, the Project site is subject to a shared parking agreement, so parking is shared among both properties. The on-site parking requirements for the proposed development is shown in the following table:

Table 3
Parking Consistency

Development	City Code Parking Requirement	City Code Stacking Requirement	Parking and Stacking Provided	Total Parking Provided	Drive-Through Queue Study Maximum (Weekdays)
Proposed Starbucks	20 spaces	8 spaces	25 spaces; 6 stacking	31 spaces	14 vehicles
Proposed Fast Food	51 spaces	8 spaces	32 spaces; 9 stacking	41 spaces	12 vehicles
Total Development	71 spaces	16 spaces	57 spaces; 15 stacking	72 spaces	26 vehicles

As shown in the aforementioned Parking Consistency table, the proposed fast food lot parking area is deficient by 10 spaces, and the Starbucks lot has 10 excess parking spaces. Thus, the proposed development is subject to a condition of approval to require that each lot provides reciprocal access and parking spaces for both lots, and if one of the

uses ceases, then the other must have the City Code required on-site parking, or that use must also cease. The condition requires a recorded agreement between the two property owners and their successors in interest.

The proposed fast food lot includes a drive-through queue for a maximum of nine vehicles. Per the drive-through queue study submitted by the applicant, the anticipated average drive-through queue is 10 vehicles and the maximum is 12 vehicles. Thus, the proposed drive-through queue is insufficient to accommodate the vehicles in the queue, and the vehicles will likely block the on-site parking area and circulation on the project site but not spill over into the public right-of-way. The proposed fast food project is subject to a condition of approval to require a Transportation Management Plan for review and approval by the Community Development Director. The draft Transportation Management Plan (Attachment H) identifies programs that can be implemented to minimize onsite impacts and prevent vehicles in the queue from spilling offsite.

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, parking capacity, and loading facilities. Therefore, staff recommends approval of these SUP applications.

The proposed Starbucks project includes an order board that is approximately one foot away from the property line and would project noise towards the interior of the property. The proposed fast food project includes an order board that is approximately 44 feet away from the property line and would project noise towards the exterior of the property. The application materials did not include a noise level analysis for the proposed menu board equipment. Thus, both projects are subject to a condition of approval to require that the proposed development be located at least five feet from the side property lines pursuant to the City Code and the order boards or other project related items to not exceed the maximum allowable exterior noise levels for commercial (60 dBA) areas, pursuant to OCC Section 7-185 (Exterior Sound Standards).

- f) Building Design:** The proposed development is located within the Channel Islands Business Center, which does not require a specific architectural style for proposed development. The proposed development is designed to be consistent with the existing fast food building located across Statham Boulevard and other fast food restaurants recently developed throughout the City.

The proposed Starbucks development features a facade with smooth stucco with a grey color that includes horizontal wood cladding and a rooftop louvered mechanical screen with a black color to match the black rim along the trim on the top of the building. The building includes a metal canopy and awning over the walk up service window and drive-through service window. The drive-through facade of the building features outdoor

lighting to provide downward lighting within the drive-through area. The building has a flat roof with flat walls with few windows and minimal trim for a more modern design.

The proposed fast food development features a facade with smooth stucco with a grey color that includes a brick veneer base around the bottom of the building and horizontal wood cladding around the top of the building. Portions of the stucco wall are a milky quartz color that extend upward beyond the wood cladding and are capped with a cornice to create visual interest. The building includes a metal canopy and awning over the drive-through aisle and the pedestrian entrances. The building has a flat roof with empty exterior wall space with large glass windows and trim along the top and bottom of the building for a more contemporary design.

g) Landscaping: Both the Starbucks and Fast Food developments 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 Starbucks and Fast Food developments are conditioned to replace or offset the value of any trees to be removed, on their respective project sites.

7) Development Advisory Committee: On August 25, 2021, the Project was reviewed by the Development Advisory Committee (DAC) which resulted in changes to the project and recommended conditions of approval. Subsequent to this initial review, the applicant continually worked with select members of the DAC on revisions to the plans while DAC members drafted project conditions. The DAC conditions of approval are included in the attached Resolutions.

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

Consistent with public noticing requirements, this 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 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.

Starbucks & Fast Food Drive-Throughs and Parcel Map - Ives Avenue; PZ Nos. 21-300-04 (Parcel Map), 21-500-06 (Special Use Permit), 21-000-07 (Special Use Permit)
Planning Commission Hearing Date: February 17, 2022
Page 10 of 10

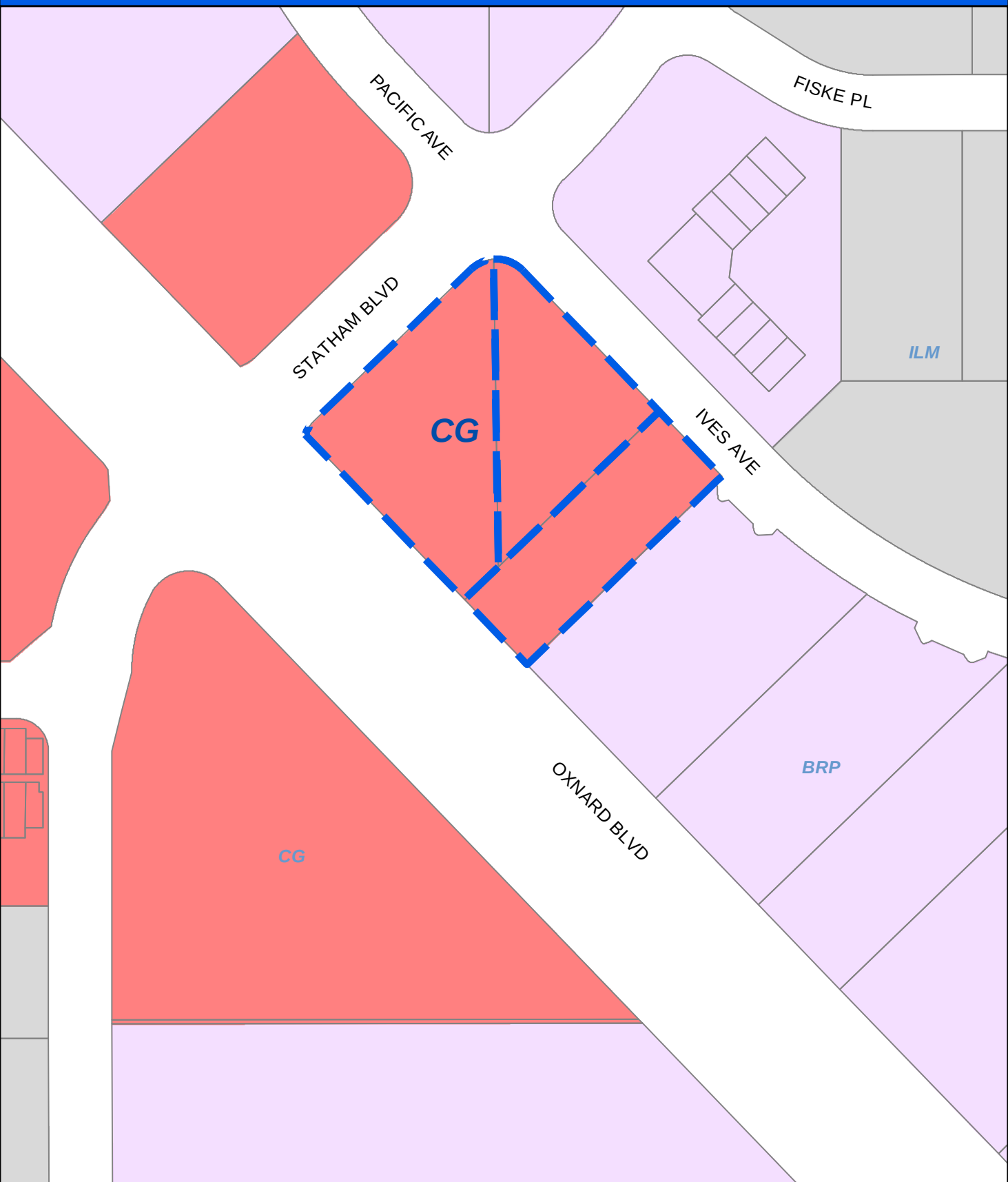
Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans (Starbucks) (21-500-06)
- C. Reduced Project Plans (Fast Food) (21-500-07)
- D. Reduced Project Plans (Parcel Map) (21-300-04)
- E. Notice of Exemption
- F. Zoning Code Development Standards Consistency Table
- G. Channel Islands Business Center Development Plan Consistency Table
- H. Transportation Management Plan
- I. Draft Planning Commission Resolution Approving Planning and Zoning Permit No. 21-500-06 (Special Use Permit)
- J. Draft Planning Commission Resolution Approving Planning and Zoning Permit No. 21-500-07 (Special Use Permit)
- K. Draft Planning Commission Resolution Approving Planning and Zoning Permit No. 21-300-04 (Parcel Map)
- L. Staff Presentation

Vicinity Map



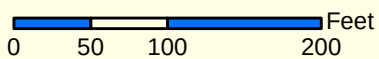
2030 General Plan Land Use Map



Oxnard Planning

February 1, 2022

PZ 21-500-06
Location: 1600 Ives Ave
APN: 220274015, 2200274025, 2200274095
Starbucks

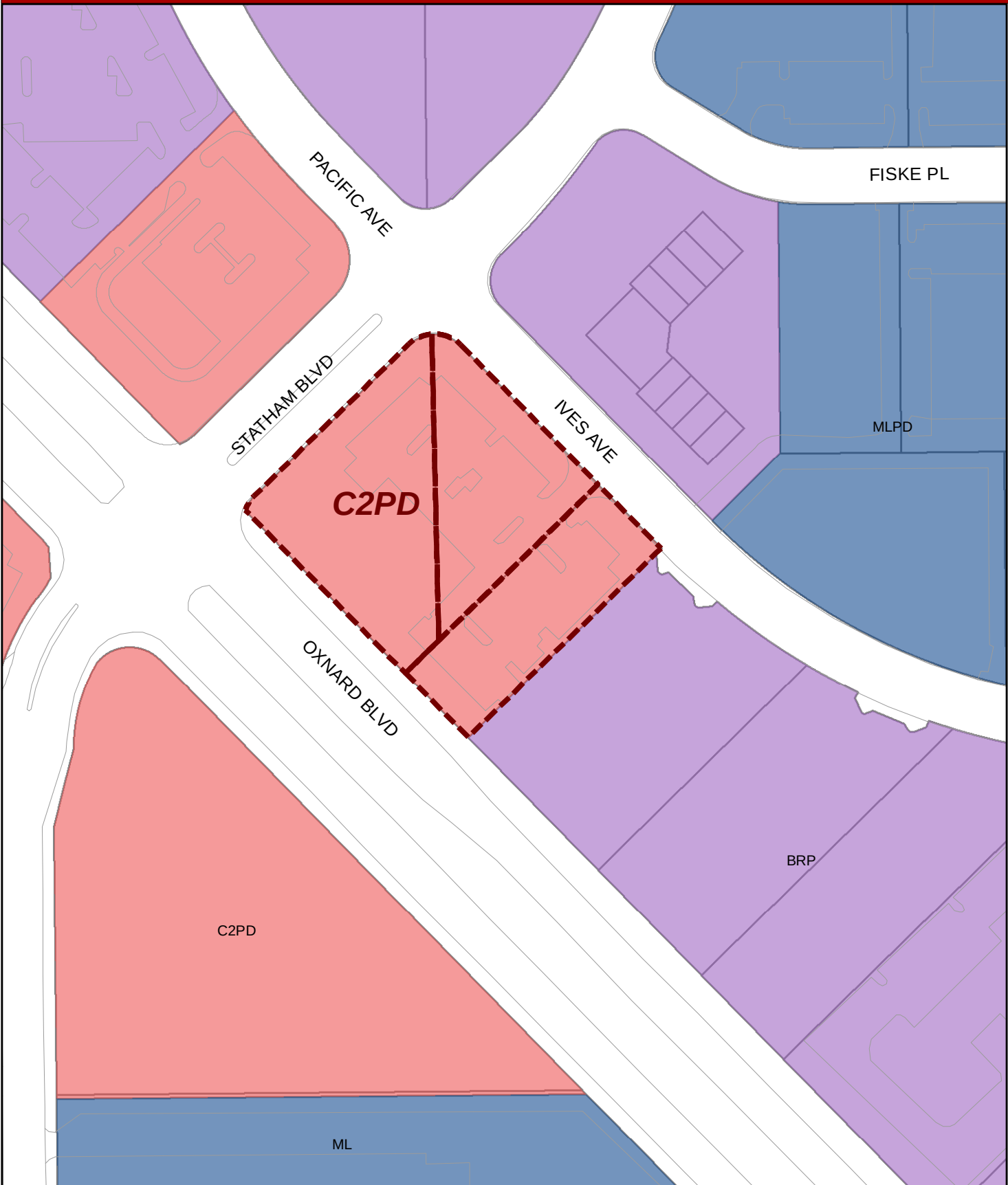


2030 General Plan Land Use Map



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Zoning/Specific Plan Map



Oxnard Planning

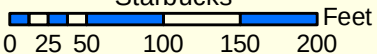
February 1, 2022

PZ 21-500-06

Location: 1600 Ives Ave

APN: 220274015, 2200274025, 2200274095

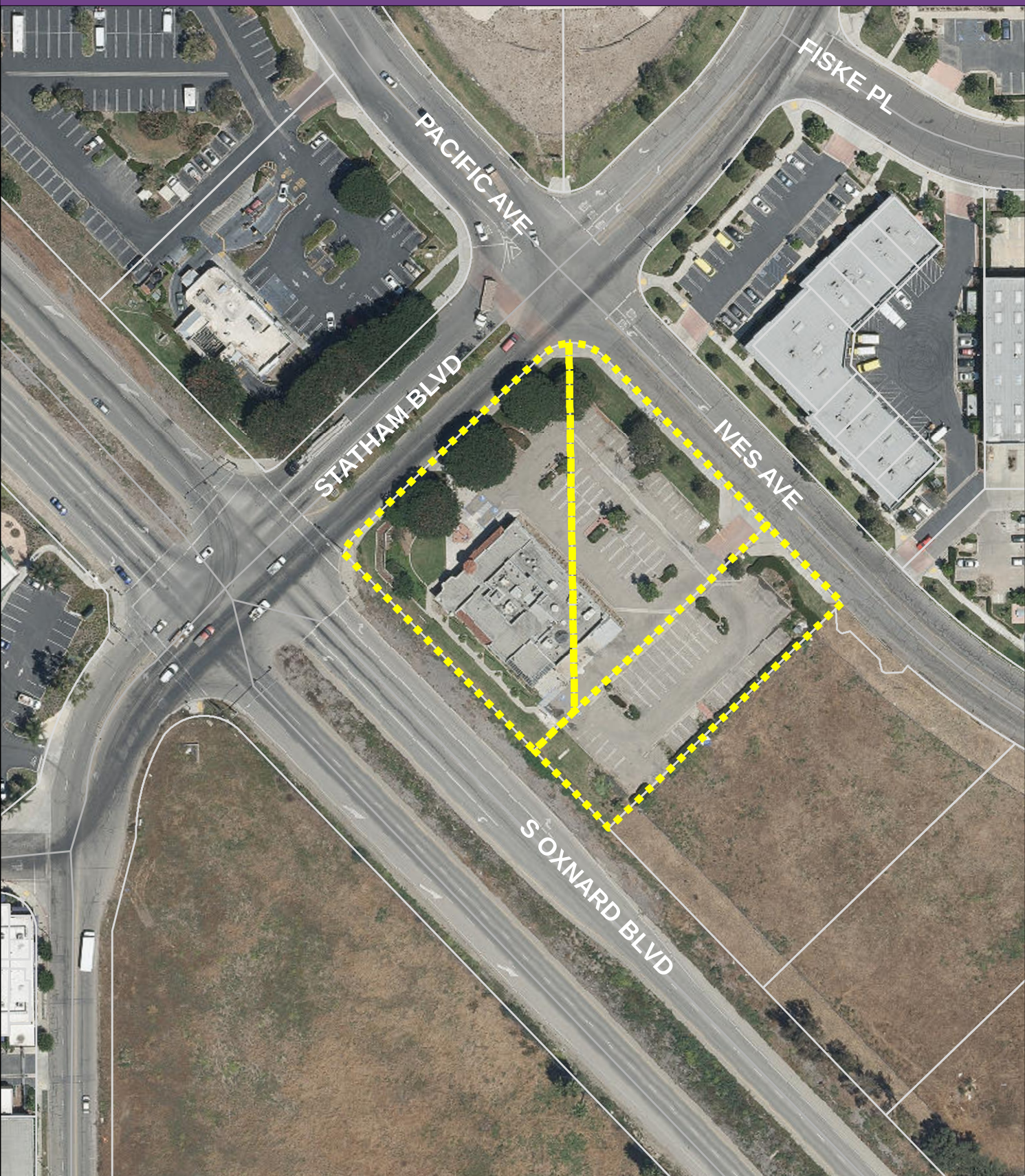
Starbucks

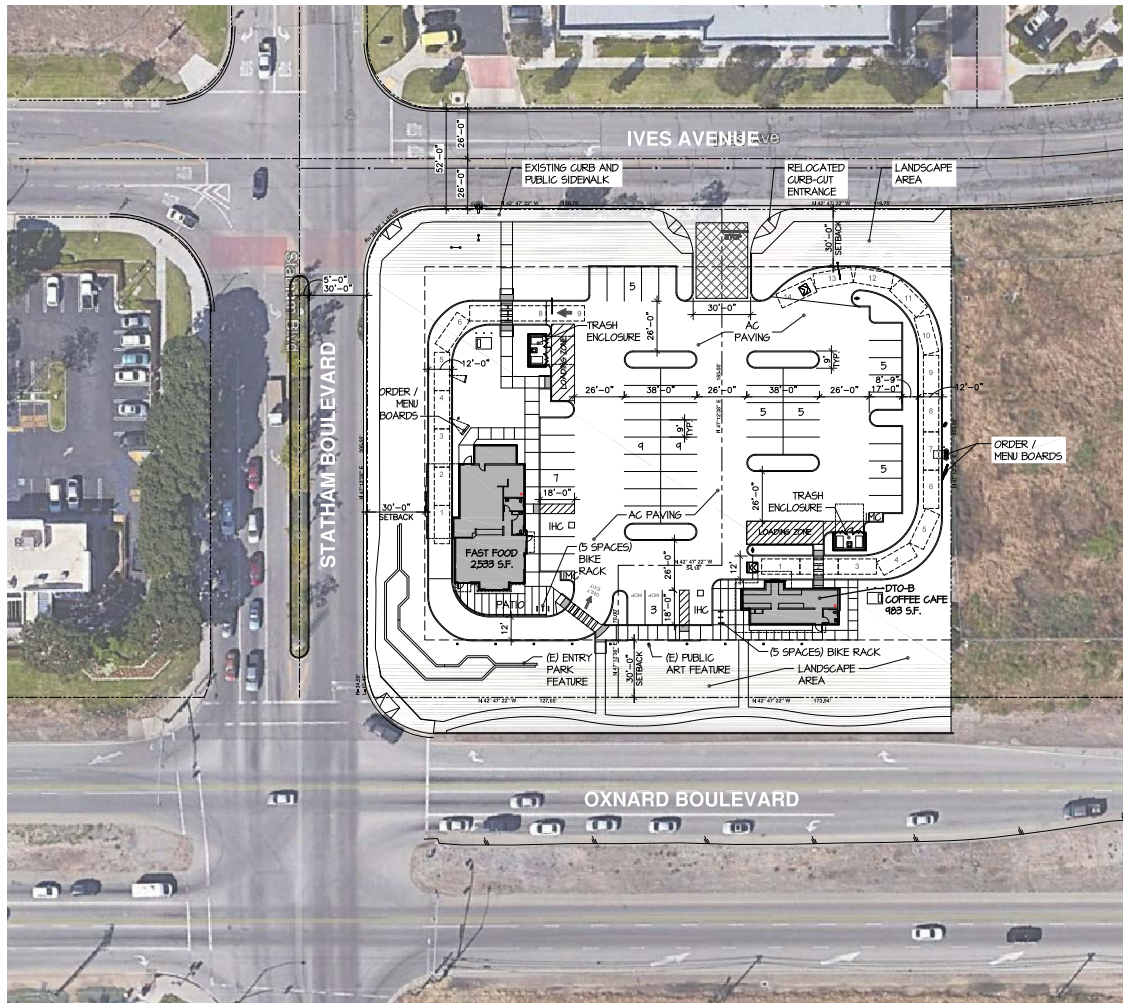


Zoning/Specific Plan Map



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ILLUSTRATIVE MASTER SITE PLAN
SCALE 1" = 30'-0"

STARBUCKS @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

INDEX OF DRAWINGS

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- A2 SITE PLAN
- A3 FLOOR AND ROOF PLAN
- A4 EXTERIOR ELEVATIONS
- A5 PERSPECTIVE 1
- A6 PERSPECTIVE 2
- A7 SITE PHOTOS

PROJECT DESCRIPTION

DEVELOPMENT OF A 983 S.F. COFFEE WITH DRIVE-THRU FACILITIES ON A 0.79 AC SITE. SITE IMPROVEMENTS INCLUDE A CUSTOMER WALK-UP WINDOW, PEDESTRIAN PAVING, SHARED ACCESS VEHICULAR PARKING AND LANDSCAPING.

MASTER SITE ANALYSIS

LEGAL DESCRIPTION:

APN: 220-0-274-015, 025, 095
ZONE: C-2-PD
GP: CG

MASTER SITE AREA: = 77,503 S.F. (1.78 ACRES)

STARBUCKS SITE AREA = 34,330 S.F. (.79 ACRES)
FAST FOOD SITE AREA = 43,173 S.F. (.99 ACRES)

LOT COVERAGE:

STARBUCKS:
BUILDING = 983 S.F. 2.8 %
PAVING = 20,278 S.F. 59.0 %
LANDSCAPING = 13,069 S.F. 38.2 %

FAST FOOD:
BUILDING = 2,533 S.F. 5.9 %
PAVING = 24,124 S.F. 55.9 %
LANDSCAPING = 16,516 S.F. 38.2 %

PARKING REQUIRED:

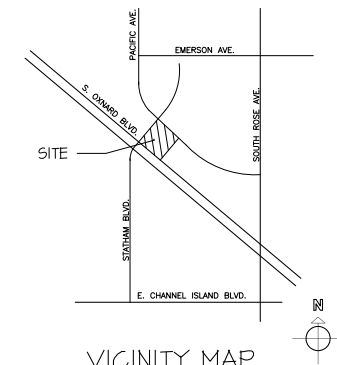
STARBUCKS: 983 / 50 S.F. = 20 SPACES
FAST FOOD: 2,533 / 50 S.F. = 51 SPACES

PARKING PROVIDED:

STARBUCKS:
PARKING SPACES = 13 SPACES
MOTORCYCLE = 1 SPACES
DRIVE-THRU QUEUING = 6 SPACES (30% OF 20)
TOTAL = 20 SPACES

FAST FOOD:
PARKING SPACES = 42 SPACES
MOTORCYCLE = 1 SPACES
DRIVE-THRU QUEUING = 9 SPACES (30% OF 51)
TOTAL = 52 SPACES
GRAND TOTAL = 72 SPACES

BICYCLE PARKING REQUIRED = 5 SPACES
BICYCLE PARKING PROVIDED = 5 SPACES



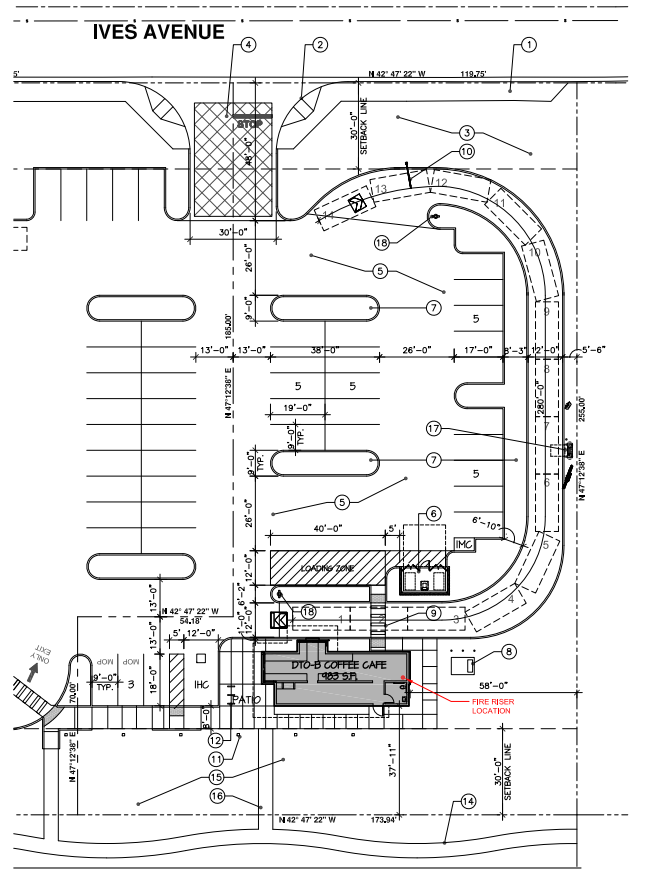
VICINITY MAP

RASMUSSEN & ASSOCIATES

Architecture
Planning
Interiors

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

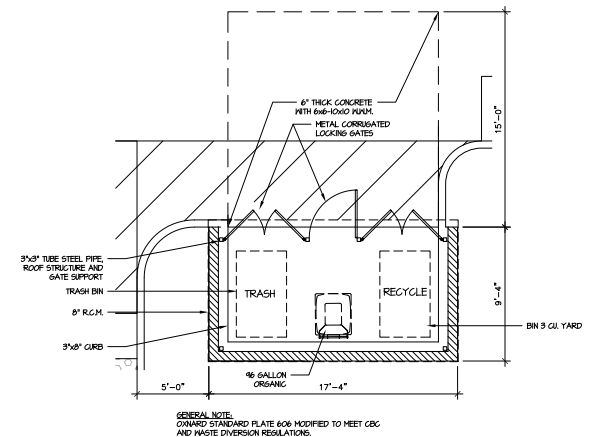
A1



SITE PLAN
SCALE 1" = 20'-0"

NOTE LEGEND

- EXISTING CURB AND PUBLIC SIDEWALK.
- ACCESSIBLE RAMP IN CURB-CUT ENTRY.
- ACCESSIBLE BERRIED LANDSCAPE AREA IN SETBACK, MAINTAINED BY CBC.
- STAMPED COLOR CONCRETE, A MINIMUM OF 3" DRIVEWAY THROAT.
- ASPHALT PAVING.
- TRASH ENCLOSURE WITH 15" CONCRETE APRON, SEE DETAIL 1A2.
- LANDSCAPE AREA.
- ELECTRICAL TRANSFORMER AND PAD.
- DECORATIVE CONCRETE CROSS WALK PAVING.
- CLEARANCE BAR.
- EXISTING PUBLIC ART FEATURE, PROTECT IN PLACE.
- SHORT-TERM BICYCLE PARKING WITHIN DESIGNATED BIKE RACK, 5 BIKE SPACES AT 30" x 6'-0" EACH.
- STARBUCKS DRIVE THRU VEHICLE CURB OF 20' LONG, 120' LONG, 10' VEHICLES BETWEEN MENU BOARD AND PICK UP WINDOW AND 5 VEHICLES BEHIND MENU BOARD REQUIRED.
- RENDERING CONCRETE SIDEWALK TO MATCH MEDICAL OFFICE BUILDING DIRECTLY ACROSS OXNARD BOULEVARD, CONTACT PROJECT PLANNER FOR DESIGN DETAILS.
- A 30" HIGH SCREEN SHALL BE PROVIDED BY LANDSCAPING AND BERM AREA TO BE MAINTAINED BY CBC.
- CONCRETE WALKWAY.
- MENU ORDER BOARD.
- DRIVE-THRU DIRECTIONAL SIGNAGE.



1
SCALE 1/4" = 1'-0"

STARBUCKS @ IVES AVENUE
OXNARD, CA. 93033

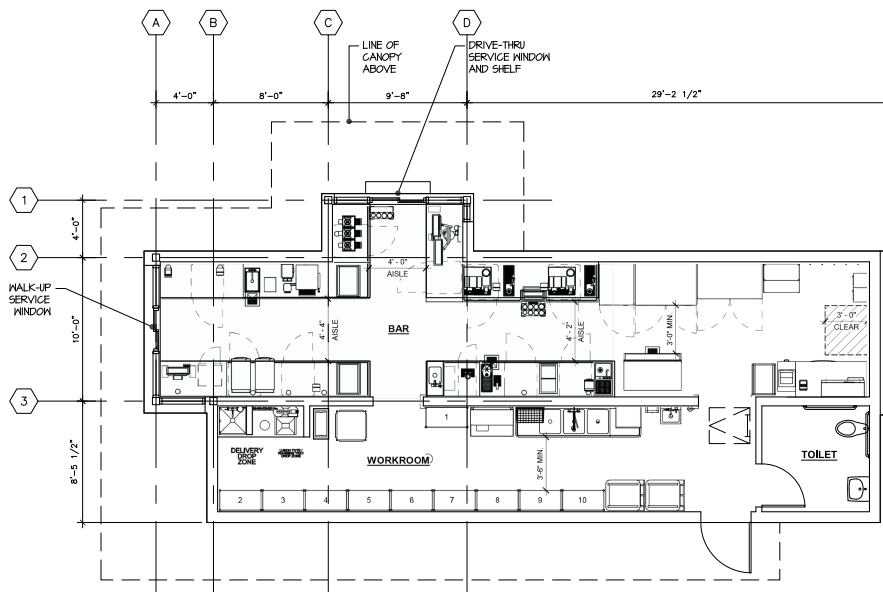
NOVEMBER 22, 2021

RASMUSSEN & ASSOCIATES

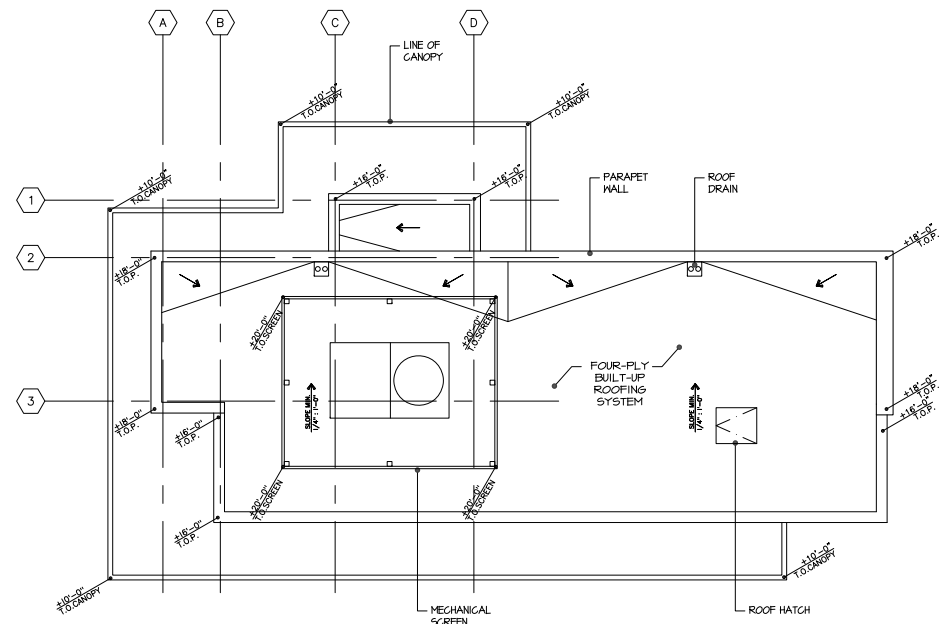
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A2



FLOOR PLAN -
STARBUCKS
SCALE 1/4" = 1'-0"



ROOF PLAN -
STARBUCKS
SCALE 1/4" = 1'-0"

STARBUCKS @ IVES AVENUE
OXNARD, CA. 93033

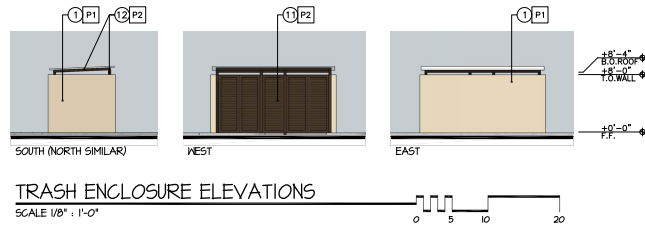
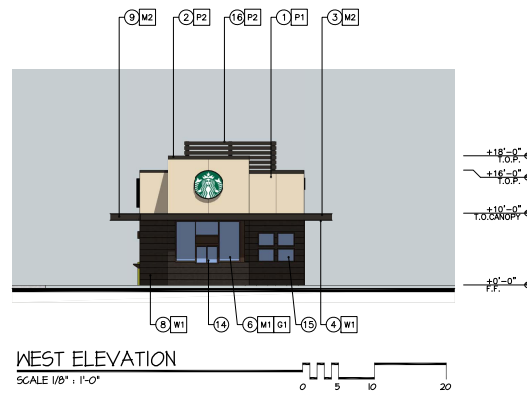
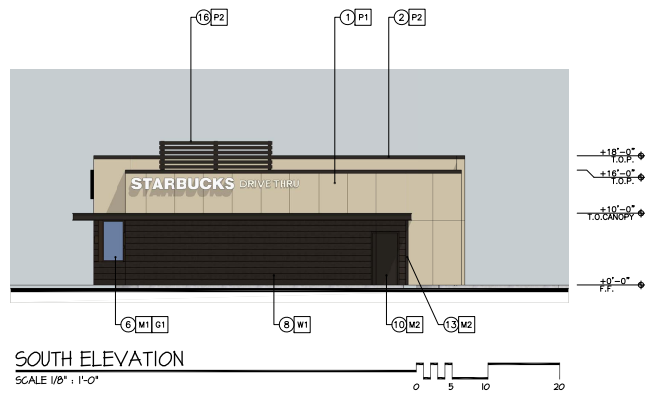
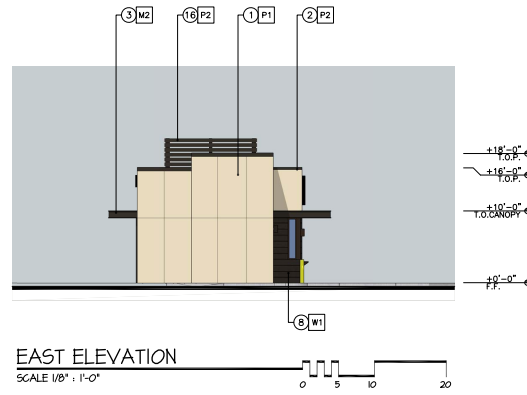
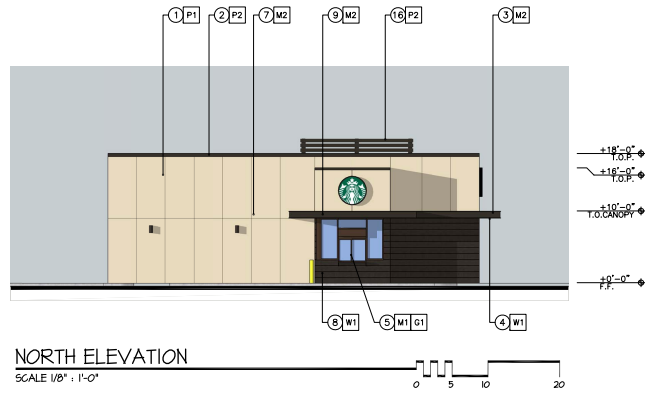
NOVEMBER 22, 2021

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Architecture
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VENTURA, CA 93001
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A3



NOTE LEGEND

- SMOOTH EXTERIOR PLASTER WITH INTEGRAL COLOR.
- PRE-FINISHED METAL COPING, TYPICAL.
- METAL CANOPY.
- WOOD COMPOSITE UNDERSIDE OF CANOPY.
- DRIVE-THRU SERVICE HATCH AND SHELF.
- ALUMINUM STOREFRONT.
- LIGHT FIXTURE, KICALEX LED 3000K OUTDOOR UP & DOWN LANTERN.
- HORIZONTAL WOOD CLADDING.
- METAL AWNING.
- METAL MAN DOOR.
- METAL DOOR WITH INFILL CORRUGATED PANELS.
- METAL ROOF STRUCTURE AND COLUMNS.
- METAL CANOPY DOWNPOUT.
- WALK-UP SERVICE HATCH.
- (4) WALK-UP MENU BOARDS.
- LOWEDED MECHANICAL RTU SCREEN.

COLOR

- P1** OMEGA COLORTEC SMOOTH COAT STUCCO, 61 TRIE GREY OR MATCH
- P2** MATCH - RAL7021 FLAT BLACK
- W1** MATCH - RAL7021 FLAT BLACK
- M1** ARCADIA, R60 STANDARD DARK BRONZE AB-1
- M2** RAL7021 FLAT BLACK OR MATCH
- G1** VITRO ARCHITECTURAL GLASS, STAINPHIRE ULTRA-CLEAR

Cylinder 30" X LED 12" Wall Light Texture Architectural Bronze

© 2021 Taylor Lighting LLC. All Rights Reserved. 1-25-ATTN

SPECIFICATIONS

Certifications/Qualifications	Yes
Class 2	Yes
FDA Compliant	Yes
Dimensions	3.00" X 3.00"
Base Backplate	3.00" X 3.00"
Baseplate	3.00" X 3.00"
Weight	3.00 LBS
Height from center of ball opening (Base Mount)	6.00"
Weight	12.00"
Width	6.00"
Electrical	120V/60Hz
Input Voltage	120V/60Hz
Light Source	LED
Delivered Lumens	4000
Expected Life Span (Hours)	40000
Lamp Included	Integrated
Light Source	LED
Max or Maximal Watt	15W
# of Individual Modules	1
Mounting/Installation	Surface
Location Rating	Indoor
Mounting Style	Wall Mount
Photometrics	90
Color Rendering Index	90
Color Temperature Range	3000
Kelvin Temperature	3000K

FINISHES

Finish Options

- Textured Architectural Bronze
- Textured Black

PRODUCT ORDERING INFORMATION

Product/Ordering Information

SKU 1125-12000

Finish Textured Architectural Bronze

Style Contemporary

UPC 780827400007

SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT BY OTHERS - SHOWN FOR REFERENCE ONLY.

STARBUCKS @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

RASMUSSEN & ASSOCIATES

Architecture
Planning
Interiors

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A4



STARBUCKS - OXNARD BOULEVARD VIEW

STARBUCKS @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

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A5



PHOTO "1"

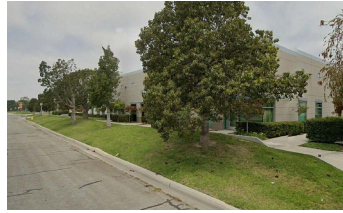


PHOTO "2"



PHOTO "3"



PHOTO "4"



PHOTO "5"



PHOTO "6"



PHOTO "7"



PHOTO "8"



PHOTO "9"



PHOTO "10"



PHOTO "11"



PHOTO "12"



PHOTO "13"



SITE KEY PLAN



PHOTO "14"



PHOTO "15"



PHOTO "16"

STARBUCKS @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

RASMUSSEN & ASSOCIATES

Architecture
Planning
Interiors

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

COLOR / MATERIAL BOARD

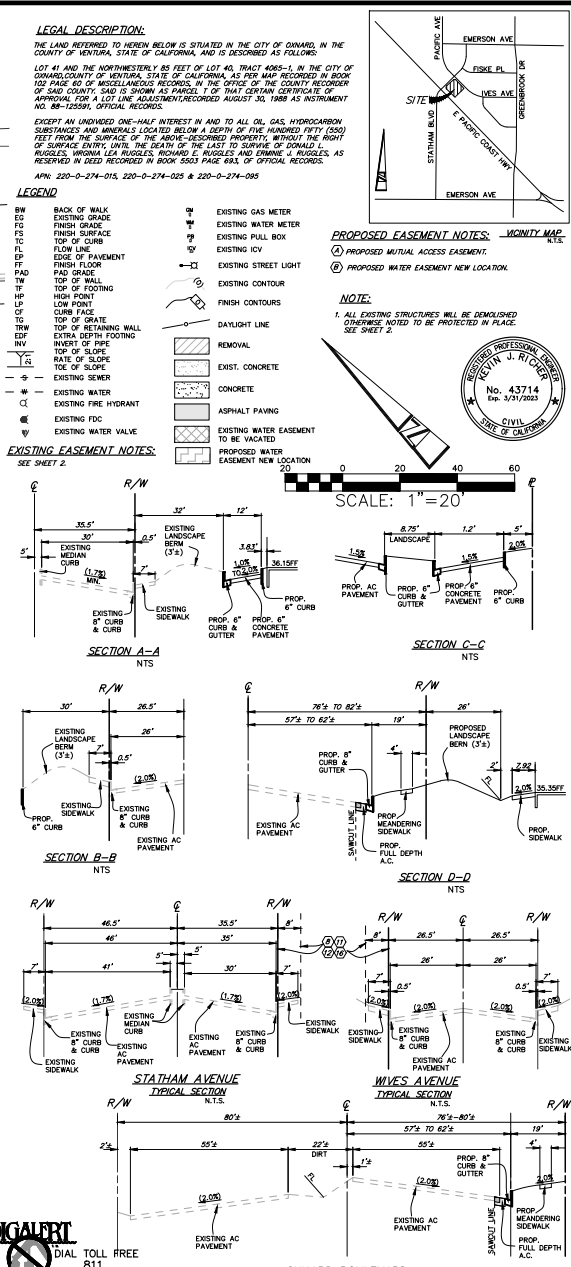
JULY 16, 2021

	P1 EXTERIOR PLASTER WALL FIELD, SMOOTH FINISH OMEGA COLORTEK; 69 TRUE GREY
	P2 PAINTED TRASH ENCLOSURE METAL STRUCTURE MATCH - RAL7021 FLAT BLACK
	W1 HORIZONTAL WOOD CLADDING, WOOD COMPOSITE UN- DERSIDE OF CANOPY MATCH - RAL7021 FLAT BLACK
	M1 ALUMINUM STOREFRONT WINDOWS AND DOORS ARCADIA; #88 STANDARD DARK BRONZE AB-7
	M2 METAL AWNINGS, FACIA AND MECHANICAL SCREEN RAL 7021 FLAT BLACK OR MATCH
	G1 STOREFRONT GLASS VITRO ARCHITECTURAL GLASS; STARPHIRE ULTRA-CLEAR

STARBUCKS @ IVES AVENUE
OXNARD, CALIFORNIA

RASMUSSEN & ASSOCIATES

ARCHITECTURE
PLANNING
INTERIORS



LEGEND

BN	BACK OF WALK	☐	EXISTING GAS METER
ED	EXISTING GRADE	☐	EXISTING WATER METER
FS	FRESH GRADE	☐	EXISTING WATER METER
FG	FRESH SURFACE	☐	EXISTING PULL BOX
TP	TOP OF CURB	☐	EXISTING CIV
FL	FLOW LINE	☐	EXISTING STREET LIGHT
FP	FACE OF PAVEMENT	☐	EXISTING CONTOUR
PF	PAD FLOOR	☐	EXISTING CONTOUR
PS	POST OF SIGN	☐	EXISTING CONTOUR
TW	TOP OF WALL	☐	EXISTING CONTOUR
FO	TOP OF FOOTING	☐	EXISTING CONTOUR
HP	HIGH POINT	☐	EXISTING CONTOUR
LP	LOW POINT	☐	EXISTING CONTOUR
CF	CURB FACE	☐	EXISTING CONTOUR
TO	TOP OF GRADE	☐	EXISTING CONTOUR
TRW	TOP OF RETAINING WALL	☐	EXISTING CONTOUR
EDP	EXTRA DEPTH FOOTING	☐	EXISTING CONTOUR
INV	INVERT OF PIPE	☐	EXISTING CONTOUR
Y	YIELD	☐	EXISTING CONTOUR
+	EXISTING WATER	☐	EXISTING CONTOUR
CL	EXISTING FIRE HYDRANT	☐	EXISTING CONTOUR
+	EXISTING FDC	☐	EXISTING CONTOUR
+	EXISTING WATER VALVE	☐	EXISTING CONTOUR

PROPOSED EASEMENT NOTES:

- PROPOSED MUTUAL ACCESS EASEMENT.
- PROPOSED WATER EASEMENT NEW LOCATION.

NOTE:

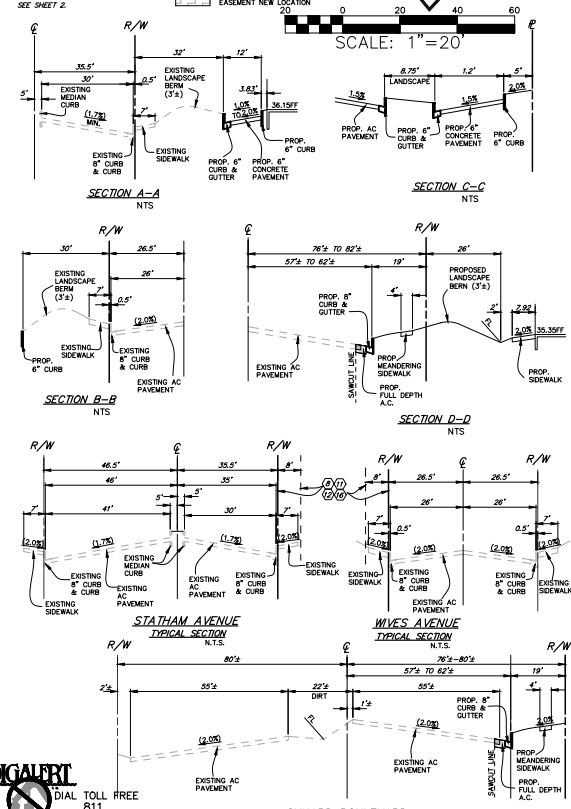
ALL EXISTING STRUCTURES WILL BE DEMOLISHED OTHERWISE NOTED TO BE PROTECTED IN PLACE. SEE SHEET 2.

EMERSON AVE

PROPOSED EASEMENT MAP

DATE



[illegible]

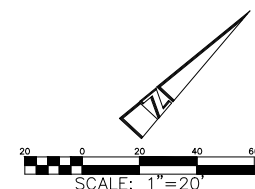
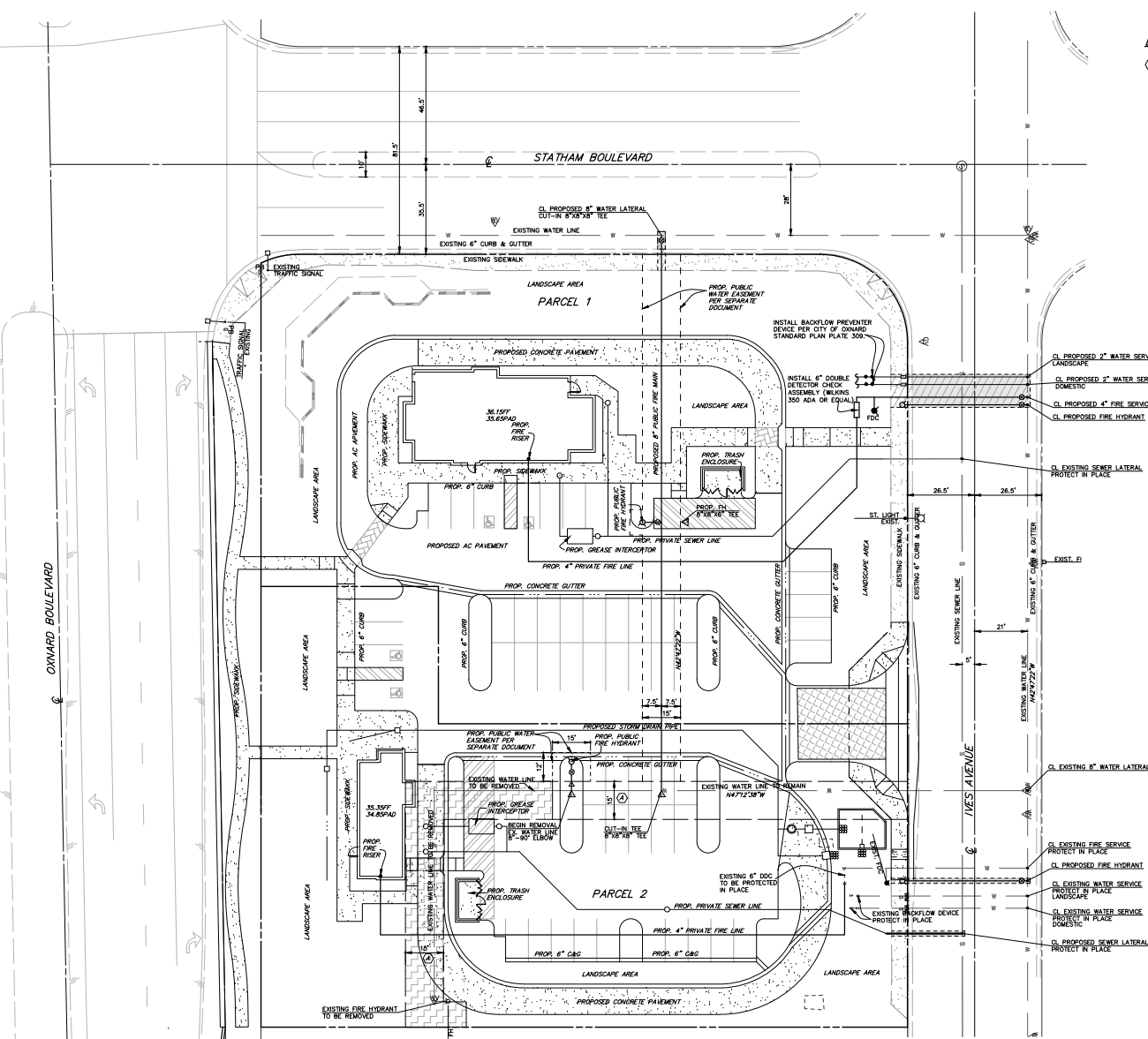
DIGALERT
DIAL TOLL FREE
811
AT LEAST TWO DAYS
BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

EASEMENT NOTE:

AN EASEMENT IN FAVOR OF THE CITY OF OXNARD, FOR SIDEWALK, PIPELINE, AND INCIDENTAL PURPOSES, RECORDED MARCH 16, 1989 IN OFFICIAL RECORDS AS INSTRUMENT NO. 88-41020.

LEGEND:

- EXISTING SEWER
- EXISTING WATER
- EXISTING FIRE HYDRANT
- EXISTING FDC
- EXISTING WATER VALVE
- PROPOSED THRUST BLOCK
- PROPOSED FIRE HYDRANT
- EXISTING WATER EASEMENT TO BE VACATED
- LOADING ZONE
- EXIST. CONCRETE
- CONCRETE



DIGUAERT
DIAL TOLL FREE
511
AT LEAST TWO DAYS
BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



BENCHMARK	REVISIONS:	PREPARED UNDER THE SUPERVISION OF:
		KEVIN J. RICHTER P.E. 43714 LIC. EXP. 03/31/23 DATE
		APPROVED BY:
		DATE

PRELIMINARY UTILITY PLAN

SITE:
1600 IVES AVENUE
OXNARD, CA 93033

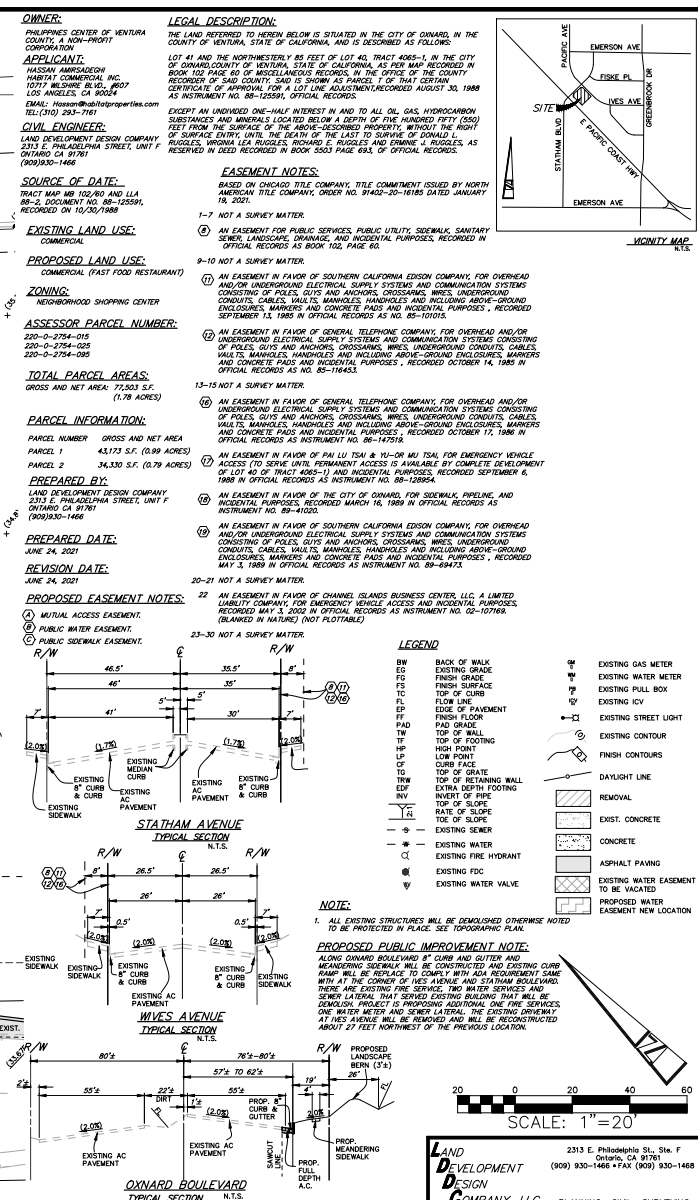
PREPARED FOR:
HASSAN AMRAGDUGH
HARIST COMMERCIAL INC.
10771 WILSHIRE BLVD. #607
LOS ANGELES, CA 90024

DATE:	11/19/21	JOB NO.	6365
DRAWN BY:	RR	SCALE	1"=30'
DESIGNED BY:	KJR	SHEET	1
CHECKED BY:	KJR	OF	
		— L. SHEETS	

LAND DEVELOPMENT DESIGN COMPANY, LLC

2313 E. Philadelphia St., Ste. F
Ontario, CA 91761
(909) 930-1466 • FAX (909) 930-1468

PLANNING • CIVIL • SURVEYING



TENTATIVE PARCEL MAP NO. -----		PLANNING & CIVIL / SURVEYING
SITE: 1600 1165 AVENUE OMAHA, CA 93033		DATE: 11/19/21 JOB NO. 4385
PREPARED FOR: HANNA AMRAGDEM HANRAT COMMERCIAL INC. 10777 MULHANE BLVD., #607 LOS ANGELES, CA 90024		SCALE: 1"=20' SHEET <u>1</u> OF <u>1</u> SHEETS

OWNER:

PHILIPPINES CENTER OF VENTURA
COUNTY, A NON-PROFIT
CORPORATION

APPLICANT:

HASSAN AMERSEAD
HABITAT COMMERCIAL, INC.
10717 MELBURN BLVD., #207
LOS ANGELES, CA 90024
EMAIL: Hassan@habitatproperties.com
TEL: (909) 930-1466

CIVIL ENGINEER:

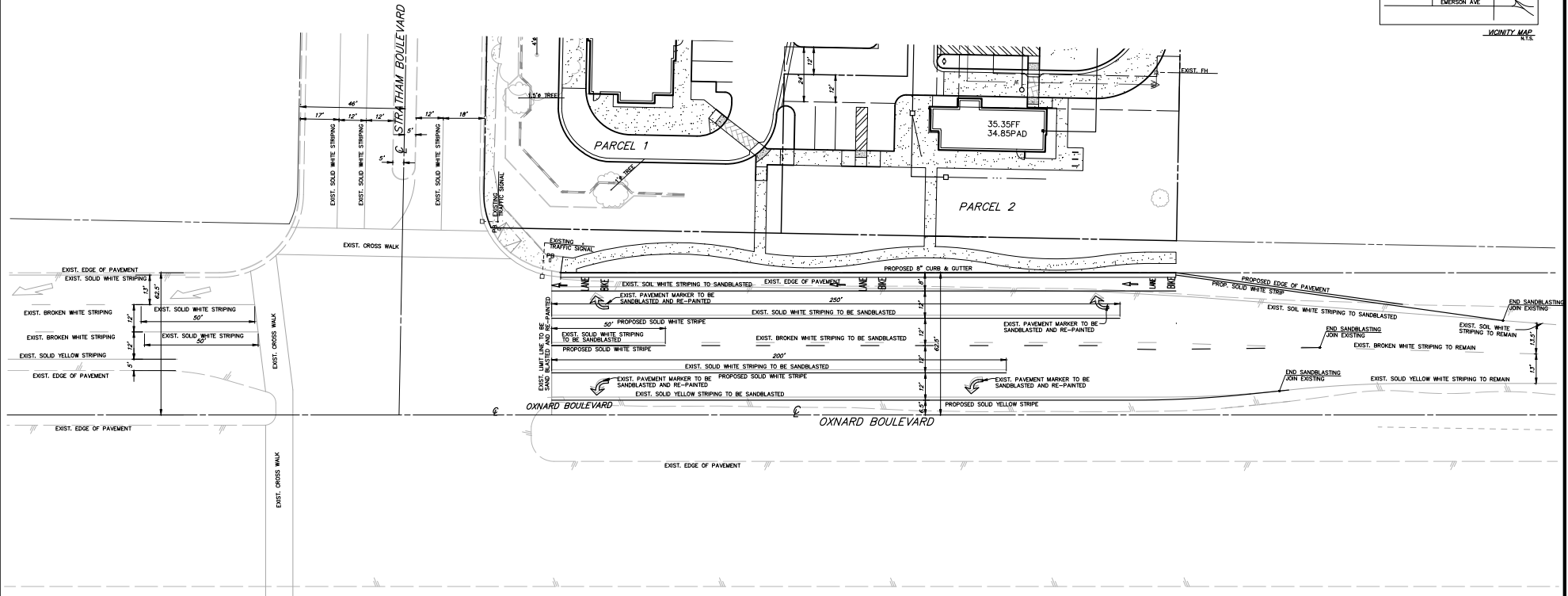
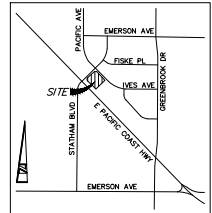
LAND DEVELOPMENT DESIGN COMPANY
2313 E. PHILADELPHIA STREET, UNIT F
ONTARIO, CA 91761
(909) 930-1466

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OXNARD, IN THE
COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOT 41 AND THE NORTHWESTERLY 85 FEET OF LOT 40, TRACT 4065-1 IN THE CITY OF
OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN
BOOK 102 PAGE 410 OF MISCELLANEOUS RECORDS IN THE OFFICE OF THE COUNTY
RECORDER OF SAID COUNTY. SAID IS SHOWN AS PARCEL 1 OF THAT CERTAIN
CERTIFICATE OF APPROVAL FOR A LOT LINE ADJUSTMENT, RECORDED AUGUST 30, 1988
AS INSTRUMENT NO. 88-125091, OFFICIAL RECORDS.

EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, HYDROCARBON
SUBSTANCES AND MINERALS LOCATED BELOW A DEPTH OF ONE HUNDRED FIFTY (150)
FEET FROM THE SURFACE OF THE ABOVE-DISCRIPTED PROPERTY WITHOUT THE RIGHT
OF SURFACE ENTRY UNTIL THE DEATH OF THE LAST TO SURVIVE OF DONALD L.
RUGGLES, VIRGINIA LEX RUGGLES, RICHARD E. RUGGLES AND EMANUE J. RUGGLES, AS
RESERVED IN DEED RECORDED IN BOOK 5003 PAGE 694, OF OFFICIAL RECORDS.



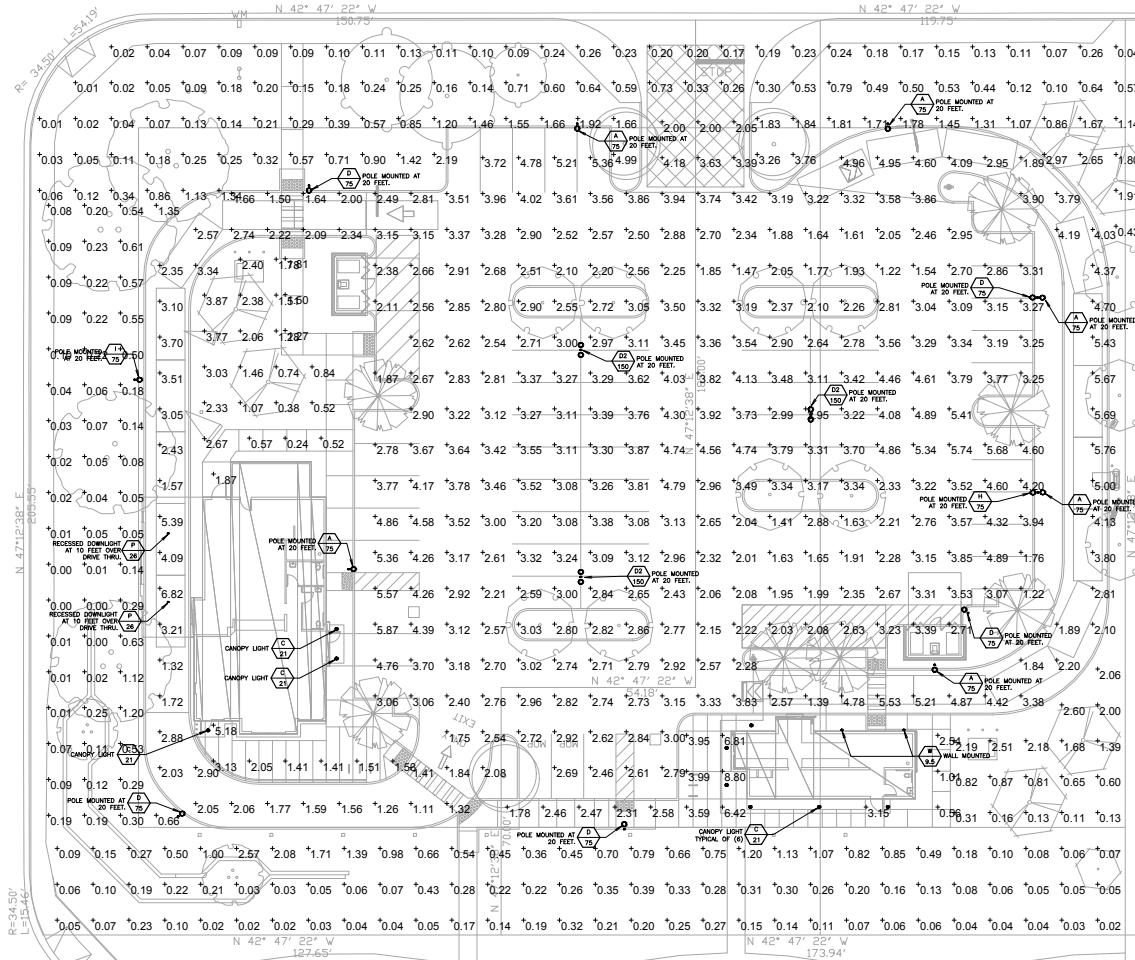
LAND DEVELOPMENT DESIGN COMPANY, LLC
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Ontario, CA 91761
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BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

BENCHMARK	REVISIONS:	PREPARED UNDER THE SUPERVISION OF:		STRIPING EXHIBIT		DATE:	JOB NO.
		KEVIN J. RICHER	11/16/21	SITE: 1600 IRES AVENUE OXNARD, CA 93033	PREPARED FOR: HASSAN AMIRSEAD HABITAT COMMERCIAL, INC. 10717 MELBURN BLVD., #207 LOS ANGELES, CA 90024	11/16/21	6365
		RICE 43714 LIC. EXP. 03/31/23	DATE			DRAWN BY:	SCALE
		APPROVED BY:		VAP	1"=20'		
				DESIGNED BY:	KJR	SHEET 1	
				CHECKED BY:	KJR	OF 1 SHEETS	

VPSTATHAM
BOULEVARD

IVES
AVENUE



LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A 15	8	UR20-SBL-75-4K7-2	UR20	C-75-CRI DATA SHOWN IS ABSOLUTE	UR20-SBL-75-4K7-2-88	Absolute	0.90	75.1
	B 15	5	UR20-SBL-75-4K7-4W	UR20 DATA SHOWN IS ABSOLUTE	C-75-CRI Educational, Government, Healthcare, Hospitality, Hotel, Industrial, Institutional, Manufacturing, Pathway, Prison, Roadway, Site, Sports, Street, Direct, Wet Location	UR20-SBL-75-4K7-4W-88	Absolute	0.90	75
	C 15	1	UR20-SBL-75-4K7-8C	UR20 DATA SHOWN IS ABSOLUTE	C-75-CRI Educational, Government, Healthcare, Hospitality, Hotel, Industrial, Institutional, Manufacturing, Pathway, Prison, Roadway, Site, Sports, Street, Direct, Wet Location	UR20-SBL-75-4K7-8C-88	Absolute	0.90	75
	D 15	1	UR20-SBL-75-4K7-2-8C	UR20	C-75-CRI DATA SHOWN IS ABSOLUTE	UR20-SBL-75-4K7-2-8C-88	Absolute	0.90	74.03
	E 15	3	UR20-SBL-75-4K7-4W	UR20 DATA SHOWN IS ABSOLUTE	C-75-CRI Educational, Government, Healthcare, Hospitality, Hotel, Industrial, Institutional, Manufacturing, Pathway, Prison, Roadway, Site, Sports, Street, Direct, Wet Location	UR20-SBL-75-4K7-4W-88	Absolute	0.90	150
	F 15	2	L403-W50H40S1-W	LED 3500K, 50° CRI		L403-W50H40S1-W-88	1400	0.90	26
	G 15	2	DRO20M7540WFA-DRO20TUD5WH	DRO20M7540WFA-DRO20TUD5WH		DRO20M7540WFA-DRO20TUD5WH-88	Absolute	0.90	9.5
	H 15	9	00_DRO20SR1500	00_DRO20SR1500		00_DRO20SR-1500-88	Absolute	0.90	21

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Western Zone	+	0.23 fc	1.35 fc	0.00 fc	N/A	N/A
Southern Zone	+	0.48 fc	2.60 fc	0.02 fc	130.0:1	24.0:1
Landscape Fast Food 1	+	1.69 fc	3.87 fc	0.38 fc	10.2:1	5.0:1
Landscape Fast Food 2	+	-1.00 fc	0.00 fc	0.00 fc	N/A	N/A
Northern Zone	+	0.67 fc	4.95 fc	0.01 fc	499.0:1	87.0:1
Parking Lot	+	3.13 fc	8.82 fc	1.11 fc	6.1:1	2.8:1
Walkway Fast Food	+	1.71 fc	5.18 fc	0.24 fc	21.6:1	7.1:1
WALKWAY STARBUCKS	+	3.49 fc	6.80 fc	0.56 fc	15.7:1	6.2:1

FERRANTI ENGINEERING
CONSULTING
ELECTRICAL ENGINEERS
1211 MARICOPA HWY.,
SUITE 100
OJAI, CA 91302
(805) 703-4772
DALEFERRANTI@LIVE.COM

STARBUCKS AND FAST FOOD @ IVES
IVES AVE, OXNARD, CA

REVISIONS	BY

PLOT DATE 2021-11-15
SCALE AS NOTED ON PLAN

E1

SHEET

1 SITE PHOTOMETRIC PLAN
SCALE: 1/16" = 1'-0"

PLANT SCHEDULE PARCEL 2

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	5	Arbutus x 'Marina' Marina Strawberry Tree	24" Box	L	Size at 20 years: 20' dia. x 30' tall
	2	Cassia leptophylla Gold Medallion Tree	24" Box	M	Size at 20 years: 30' dia. x 20' tall
	7	Lagunaria patersonii Primrose Tree	24" Box	L	Size at 20 years: 30' dia. x 30' tall
	4	Tipuana tipu Tipu Tree	24" Box	L	Size at 20 years: 30' dia. x 25' tall
STREET TREES	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	2	Street Tree	24" Box		Tree species & spacing to be verified by City of Oxnard Parks & Facility Dept. Supervisor
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	7	Berberis x 'Golden Abundance' Golden Abundance Barberry	15-gal.	L	
	70	Callistemon viminalis 'Little John' Little John Weeping Bottlebrush	5-gal.	L	
	38	Coronivulus crenatum Bush Morning Glory	5-gal.	L	
	31	Lantana camara 'Radiation' Radiation Lantana	5-gal.	L	
	47	Leucophyllum frutescens 'Silver Cloud' Texas Renger	15-gal.	L	
	8	Nandina domestica 'Lemon Lime' Lemon Lime Heavenly Bamboo	15-gal.	L	
PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	22	Bulbine frutescens 'Athena Compact Yellow' Athena Compact Yellow Stalked Bulbine	5-gal.	L	
	78	Limonium perezi Statice	5-gal.	L	
	28	Phormium x 'Black Adder' Black Adder New Zealand Flax	5-gal.	L	
VINES ON WALLS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	4	Ficus repens Creeping Fig	5-gal.	M	
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	1,687 sf	Aptenia cordifolia 'Red Apple' Red Apple Baby Sunrose	Flats	L	Plant 12" o.c.
	7,193 sf	Festuca arundinacea 'Marathon II' Marathon II Fescue	Existing	M	
	1,335 sf	Phyla nodiflora 'Knapia S1' Knapia	Flats	L	Plant 8" o.c.
	215	Senecio serpens Blue Chalcidopsis	1-gal.	L	Plant 18" o.c.

PRELIMINARY PLANTING NOTES:

- Existing lawn, trees, and planting in the 30-foot setback and at entry sign shall be protected. Irrigation in these areas shall be adjusted and repaired as needed as part of this project.
- Care of existing trees in 30-foot setback along streets shall be per the Arborist's evaluation and report.
- All trees planted within 5 feet of curbs or paving shall be installed with a linear root barrier.
- All street and parking trees shall be approved by the City's Parks & Facility department supervisor prior to planting.

IRRIGATION NOTES:

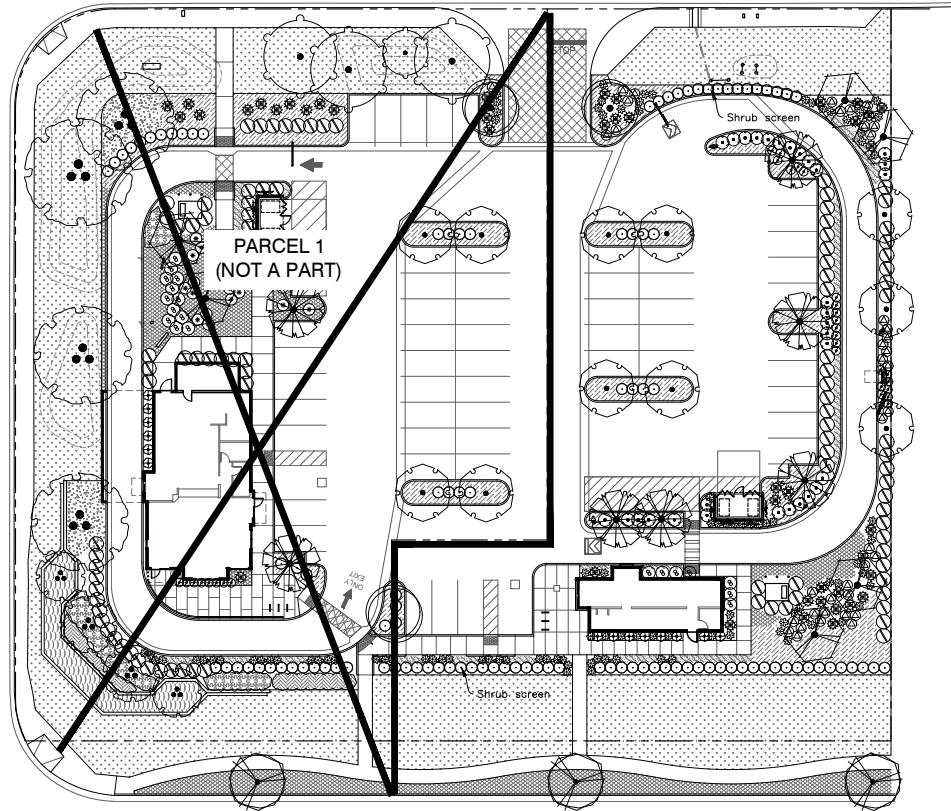
- Automatic irrigation system to be installed that is water efficient, appropriate for the landscape hydrozones and provides 100% coverage.
- Landscape planting will meet MWA water use requirements by using a low water efficient irrigation system and weather based smart controller.
- Landscape planting to be irrigated the following ways:
 - Trees: stream bubblers
 - All other planting areas: drip
 - Groundcover in parking: drip
 - Existing lawn areas: stream rotors
- Irrigation plans shall provide separate systems for tree stream bubblers.
- Weather based smart controller such as Hunter X-Core, or Hunter PCC will be used.

MITIGATION FOR REMOVAL OF EXISTING TREES:

- TWO EXISTING SYCAMORE TREES ARE SCHEDULED TO BE REMOVED AS PART OF THIS DEVELOPMENT.
- THE APPRAISED VALUE OF THE REMOVED TREES FOR THE ARBORIST REPORT IS \$1287.00 FOR THIS PARCEL.
- FOUR OF THE NEW TREES WILL BE UP-SIZED FROM 24" BOX TO 36" BOX AT AN APPROXIMATE COST OF \$400 EACH = \$1600.00.

STATHAM BOULEVARD

IVES AVENUE



REVISIONS	BY

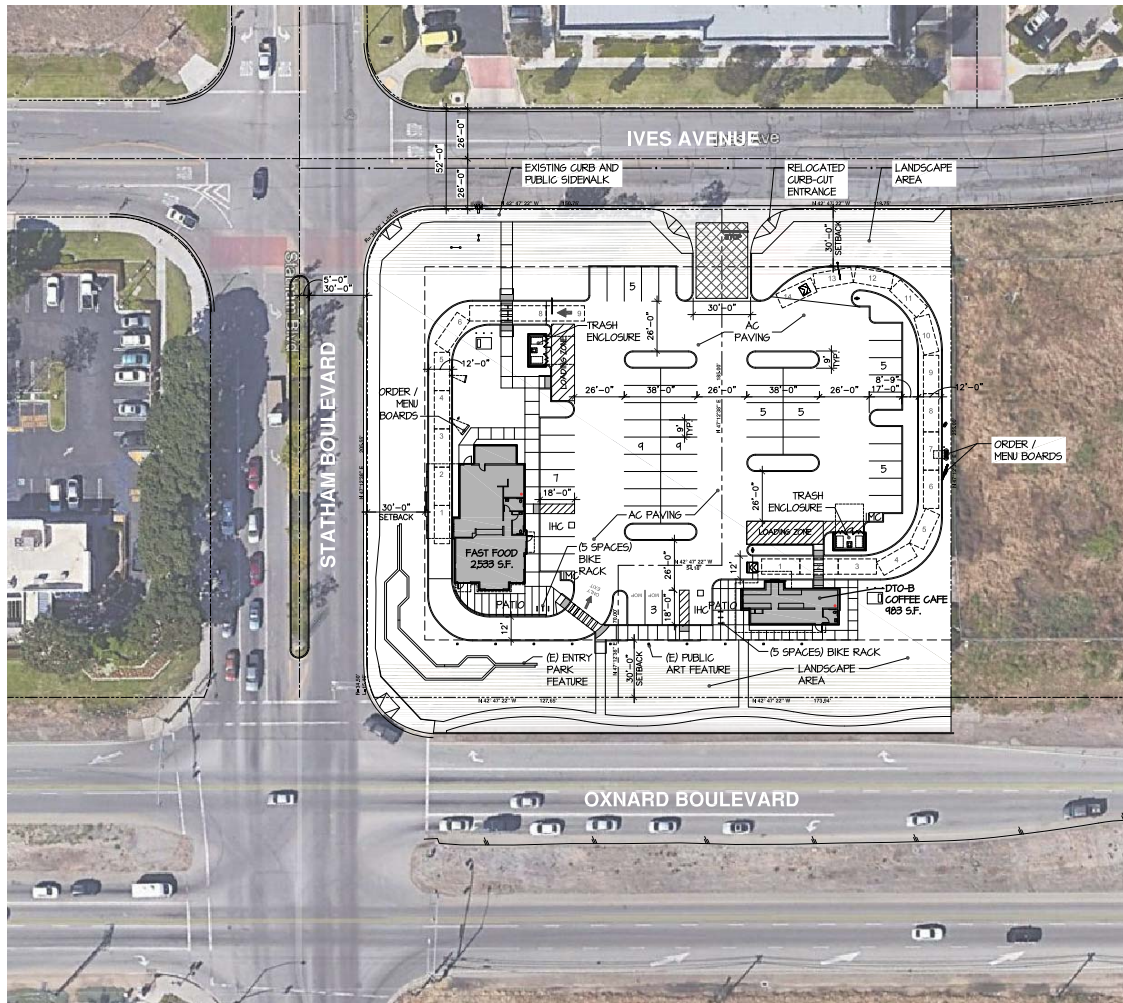
ROYAL OAK DESIGN
 Sylvia E. Uys, Landscape Architect #1549
 2456 Highway 101, Suite 100
 La Verne, CA 91750-2371
 Telephone: (909) 931-4158
 Email: royaloakdesign@verizon.net

PRELIMINARY LANDSCAPE PLAN
 PARCEL 2 - STARBUCKS AT IVES AVE.
 ADDRESS: 1600 IVES AVE., OXNARD 93030
 APPLICANT: 1600 IVES, LLC



DRAWN
S.L.
DATE
11/16/2021
SCALE
1" = 20'-0"
SHEET
5419

L-1



ILLUSTRATIVE MASTER SITE PLAN
SCALE 1" = 30'-0"

INDEX OF DRAWINGS

- A1 ILLUSTRATIVE MASTER SITE PLAN
- A2 SITE PLAN
- A3 FLOOR AND ROOF PLAN
- A4 EXTERIOR ELEVATIONS
- A5 PERSPECTIVE 1
- A6 PERSPECTIVE 2
- A7 SITE PHOTOS

PROJECT DESCRIPTION

DEVELOPMENT OF A 2,533 S.F. FAST FOOD RESTAURANT WITH DRIVE THROUGH FACILITIES ON A 0.99 AC SITE. SITE IMPROVEMENTS INCLUDE A PATIO, PEDESTRIAN PAVING, SHARED ACCESS VEHICULAR PARKING AND LANDSCAPING.

MASTER SITE ANALYSIS

LEGAL DESCRIPTION:

APN: 220-0-274-015, 025, 095
ZONE: C-2-PD
GP: CG

MASTER SITE AREA: = 77,503 S.F. (1.78 ACRES)

STARBUCKS SITE AREA = 34,330 S.F. (.79 ACRES)
FAST FOOD SITE AREA = 43,173 S.F. (.99 ACRES)

LOT COVERAGE:

STARBUCKS:
BUILDING = 983 S.F. 2.8 %
PAVING = 20,278 S.F. 59.0 %
LANDSCAPING = 13,069 S.F. 38.2 %

FAST FOOD:
BUILDING = 2,533 S.F. 5.9 %
PAVING = 24,124 S.F. 55.9 %
LANDSCAPING = 16,516 S.F. 38.2 %

PARKING REQUIRED:

STARBUCKS: 983 / 50 S.F. = 20 SPACES

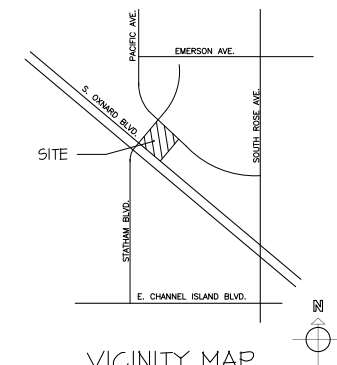
FAST FOOD: 2,533 / 50 S.F. = 51 SPACES

PARKING PROVIDED:

STARBUCKS:
PARKING SPACES = 13 SPACES
MOTORCYCLE = 1 SPACES
DRIVE-THRU QUEUING = 6 SPACES (30% OF 20)
TOTAL = 20 SPACES

FAST FOOD:
PARKING SPACES = 42 SPACES
MOTORCYCLE = 1 SPACES
DRIVE-THRU QUEUING = 9 SPACES (30% OF 51)
TOTAL = 52 SPACES
GRAND TOTAL = 72 SPACES

BICYCLE PARKING REQUIRED = 5 SPACES
BICYCLE PARKING PROVIDED = 5 SPACES



VICINITY MAP

FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

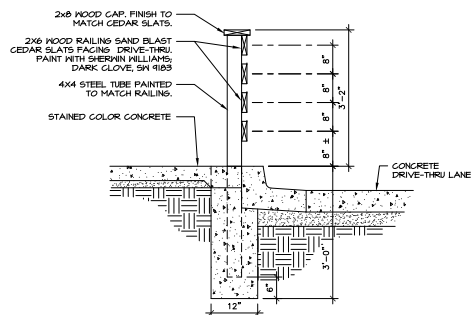
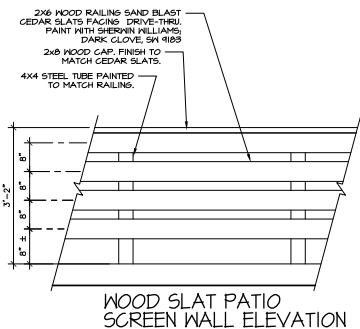
NOVEMBER 22, 2021

RASMUSSEN & ASSOCIATES

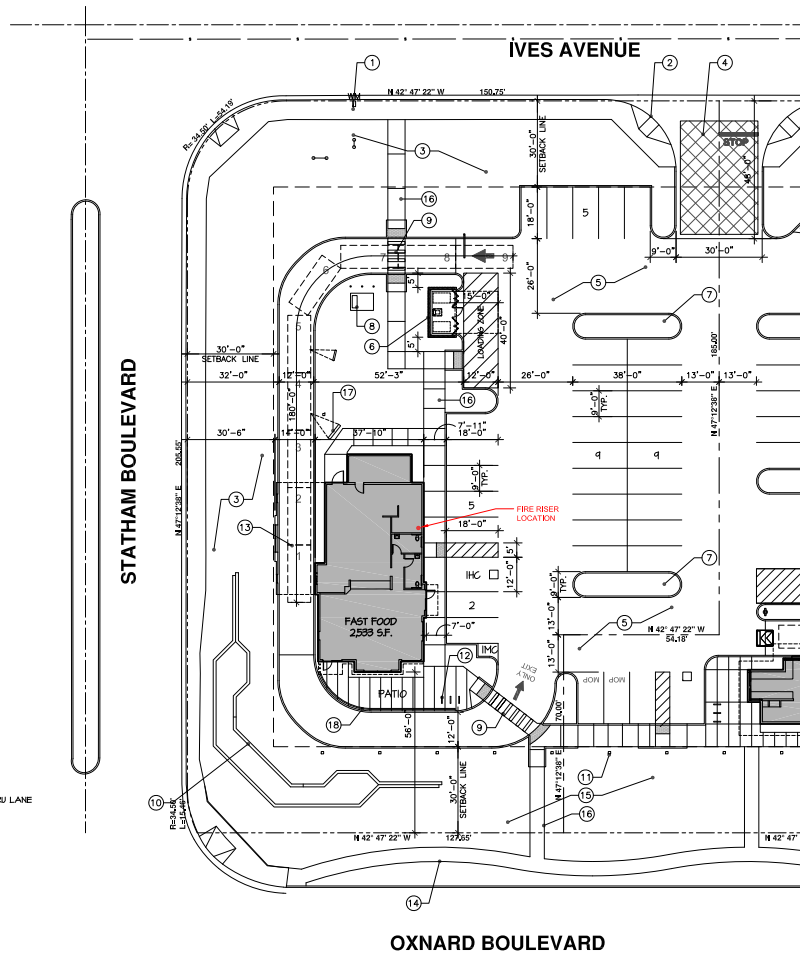
Architecture
Planning
Interiors

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

A1



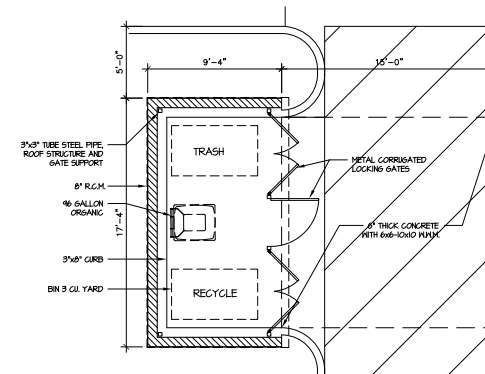
2 WOOD SLAT PATIO
SCREEN WALL
SCALE 3/4" = 1'-0"



SITE PLAN
SCALE 1" = 20'-0"

NOTE LEGEND

- EXISTING CURB AND PUBLIC SIDEWALK.
- ACCESSIBLE RAMP IN CURB-CUT ENTRY.
- EXISTING BERRIED LANDSCAPE AREA IN SETBACK, MAINTAINED BY CEC.
- STAMPED COLOR CONCRETE, A MINIMUM OF 3" DRIVEWAY THROAT.
- ASPHALT PAVING.
- TRASH ENCLOSURE WITH 15" CONCRETE APRON. SEE DETAIL 1/A2.
- LANDSCAPE AREA.
- ELECTRICAL TRANSFORMER AND PAD.
- DECORATIVE CONCRETE CROSS WALK PAVING.
- EXISTING ENTRY CHANNEL ISLANDS BUSINESS CENTER (CIBC) FEATURE, PROTECT IN PLACE.
- EXISTING PUBLIC ART FEATURE, PROTECT IN PLACE.
- SHORT-TERM BICYCLE PARKING WITHIN DESIGNATED BIKE RACK 5 BIKE SPACES AT 30" x 6'-0" EACH.
- FAST FOOD DRIVE THRU VEHICLE QUEUE OF 180' LONG, (20' LONG BIKES VEHICLES BETWEEN MENU BOARD AND PICK UP WINDOW AND 3 VEHICLES BEHIND MENU BOARD REQUIRED).
- RENDERING CONCRETE SIDEWALK TO MATCH MEDICAL OFFICE BUILDING DIRECTLY ACROSS OXNARD BOULEVARD, CONTACT PROJECT PLANNER FOR DESIGN DETAILS.
- A 36" HIGH SCREEN SHALL BE PROVIDED BY LANDSCAPING AND BERRIED AREA TO BE MAINTAINED BY CEC.
- CONCRETE WALKWAY.
- MENU ORDER BOARD.
- DECORATIVE FENCE AT OUTDOOR PATIO. SEE DETAIL 2/A2.



GENERAL NOTE:
OXNARD STANDARD PLATE 606 MODIFIED TO MEET CEC
AND WASTE DIVERSION REGULATIONS.

1 PERPENDICULAR REFUSE CONTAINER
ENCLOSURE WITHOUT SIDE ENTRANCE
SCALE 1/4" = 1'-0"

FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

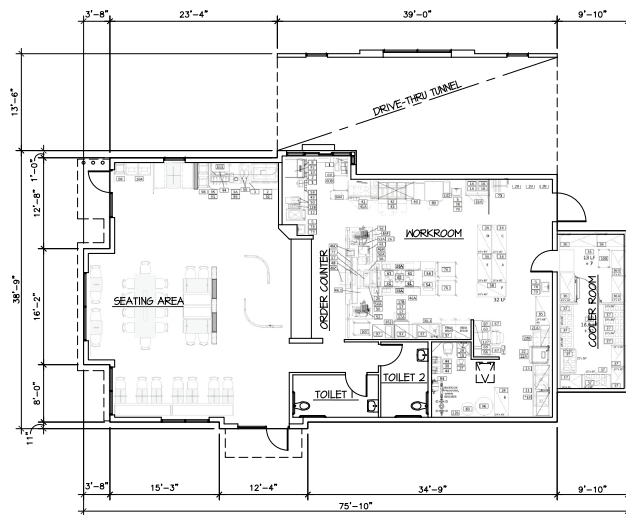
NOVEMBER 22, 2021

RASMUSSEN & ASSOCIATES

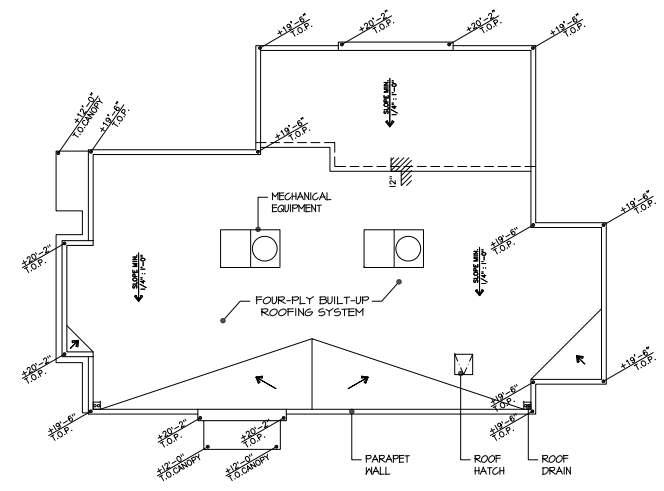
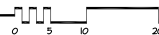
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SBoydston@RA-Arch.com

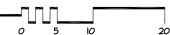
A2



FLOOR PLAN
SCALE 1/8" = 1'-0"



ROOF PLAN
SCALE 1/8" = 1'-0"



FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

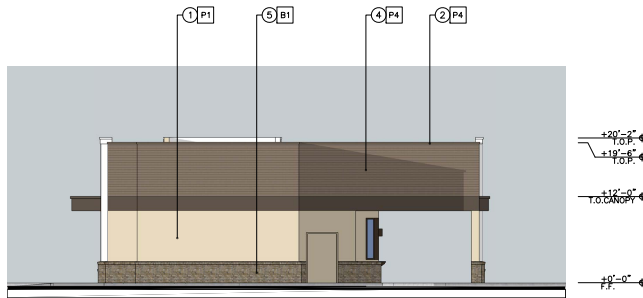
NOVEMBER 22, 2021

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Planning
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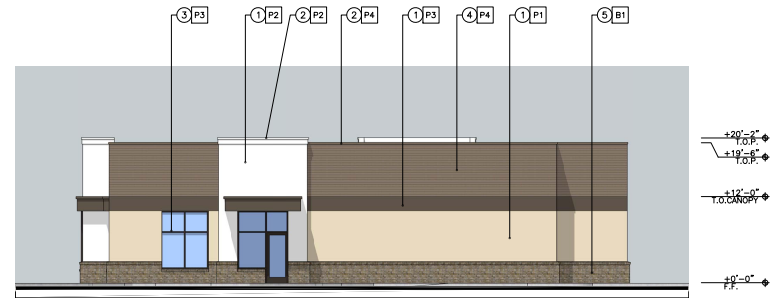
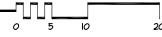
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A3



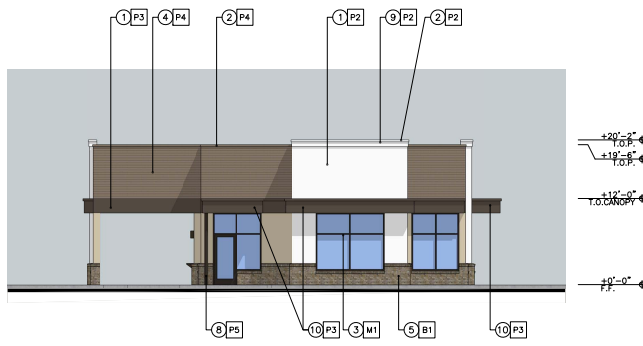
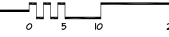
NORTH ELEVATION

SCALE 1/8" = 1'-0"



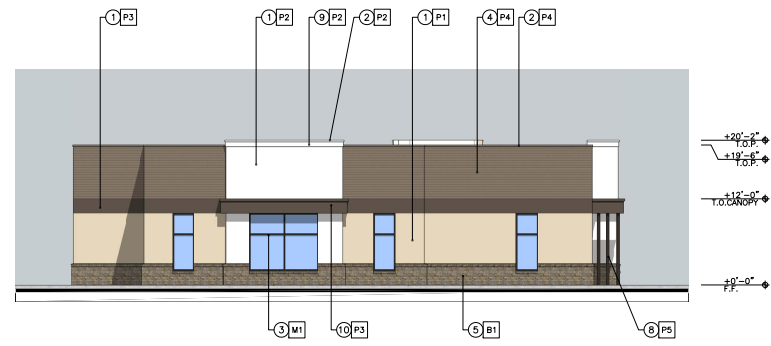
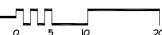
EAST ELEVATION

SCALE 1/8" = 1'-0"



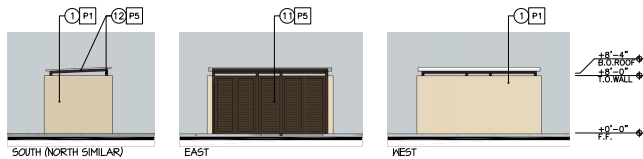
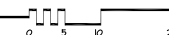
SOUTH ELEVATION

SCALE 1/8" = 1'-0"



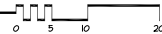
WEST ELEVATION

SCALE 1/8" = 1'-0"



TRASH ENCLOSURE ELEVATIONS

SCALE 1/8" = 1'-0"



NOTE LEGEND

1. SMOOTH EXTERIOR PLASTER WITH INTEGRAL COLOR.
2. PRE-FINISHED METAL COPING, TYPICAL METAL CANOPY.
3. ALUMINUM STOREFRONT.
4. HORIZONTAL WOOD CLADDING.
5. BRICK VENEER BASE.
6. METAL DOOR WITH INFILL CORRUGATED PANELS.
7. METAL ROOF STRUCTURE AND COLLING.
8. METAL COLUMN.
9. PLASTER WALL CORNICE.
10. METAL ANNING.

SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT BY OTHERS

COLOR

- | | |
|-----------|---|
| P1 | CHESA COLORTEK SMOOTH COAT STUCCO, 64 TRUE GREY |
| P2 | CHESA COLORTEK SMOOTH COAT STUCCO, 432 MILKY QUARTZ |
| P3 | SHERWIN WILLIAMS, DARK CLOVE, SW 4183 |
| P4 | SHERWIN WILLIAMS, HOMESTEAD BROWN, SW 1515 |
| P5 | MATCH - RAL 1021 FLAT BLACK |
| B1 | ACHE BRICK, CHICAGO SOUTHIDE, BLEND DTR603, PRODUCT NUMBER 121665 |
| M1 | ARCADIA, 480 STANDARD DARK BRONZE AB-1 |
| G1 | VITRO ARCHITECTURAL GLASS, STAIRPHIRE ULTRA-CLEAR |

FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

RASMUSSEN & ASSOCIATES

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A4



STARBUCKS - PARKING LOT VIEW

FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

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A5



STARBUCKS - OXNARD BOULEVARD VIEW

FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

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A6



PHOTO "1"

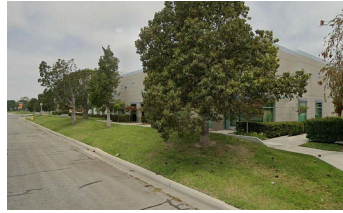


PHOTO "2"



PHOTO "3"



PHOTO "4"



PHOTO "5"



PHOTO "6"



PHOTO "7"



PHOTO "8"



PHOTO "9"



PHOTO "10"



PHOTO "11"



PHOTO "12"



PHOTO "13"



SITE KEY PLAN



PHOTO "14"



PHOTO "15"



PHOTO "16"

FAST FOOD @ IVES AVENUE
OXNARD, CA. 93033

NOVEMBER 22, 2021

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A7

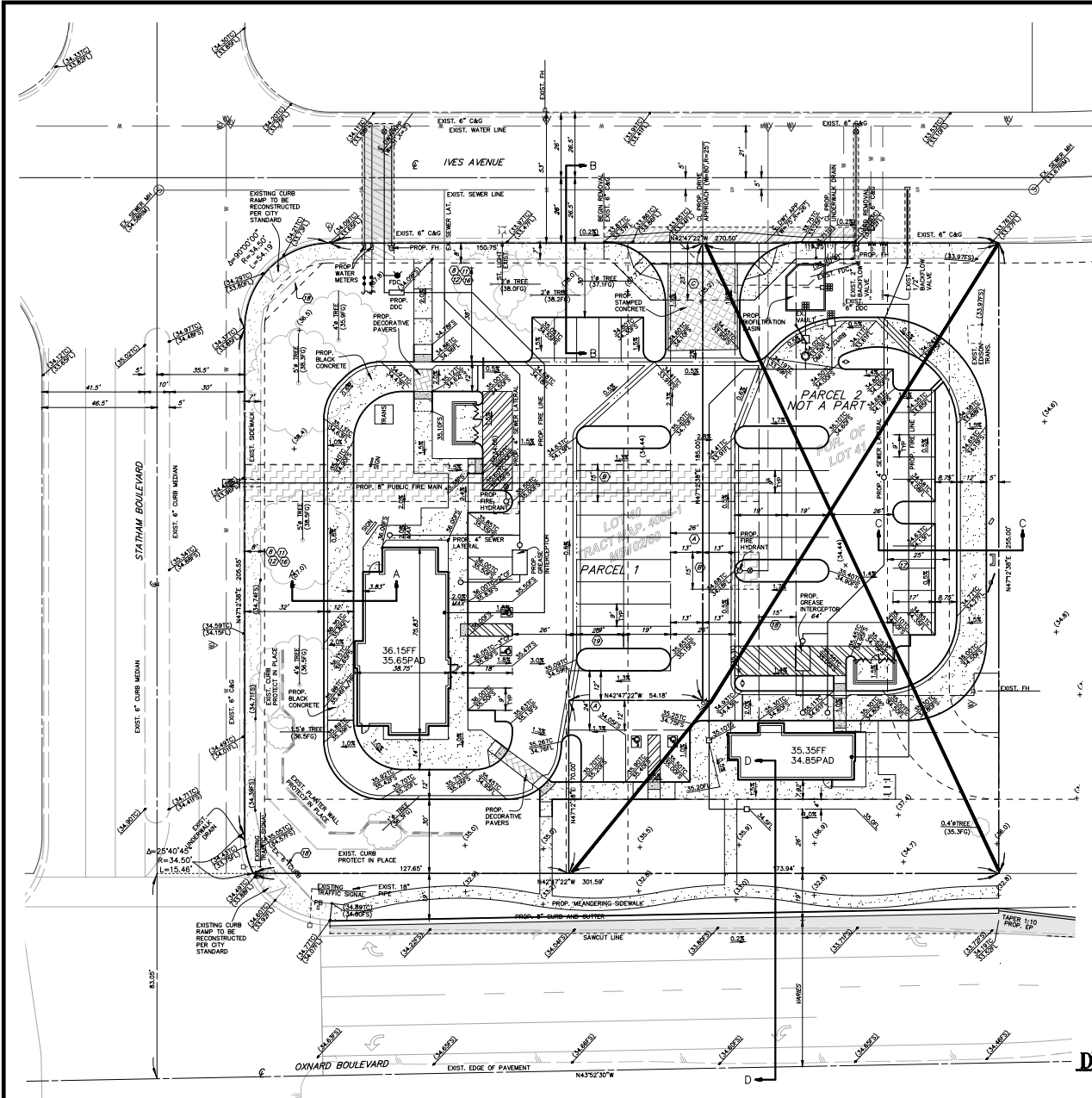
COLOR / MATERIAL BOARD

NOVEMBER 17, 2021

	P1 EXTERIOR PLASTER WALL FIELD, SMOOTH FINISH OMEGA COLORTEK; 69 TRUE GREY
	P2 EXTERIOR PLASTER WALL FIELD, SMOOTH FINISH OMEGA COLORTEK; 432 MILKY QUARTZ
	P3 PAINTED TRASH ENCLOSURE METAL STRUCTURE, WOOD SLAT PATIO SCREEN FENCE SHERWIN WILLIAMS; DARK CLOVE, SW 9183
	P4 PAINTED HORIZONTAL WOOD CLADDING, METAL COPING SHERWIN WILLIAMS; HOMESTEAD, SW 7515
	P5 PAINTED TRASH ENCLOSURE METAL STRUCTURE MATCH - RAL7021 FLAT BLACK
	B1 BRICK VENEER BASE ACME; CHICAGO SOUTHSIDE, BLEND DTP603, PRODUCT NUMBER 129365
	M1 ALUMINUM STOREFRONT WINDOWS AND DOORS, SITE LIGHTING ARCADIA; #88 STANDARD DARK BRONZE AB-7
	G1 STOREFRONT GLASS VITRO ARCHITECTURAL GLASS; STARPHIRE ULTRA-CLEAR

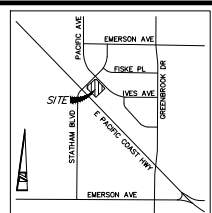
FAST FOOD @ IVES AVENUE
OXNARD, CALIFORNIA

RASMUSSEN & ASSOCIATES
ARCHITECTURE
PLANNING
INTERIORS

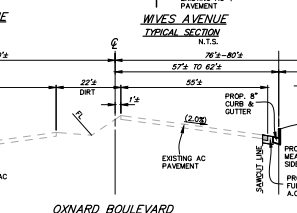
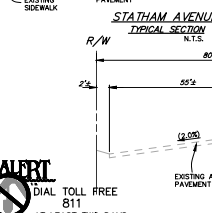
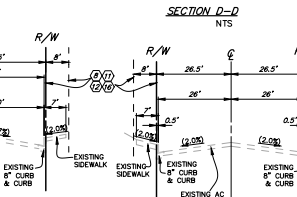
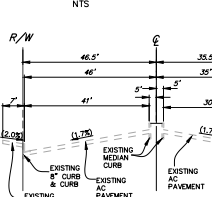
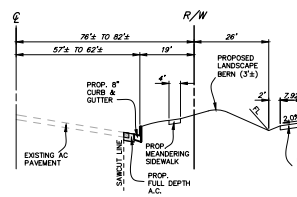
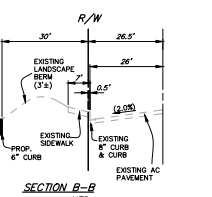
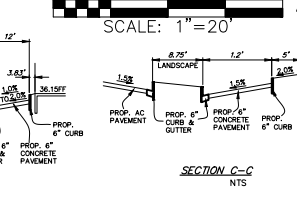
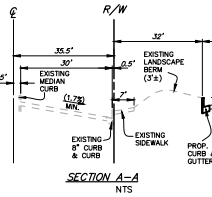
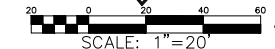


LEGAL DESCRIPTION:
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OXNARD, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 LOT 41 AND THE NORTHWESTERLY 85 FEET OF LOT 40, TRACT 4085-1, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 102 PAGE 60 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID IS SHOWN AS PARCELS 1 OF THAT CERTAIN CERTIFICATE OF APPROVAL FOR A LOT LINE ADJUSTMENT RECORDED AUGUST 30, 1988 AS INSTRUMENT NO. 88-125581, OFFICIAL RECORDS.
 EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, HYDROCARBON SUBSTANCES AND MINERALS LOCATED BELOW A DEPTH OF FIVE HUNDRED FIFTY (500) FEET FROM THE SURFACE OF THE ABOVE-DESCRIBED PROPERTY, WITHOUT THE RIGHT OF SURFACE ENTRY, UNTIL THE DEATH OF THE LAST TO SURVIVE OF DONALD L. RUGGLES, WYRONA L. RUGGLES, RICHARD E. RUGGLES AND JENNIFER J. RUGGLES, AS RESERVED IN DEED RECORDED IN BOOK 5503 PAGE 693, OF OFFICIAL RECORDS.
 APRN: 220-0-274-015, 220-0-274-025 & 220-0-274-095

- LEGEND**
- BACK OF WALK
 - EXISTING GRADE
 - FINISH GRADE
 - FINISH SURFACE
 - TOP OF CURB
 - FLOW LINE
 - EDGE OF PAVEMENT
 - FINISH FLOOR
 - PAV. GRADE
 - TOP OF FOOTING
 - TOP OF GRADE
 - LOW POINT
 - TOP OF CURB
 - TOP OF GRADE
 - TOP OF RETAINING WALL
 - EXTRA DEPTH FOOTING
 - INVERT OF PIPE
 - TOP OF SLOPE
 - RATE OF SLOPE
 - EXISTING SEWER
 - EXISTING WATER
 - EXISTING FIRE HYDRANT
 - EXISTING FDC
 - EXISTING WATER VALVE
 - EXISTING GAS METER
 - EXISTING WATER METER
 - EXISTING PULL BOX
 - EXISTING ICV
 - EXISTING STREET LIGHT
 - EXISTING CONTOUR
 - FINISH CONTOURS
 - DAYLIGHT LINE
 - REMOVAL
 - EXIST. CONCRETE
 - CONCRETE
 - ASPHALT PAVING
 - PROPOSED PUBLIC WATER EASEMENT



EXISTING EASEMENT NOTES:
 SEE SHEET 2.
PROPOSED EASEMENT NOTES:
 (A) PROPOSED MUTUAL ACCESS EASEMENT
 (B) PROPOSED PUBLIC WATER EASEMENT
 (C) PROPOSED PUBLIC SIDEWALK EASEMENT
NOTE:
 1. ALL EXISTING STRUCTURES WILL BE DEMOLISHED UNLESS NOTED TO BE PROTECTED IN PLACE.
 SEE SHEET 2.



DIGAURI
 DIAL TOLL FREE
 811
 AT LEAST TWO DAYS
 BEFORE YOU DIG
 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA

PRELIMINARY GRADING PLAN

LAND DEVELOPMENT DESIGN COMPANY, LLC
 PLANNING - CIVIL - SURVEYING
 2315 E. Foothill Blvd., Suite 100, Oxnard, CA 93030
 (805) 461-1111

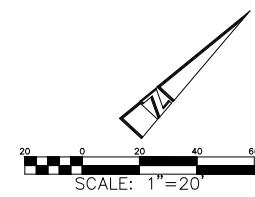
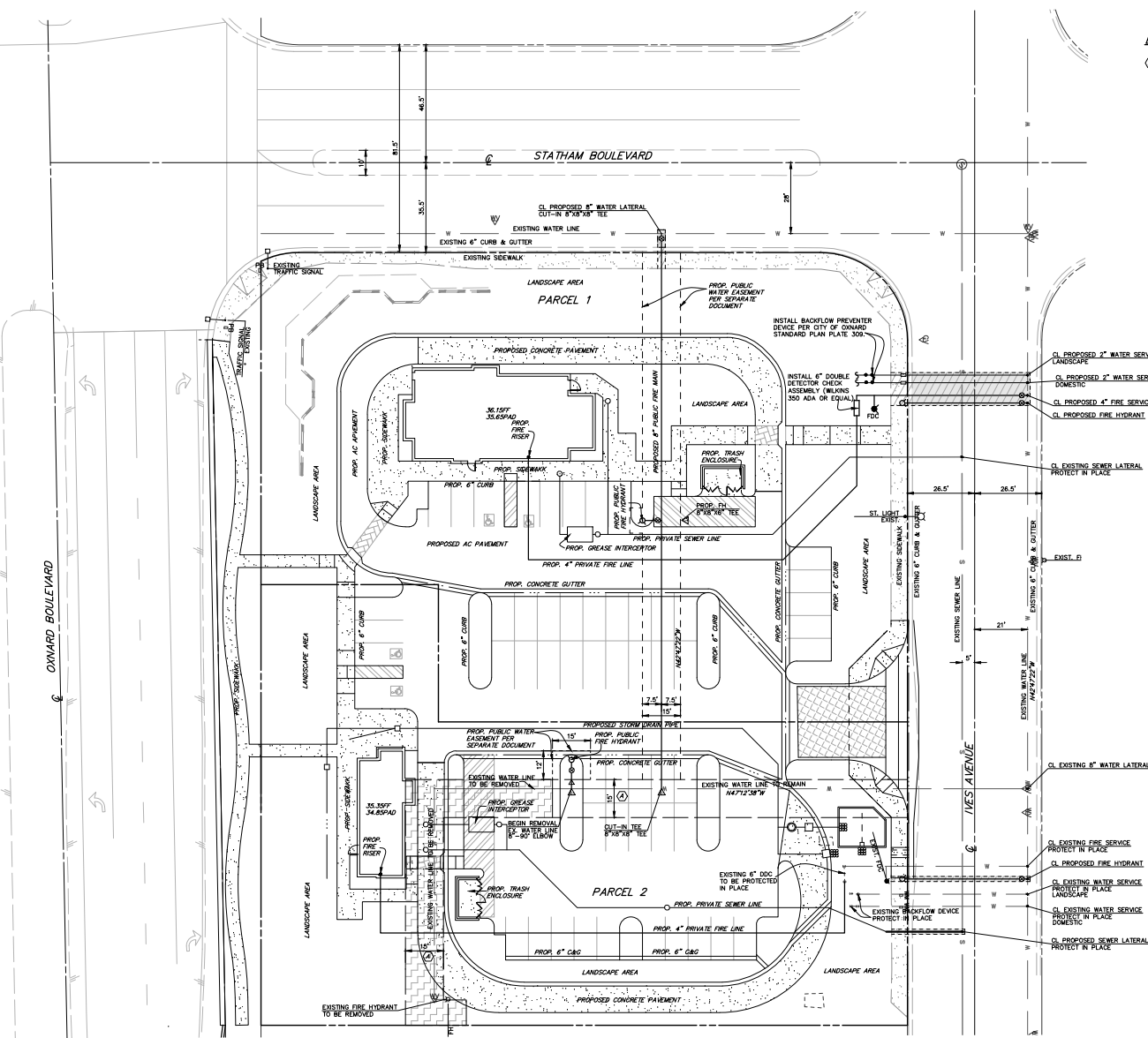
DATE: 11/19/21
 JOB NO.: 6365
 DRAWN BY: VAP
 SCALE: 1"=20'
 DESIGNED BY: KJR
 SHEET 1 OF 2 SHEETS

EASEMENT NOTE:

AN EASEMENT IN FAVOR OF THE CITY OF OXNARD, FOR SIDEWALK, PIPELINE, AND INCIDENTAL PURPOSES, RECORDED MARCH 16, 1989 IN OFFICIAL RECORDS AS INSTRUMENT NO. 88-41020.

LEGEND:

- +— EXISTING SEWER
- W— EXISTING WATER
- C— EXISTING FIRE HYDRANT
- FDC— EXISTING FDC
- V— EXISTING WATER VALVE
- V— PROPOSED THRUST BLOCK
- C— PROPOSED FIRE HYDRANT
- EXISTING WATER EASEMENT TO BE VACATED
- LOADING ZONE
- EXIST. CONCRETE
- CONCRETE



DIGUAERT
DIAL TOLL FREE
511
AT LEAST TWO DAYS
BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



BENCHMARK	REVISIONS:	PREPARED UNDER THE SUPERVISION OF:
		KEVIN J. RICHTER P.E. 43714 LIC. EXP. 03/31/23
		APPROVED BY:
		DATE

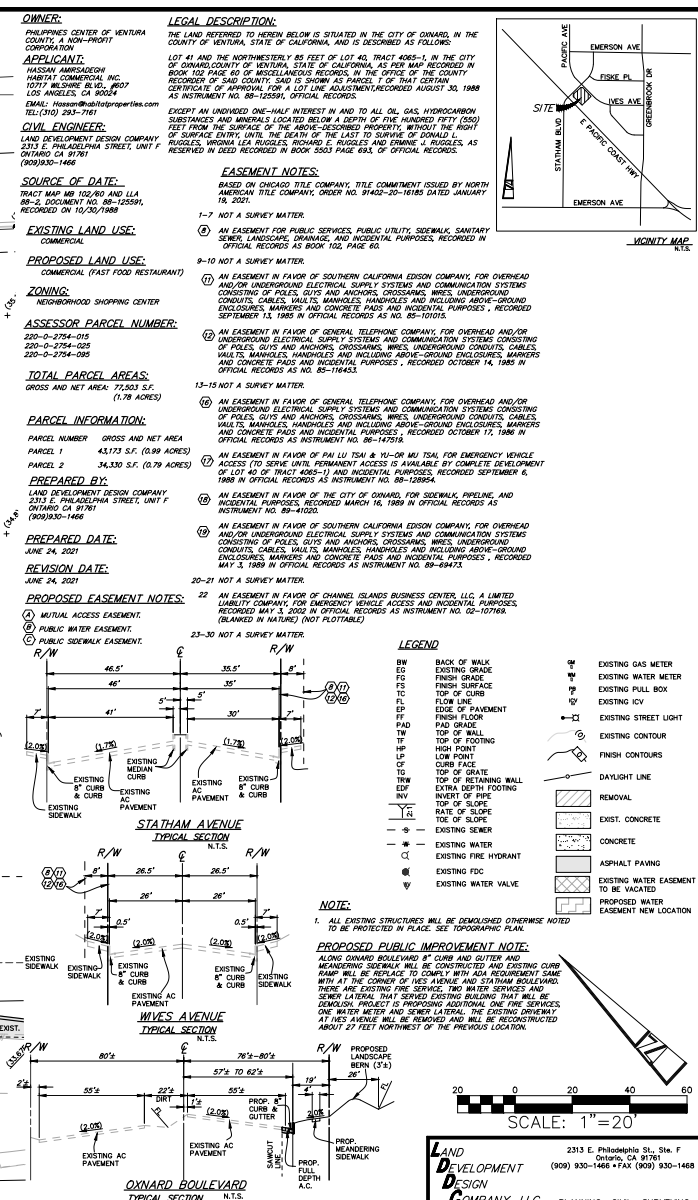
PRELIMINARY UTILITY PLAN

SITE:
1600 IVES AVENUE
OXNARD, CA 93033

PREPARED FOR:
HASSAN AMRAGUEH
HARTST COMMERCIAL INC.
10771 WILSHIRE BLVD. #607
LOS ANGELES, CA 90024

LAND DEVELOPMENT DESIGN COMPANY, LLC
2313 E. Philadelphia St., Ste. F
Ontario, CA 91761
(909) 930-1466 • FAX (909) 930-1468

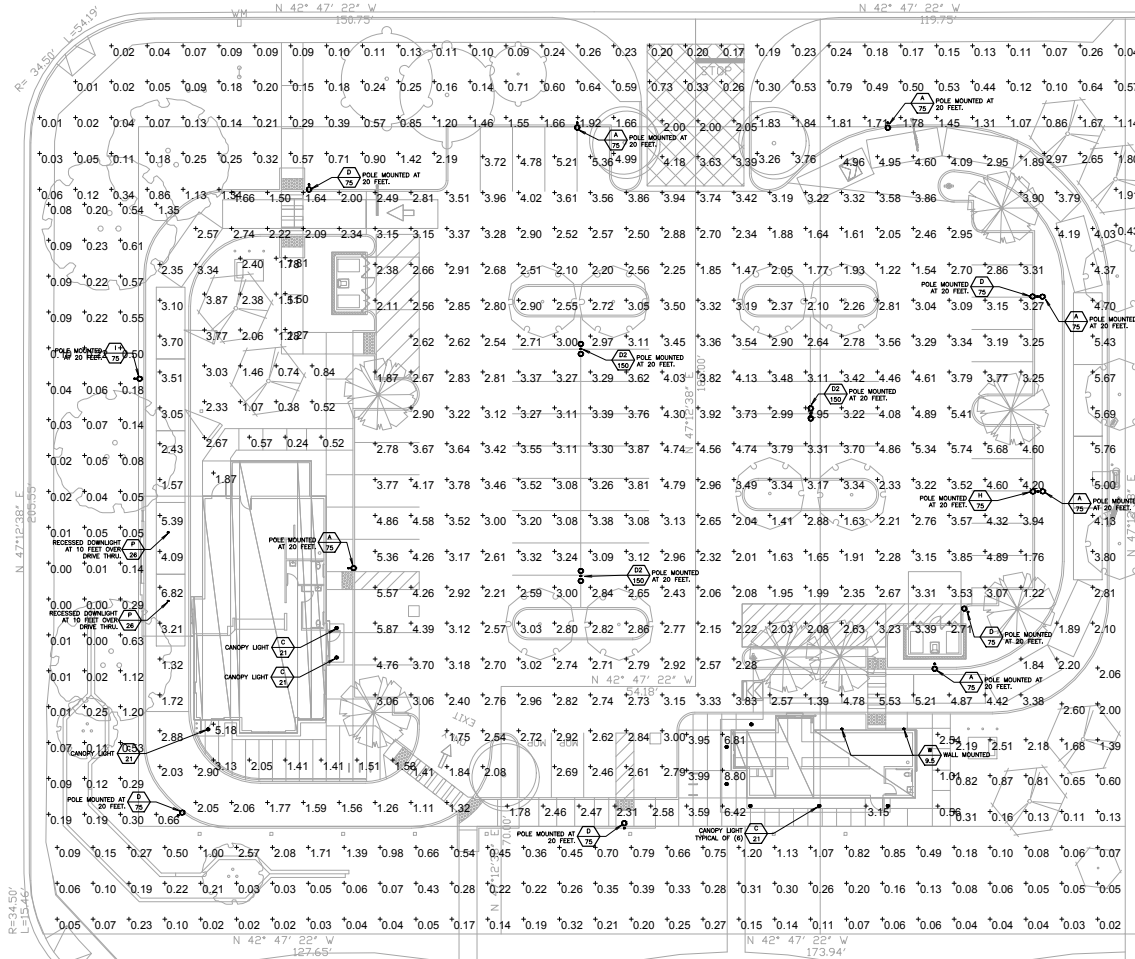
DATE:	JOB NO.
11/19/21	6365
DRAWN BY:	SCALE
RR	1"=30'
DESIGNED BY:	SHEET
KJR	1
CHECKED BY:	OF
KJR	1



TENTATIVE PARCEL MAP NO. -----		PLANNING & CIVIL / SURVEYING
SITE: 1600 1165 AVENUE OMAHA, CA 93033		DATE: 11/19/21 JOB NO. 4385
PREPARED FOR: HANNA AMRAGDEM HANRAT COMMERCIAL INC. 10777 MULSHINE BLVD., #607 LOS ANGELES, CA 90024		SCALE: 1"=20' SHEET ____ OF ____ SHEETS

VPSTATHAM
BOULEVARD

IVES
AVENUE



LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A 15	6	UR20-56L-75-4K7-2	UR20	C-75-CRI DATA SHOWN IS ABSOLUTE	UR20-56L-75-4K7-2-89	Absolute	0.90	75.1
	B 15	5	UR20-56L-75-4K7-4W	UR20 DATA SHOWN IS ABSOLUTE	C-75-CRI Educational, Government, Healthcare, Hospitality, Hotel, Industrial, Institutional, Manufacturing, Pathway, Prison, Roadway, Site, Sports, Street, Direct, Wet Location	UR20-56L-75-4K7-4W-89	Absolute	0.90	75
	C 15	1	UR20-56L-75-4K7-4W-8C	UR20 DATA SHOWN IS ABSOLUTE	C-75-CRI Educational, Government, Healthcare, Hospitality, Hotel, Industrial, Institutional, Manufacturing, Pathway, Prison, Roadway, Site, Sports, Street, Direct, Wet Location	UR20-56L-75-4K7-4W-8C-89	Absolute	0.90	75
	D 15	1	UR20-56L-75-4K7-2-8C	UR20	C-75-CRI DATA SHOWN IS ABSOLUTE	UR20-56L-75-4K7-2-8C-89	Absolute	0.90	74.03
	E 15	3	UR20-56L-75-4K7-4W	UR20 DATA SHOWN IS ABSOLUTE	C-75-CRI Educational, Government, Healthcare, Hospitality, Hotel, Industrial, Institutional, Manufacturing, Pathway, Prison, Roadway, Site, Sports, Street, Direct, Wet Location	UR20-56L-75-4K7-4W-89	Absolute	0.90	150
	F 15	2	L403-W50H40S1-W	LED 3500K, 50° CRI		L403-W50H40S1-W-89	1400	0.90	26
	G 15	2	DRE20M7540WFA-DRE20TUD5WH	DRE20M7540WFA-DRE20TUD5WH		DRE20M7540WFA-DRE20TUD5WH-89	Absolute	0.90	9.5
	H 15	9	00_DRE20SR1500	00_DRE20SR1500		00_DRE20SR-1500W-89	Absolute	0.90	21

STATISTICS

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Western Zone	+	0.23 fc	1.35 fc	0.00 fc	N/A	N/A
Southern Zone	+	0.48 fc	2.60 fc	0.02 fc	130.0:1	24.0:1
Landscape Fast Food 1	+	1.69 fc	3.87 fc	0.38 fc	10.2:1	5.0:1
Landscape Fast Food 2	+	-1.00 fc	0.00 fc	0.00 fc	N/A	N/A
Northern Zone	+	0.67 fc	4.95 fc	0.01 fc	499.0:1	87.0:1
Parking Lot	+	3.13 fc	8.82 fc	1.11 fc	6.1:1	2.8:1
Walkway Fast Food	+	1.71 fc	5.18 fc	0.24 fc	21.6:1	7.1:1
WALKWAY STARBUCKS	+	3.49 fc	6.80 fc	0.56 fc	15.7:1	6.2:1

FERRANTI ENGINEERING
CONSULTING
ELECTRICAL ENGINEERS
1211 MARICOPA HWY.,
SUITE 100
OJAI, CA 91302
(805) 703-4772
DALEFERRANTI@LIVE.COM

STARBUCKS AND FAST FOOD @ IVES
IVES AVE, OXNARD, CA

REVISIONS	BY

PLOT DATE 2021-11-15
SCALE AS NOTED ON PLAN

E1

SHEET

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1 SITE PHOTOMETRIC PLAN
SCALE: 1/16" = 1'-0"

L403

EXTERIOR | INTERIOR
Recessed Downlight
• Damp and Dry Location

RoHS CE

Ordering Information

Date:	Quantity:
Project:	Note:
Type:	

Specifications

Product	Wattage	Dimming	CTL	Beam Angle	Reflector Color	Trim Finish
L403	30W	Single Driver 0-10V dimming 1-10V dimming 0-10V dimming	Standard LED Module: M501 2700mK M502 3000mK M503 3500mK M504 4000mK M505 5000mK	8 spot 10° 8 narrow beam 30° 8 flood 40°	0 silver specular 10 black specular	WH white powder coat BK black powder coat
Dimming Driver	0-10V 1-10V 0-10V	Custom LED Module M501 2700mK M502 3000mK M503 3500mK M504 4000mK M505 5000mK	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0 silver specular 10 black specular	WH white powder coat BK black powder coat
Non-dimmable	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0 silver specular 10 black specular	WH white powder coat BK black powder coat
Lighting	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0-10V 1-10V 0-10V	0 silver specular 10 black specular	WH white powder coat BK black powder coat

System Components (Ordered Separately)

Remote Driver: _____ * Consult MP Lighting Website or Factory

Important Notes

- Specifications**
- For custom LED module options, visit www.mplighting.com to specify the option available for this specific fixture.
 - For custom LED module options, visit www.mplighting.com to specify the option available for this specific fixture.
 - For custom LED module options, visit www.mplighting.com to specify the option available for this specific fixture.
- Further Information and Images**
- For custom LED module options, visit www.mplighting.com to specify the option available for this specific fixture.

confirm the specific location for images of different color options, please refer to Appendix.

Warranty Notes & Disclaimer

DMF Lighting warrants that the L403 is free from material and workmanship defects for a period of 5 years from the date of purchase. This warranty is limited to the original purchaser and does not cover damage caused by misuse, accident, or other factors beyond the control of DMF Lighting. DMF Lighting is not responsible for any damage to property or personal injury resulting from the use of the L403. DMF Lighting is not responsible for any damage to property or personal injury resulting from the use of the L403.

MP Lighting © www.mplighting.com | info@mplighting.com | 604.708.1184

L403 Specification Sheet | 2021-11-14 | pg 1

4 LIGHT FIXTURE TYPE "P" NOT TO SCALE

DCC

Modern Cylinder System



Project:	Type:
Product Code:	Date:

Spec Sheet V-11-01-21

- Customize your cylinder with over one million configurations
- Powered by DMF's advanced LED downlight technology
- Modular Twist & Lock trims and Plug & Play light engines for easy maintenance and on-site modifications
- Shadowless pendant uplight allows for direct and indirect lighting from a single cylinder
- Die-cast aluminum with no visible hardware for a sleek, symmetrical design

Lumen Output 750 lm (30W), 1000 lm (35W), 1250 lm (40W), 1500 lm (50W), 2000 lm (60W), 2500 lm (75W), 3000 lm (90W)	Mount Surface, Cord, Stem, Wall
Color Quality 90+ CRI, 2-step SDCM	Size Diameter: 4" Length: Small (4"), Medium (8"), Large (12")
Color Temperature 2700K, 3000K, 3500K, 4000K, Warm Dim, Dimmable	Finish White, Black, Brushed Aluminum, Brushed, Custom Color
Lighting Type Downlight, Up and Downlight, Adjustable	Beam/Spot Length 24" or 48" (standard), Up to 96" (optional)
Specialty Lamp Option Recessed Luminaire	Options Warm Spot (10°), Spot (20°), Flood (40°), 1% Dimming, TRIAC/ELV, 0-10V, Lutron, EcoSystem
Emergency Lighting Optional Remote Inverter or Emergency LED Driver for lighting up to 90 minutes in event of power failure	Trims and Shades Round Beveled Trim, Hyperbolic Trim, Snoot, Decorative Trim, Low-Profile Decorative Trim, Round Shade, Flat Shade

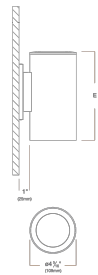
Standards	Rating	Guarantee
	UL Listed for Wet Location	50,000 hrs 5 years

dmflighting.com



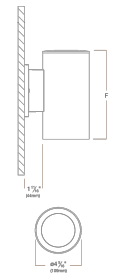
CYLINDER DIMENSIONS

Wall Mount Downlight Dry Cylinder DC4WM



CYLINDER SIZE	E
Medium	8 1/4" (210 mm)
Large	12 1/4" (311 mm)

Wall Mount Downlight, Wet Location LED Cylinder DC4WMW



CYLINDER SIZE	F
Medium	8 1/4" (210 mm)
Large	12 1/4" (311 mm)

DMF LIGHTING, 1118 E. 22nd St., Carson, CA 90740, 353.854.7779 | dmflighting.com

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3 LIGHT FIXTURE TYPE "W" NOT TO SCALE

KIMLIGHTING™

UR20
ARCHITECTURAL AREA/LITE

- FEATURES**
- 20" dia in post top, pole and wall mount
 - High performance optics up to 12,000 delivered lumens
 - Elegant form factor
 - Diffusion lens option
 - Single-point wireless control options
 - ULCUL, listed for wet locations, IP66 and 400,000 vibration rated



CONTROL TECHNOLOGY
NX DISTRIBUTED INTELLIGENCE

DATE:	LOCATION:
TYPE:	PROJECT:

CARTOON # _____



RELATED PRODUCTS
• One Small Post Top
• One Large Post Top
• One Large Area Mount

SPECIFICATIONS

- CONSTRUCTION**
- Low copper aluminum alloy die-casting is anodized in one piece with internal cooling fins.
 - Solid cast aluminum wall creates a thermal barrier between the optical and electrical compartments.
 - Molded aluminum gasket throughout ensures the sealing between the two compartments and provides ingress protection.
 - Housing is designed with integral LED heat sink, efficient for thermal transfer and for securing the location of each LED module.
 - KOB seal enclosure protects electrical equipment against external mechanical impacts.
 - All external fasteners are stainless steel.
 - One-piece low copper aluminum alloy die-cast trim frame is secured to housing with 6 screws.

- OPTICS**
- LEDs mounted to a metal printed circuit board assembly (PCBA).
 - Optical lenses are clear injection molded (PMMA) acrylic.
 - Optional Backlight Control on each LED module to completely control unwanted backlight.

- INSTALLATION**
- Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury.

- ELECTRICAL**
- Universal voltage, 120 through 277V with a 100% tolerance. Driver is Underwriters Laboratories listed.
 - High voltage configurations, 347VAC. Driver has a 0-10V dimming interface for multi-point illumination options. Driver is Underwriters Laboratories listed.
 - "Thermal Shield" secondary side, thermistor provides protection for the sustainability of LED module and electronic components.
 - Drivers shall have greater than a 0.8 power factor, less than 20% harmonic distortion, and be suitable for operation in -40°C to 40°C ambient environments.
 - Luminaire shall be capable of operating at 100% brightness in a 40°C environment. Both driver and optical unit have integral thermal protection that will dim the luminaire upon detection of temperatures in excess of 85°C.
 - Surge protection 10,000A in parallel, 20,000A in series.
 - Wiring: No. 18AWG rated 60°C, wet rating.

CONTROLS

- TYPE**
- Fully gasketed and sealed 7-pin receptacle option. Easy access location above the electrical compartment, 7-pin construction allows for a user-defined interface and provides a controlled interface of operational performance. AND! backhaul control module is optional.
 - Standard operation modes:
 - Traditional on/off photoelectric control.
 - 5-pin wireless photoelectric control for added dimming feature.
 - 7-pin wireless photoelectric control for dimming and additional I/O connectors for customer use.



KEY DATA	
Lumen Range	2888 - 17085
Voltage Range	120-277V
Efficiency Range (lm/W)	100-150
Reported Life (Hours)	1,750-60,000
Weight	22 lbs 10.1kg
ETL	5,372

Page 10 of 10 | dmflighting.com | © 2021 DMF Lighting. All Rights Reserved. Specifications subject to change without notice. See website for U.S. and International product information.

1 LIGHT FIXTURE TYPE "A", "D", "D2", "H" & "I" NOT TO SCALE

DRD5S

8" Round Surface Mount LED Area Light
Retrofit
Junction Box

Project:	Type:
Product Code:	Date:

Spec Sheet V-10-01-20



- 8" round area light for lighting smaller spaces including bathrooms, closets and kitchens
- Extends just 0.6 inches below the ceiling plane to minimize visual profile
- Utilizing a compact, integrated driver allows DRD5S to install into most metal octagonal and non-metallic round junction boxes

Application Retrofit	Junction Box 40 Octagonal, 40 Round, 30 Round
Delivered Lumens 1500 lm (17W)	Color Quality 90+ CRI, < 3-step SDCM
Color Temperature 2700K, 3000K, 3500K	Input Voltage 120/277V
Dimming TRIAC/ELV, 0-10V	Finish White

Standards	Module Rating	Guarantee
	UL Listed for Wet Location	50,000 hrs 5 years

2 LIGHT FIXTURE TYPE "C" NOT TO SCALE

dmflighting.com



FERRARI ENGINEERING
CONSULTING
ELECTRICAL ENGINEERS
1211 MARICOPA HWY.,
SUITE 100
OAKLAND, CA 94612
(916) 708-4772
DALE@FERRARIENGINEERING.COM

STARBUCKS AND FAST FOOD @ IVES
IVES AVE. OXNARD, CA

REVISIONS	BY

PLOT DATE 2021-11-15
SCALE AS NOTED ON PLAN

E2

SHEET

PLANT SCHEDULE PARCEL 1					
TREES	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	2	Arbutus x Marina Marina Strawberry Tree	24" Box	L	Size at 20 years: 25' dia. x 30' tall
	1	Cassia leptophylla Gold Medallion Tree	24" Box	M	Size at 20 years: 30' dia. x 20' tall
	4	Lagunaria patersonii Pinnrose Tree	24" Box	L	Size at 20 years: 30' dia. x 30' tall
	2	Tipuana tipu Tipu Tree	24" Box	L	Size at 20 years: 30' dia. x 25' tall
EXISTING TREES	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	4	Brachycton populneus Kurrajong	Existing	L	
	8	Erythrina callis Kalliboom Coral Tree	Existing		
STREET TREES	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	1	Street Tree	24" Box		Tree species & spacing to be verified by City of Orange Parks & Facility Dept. Supervisor
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	12	Berberis x Golden Abundance Golden Abundance Barberry	15-gal.	L	
	37	Callistemon viminalis 'Little John' Little John Weeping Bottlebrush	5-gal.	L	
	1	Convolvulus creneum Bush Morning Glory	5-gal.	L	
	54	Leucophyllum frutescens 'Silver Cloud' Texas Ranger	15-gal.	L	
	6	Nandina domestica 'Lemon Lime' Lemon Lime Heavenly Bamboo	15-gal.	L	
PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	9	Bulbine frutescens 'Athena Compact Yellow' Athena Compact Yellow Stalked Bulbine	5-gal.	L	
	15	Dietes indicoides Fortnight Lily	5-gal.	L	
	23	Limonium perezi Statice	5-gal.	L	
	15	Phormium x 'Black Adder' Black Adder New Zealand Flax	5-gal.	L	
VINES ON WALLS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	4	Ficus repens Creeping Fig	5-gal.		
SHRUB AREAS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	119	Hemerocallis x 'Old Adage' Old Adage Daylily	5-gal.	M	Space at 24" apart
	67	Tulbaghia violacea 'Silver Lace' Silver Lace Society Garlic	1-gal.	L	Space at 24" apart
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	WUCOLS	COMMENTS
	1,554 sf	Aptenia cordifolia 'Red Apple' Red Apple Baby Surrose	Flats	L	Plant 12" o.c.
	633 sf	Bark Mulch	Mulch		Spread 3" deep
	723 sf	Existing plants to remain	Existing	M	
	10,838 sf	Festuca arundinacea 'Marathon II' Marathon II Fescue	Existing	M	
	2,063 sf	Phyla nodiflora 'Kurapia S1' Kurapia	Flats	L	Plant 8" o.c.
	92	Senecio serpens Blue Chalksticks	1-gal.	L	Plant 18" o.c.

PRELIMINARY PLANTING NOTES:

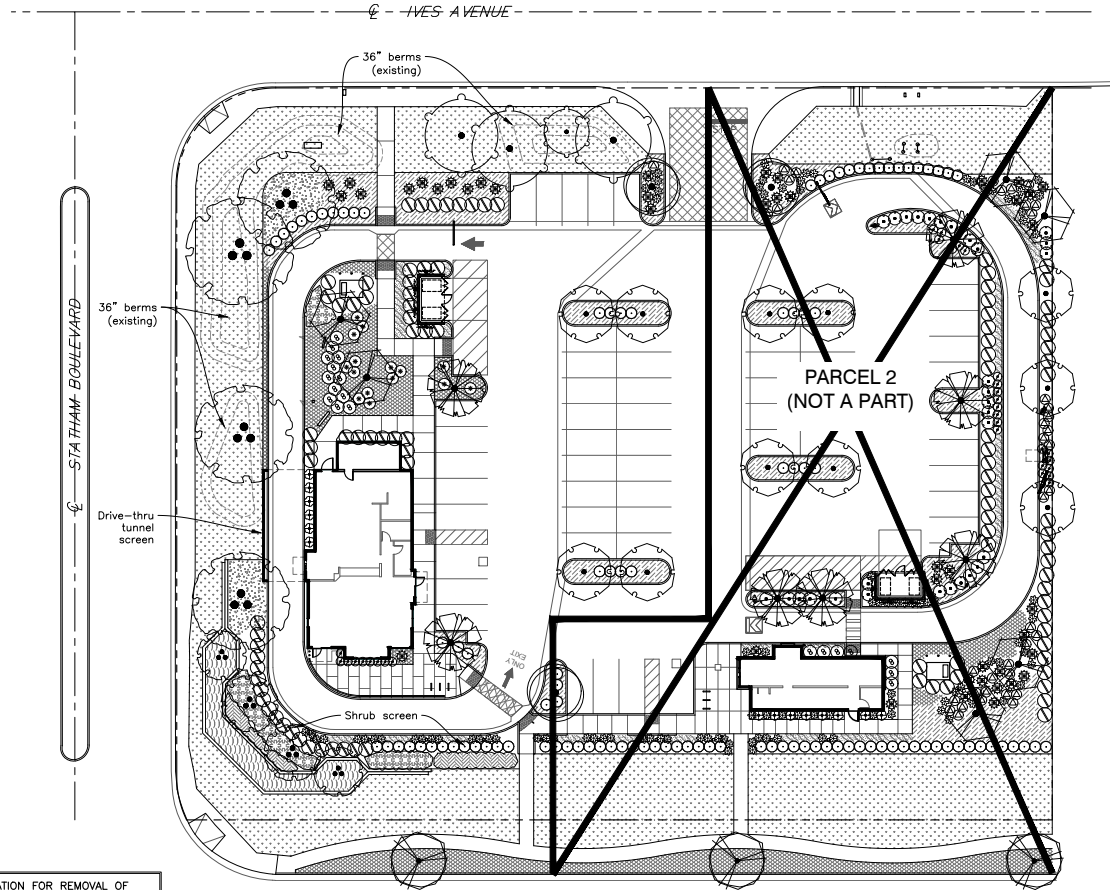
- Existing lawn, trees, and planting in the 30-foot setback and at entry sign shall be protected. Irrigation in these areas shall be adjusted and repaired as needed as part of this project.
- Core of existing trees in 30-foot setback along streets shall be per the Arborist's evaluation and report.
- All trees planted within 5 feet of curb or paving shall be installed with a linear root barrier.
- All street and parking trees shall be approved by the City's Parks & Facility department supervisor prior to planting.

IRRIGATION NOTES:

- Automatic irrigation system to be installed that is water efficient, appropriate for the landscape hydrozones and provides 100% coverage.
- Landscape planting will meet MIMA water use requirements by using a low water efficient irrigation system and weather based smart controller.
- Landscape planting to be irrigated the following ways:
 - Trees: stream bubblers
 - All other planting areas: drip
 - Groundcover in parking: drip
- Existing lawn areas: stream rotors
- Irrigation plans shall provide separate systems for tree stream bubblers.
- Weather based smart controller such as Hunter X-Core, or Hunter PCC will be used.

MITIGATION FOR REMOVAL OF EXISTING TREES:

- SIX EXISTING TREES ARE SCHEDULED TO BE REMOVED AS PART OF THIS DEVELOPMENT: 3 SYCAMORES AND 3 FAN PALMS.
- THE APPRAISED VALUE OF THE REMOVED TREES PER THE ARBORIST REPORT IS \$2602.00 FOR THIS PARCEL.
- SEVEN OF THE NEW TREES WILL BE UP-SIZED FROM 24" BOX TO 36" BOX AT AN APPROXIMATE COST OF \$400 EACH = \$2800.00.



REVISIONS	BY

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ROYAL OAK DESIGN
 Sylvia E. Oakes, Landscape Architect #1549
 2456 N. Main Street, Suite 100
 La Verne, CA 91750-2371
 Telephone: (909) 953-4158
 Email: royaloakdesign@verizon.net

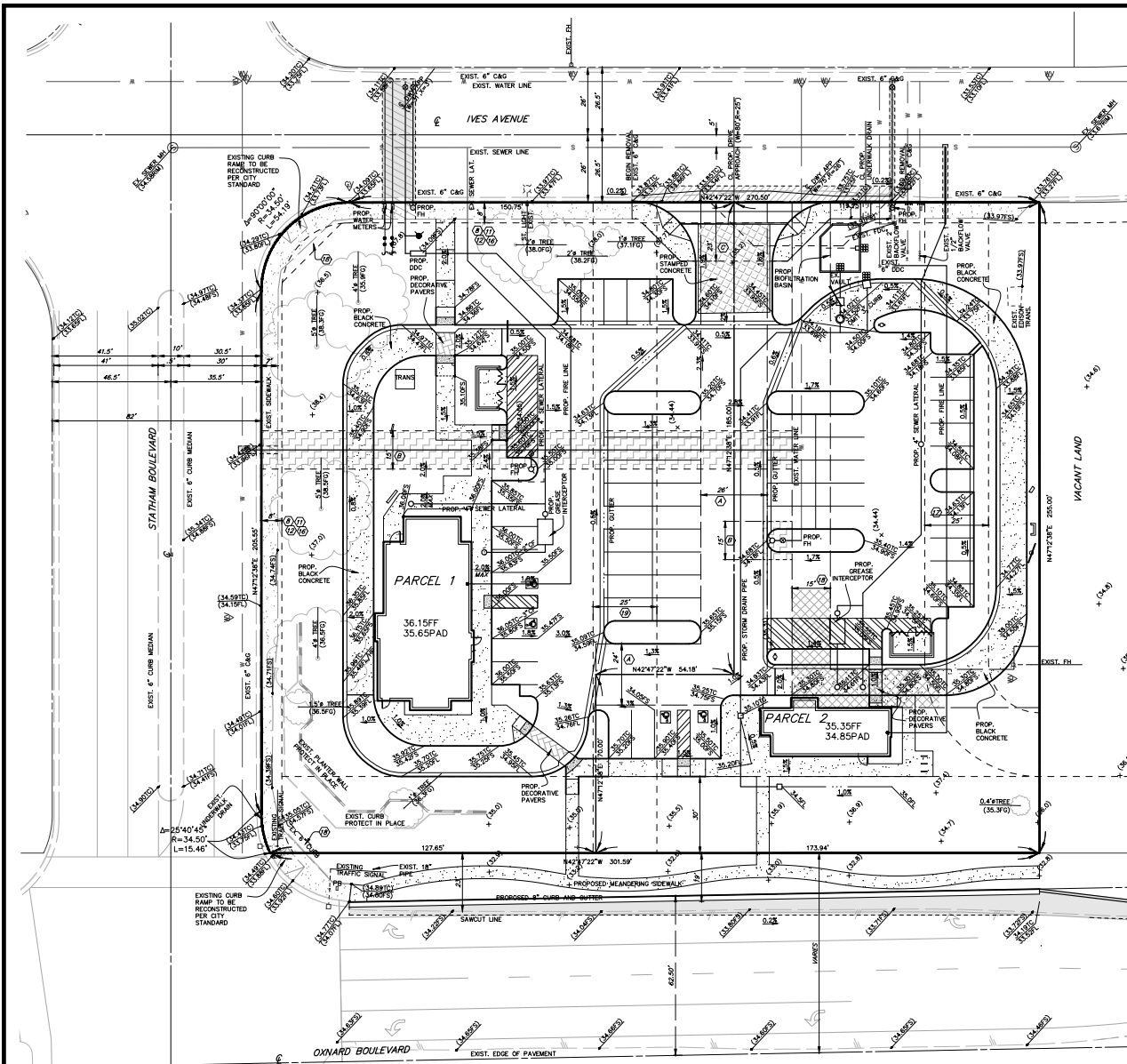
PRELIMINARY LANDSCAPE PLAN

PARCEL 1 - FAST FOOD AT IVES AVE.
 ADDRESS: 1600 IVES AVE., ONDANG 90330
 APPLICANT: 1600 IVES, LLC



DATE	S.E.
11/16/2021	DATE
1" = 20'-0"	SCALE
5419	SHEET

L-1



OWNER:
PHILIPPINES CENTER OF VENTURA COUNTY, NON-PROFIT CORPORATION

APPLICANT:
HASSAN AMERSEGH
HARTAT COMMERCIAL INC.
10777 MELBOURNE BLVD. #607
LOS ANGELES, CA 90024
EMAIL: Hassan@hassancommercial.com
TEL: (310) 254-7161

CIVIL ENGINEER:
LAND DEVELOPMENT DESIGN COMPANY
2313 E. PHILADELPHIA STREET, UNIT F
ONTARIO, CA 91761
(909)350-1466

SOURCE OF DATA:
TRACT MAP MB 102/80 AND LLA 88-2, DOCUMENT NO. 88-125591, AS INSTRUMENTED ON 10/30/1988

EXISTING LAND USE:
COMMERCIAL

PROPOSED LAND USE:
COMMERCIAL (FAST FOOD RESTAURANT)

ZONING:
NEIGHBORHOOD SHOPPING CENTER

ASSESSOR PARCEL NUMBER:
220-0-2754-015
220-0-2754-015
220-0-2754-015

TOTAL PARCEL AREAS:
GROSS AND NET AREA: 71,563 S.F. (1.78 ACRES)

PARCEL INFORMATION:
PARCEL NUMBER GROSS AND NET AREA
PARCEL 1 43,173 S.F. (0.99 ACRES)
PARCEL 2 34,330 S.F. (0.79 ACRES)

PREPARED BY:
LAND DEVELOPMENT DESIGN COMPANY
2313 E. PHILADELPHIA STREET, UNIT F
ONTARIO, CA 91761
(909)350-1466

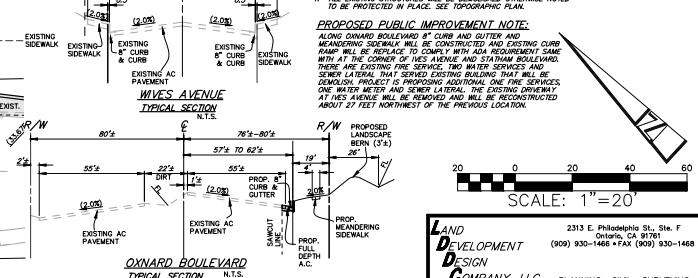
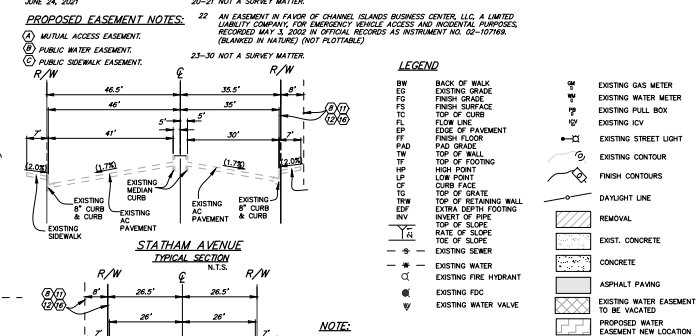
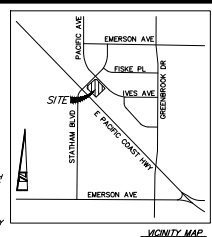
PREPARED DATE:
JUNE 24, 2021

REVISION DATE:
JUNE 24, 2021

PROPOSED EASEMENT NOTES:
1. MUTUAL ACCESS EASEMENT.
2. PUBLIC WATER EASEMENT.
3. PUBLIC SIDEWALK EASEMENT.

LEGAL DESCRIPTION:
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
LOT 41 AND THE NORTHEASTLY 85 FEET OF LOT 40, TRACT A06-1, IN THE CITY OF ONTARIO, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 102 PAGE 60 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA, OF THAT CERTAIN CERTIFICATE OF APPROVAL FOR A LOT LINE ADJUSTMENT RECORDED AUGUST 30, 1988 AS INSTRUMENT NO. 88-125591, OFFICIAL RECORDS.

EASEMENT NOTES:
BASED ON CHICAGO TITLE COMPANY, TITLE COMMITMENT ISSUED BY NORTH AMERICAN TITLE COMPANY, ORDER NO. 09402-20-1816 DATED JANUARY 15, 2021.
1-7 NOT A SURVEY MATTER.
8 AN EASEMENT FOR PUBLIC SERVICES, PUBLIC UTILITY, SIDEWALK, SANITARY SEWER, LANDSCAPE, DRAINAGE, AND INCIDENTAL PURPOSES, RECORDED IN OFFICIAL RECORDS AS BOOK 102, PAGE 60.
9-10 NOT A SURVEY MATTER.
11 AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA Edison COMPANY, FOR OVERHEAD AND/OR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS CONSISTING OF POLES, GUYS AND ANCHORS, CROSSARMS, WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS AND CONCRETE PADS AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 13, 1988 IN OFFICIAL RECORDS AS NO. 85-101015.
12 AN EASEMENT IN FAVOR OF GENERAL TELEPHONE COMPANY, FOR OVERHEAD AND/OR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS CONSISTING OF POLES, GUYS AND ANCHORS, CROSSARMS, WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS AND CONCRETE PADS AND INCIDENTAL PURPOSES, RECORDED OCTOBER 17, 1988 IN OFFICIAL RECORDS AS NO. 85-104363.
13-15 NOT A SURVEY MATTER.
16 AN EASEMENT IN FAVOR OF GENERAL TELEPHONE COMPANY, FOR OVERHEAD AND/OR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS CONSISTING OF POLES, GUYS AND ANCHORS, CROSSARMS, WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS AND CONCRETE PADS AND INCIDENTAL PURPOSES, RECORDED OCTOBER 17, 1988 IN OFFICIAL RECORDS AS INSTRUMENT NO. 85-147518.
17 AN EASEMENT IN FAVOR OF PAL LU TOH & 10-OR MO TOH, FOR EMERGENCY VEHICLE ACCESS (TO SERVE UNTIL PERMANENT ACCESS IS AVAILABLE BY COMPLETE DEMOLITION OF LOT 40 OF TRACT A06-1) AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 6, 1989 IN OFFICIAL RECORDS AS INSTRUMENT NO. 88-12855.
18 AN EASEMENT IN FAVOR OF THE CITY OF ONTARIO, FOR SIDEWALK, PRELINE, AND INCIDENTAL PURPOSES, RECORDED MARCH 16, 1989 IN OFFICIAL RECORDS AS INSTRUMENT NO. 89-41033.
19 AN EASEMENT IN FAVOR OF SOUTHERN CALIFORNIA Edison COMPANY, FOR OVERHEAD AND/OR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND COMMUNICATION SYSTEMS CONSISTING OF POLES, GUYS AND ANCHORS, CROSSARMS, WIRES, UNDERGROUND CONDUITS, CABLES, VAULTS, MANHOLES, HANDHOLES AND INCLUDING ABOVE-GROUND ENCLOSURES, MARKERS AND CONCRETE PADS AND INCIDENTAL PURPOSES, RECORDED MAY 1, 1989 IN OFFICIAL RECORDS AS INSTRUMENT NO. 89-49413.
20-21 NOT A SURVEY MATTER.
22 AN EASEMENT IN FAVOR OF CHANNEL ISLANDS BUSINESS CENTER, LLC, A LIMITED LIABILITY COMPANY, FOR EMERGENCY VEHICLE ACCESS AND INCIDENTAL PURPOSES, RECORDED MAY 1, 2008 IN OFFICIAL RECORDS AS INSTRUMENT NO. 08-10768 (BLANKED IN NATURE) (NOT PLOTTABLE).



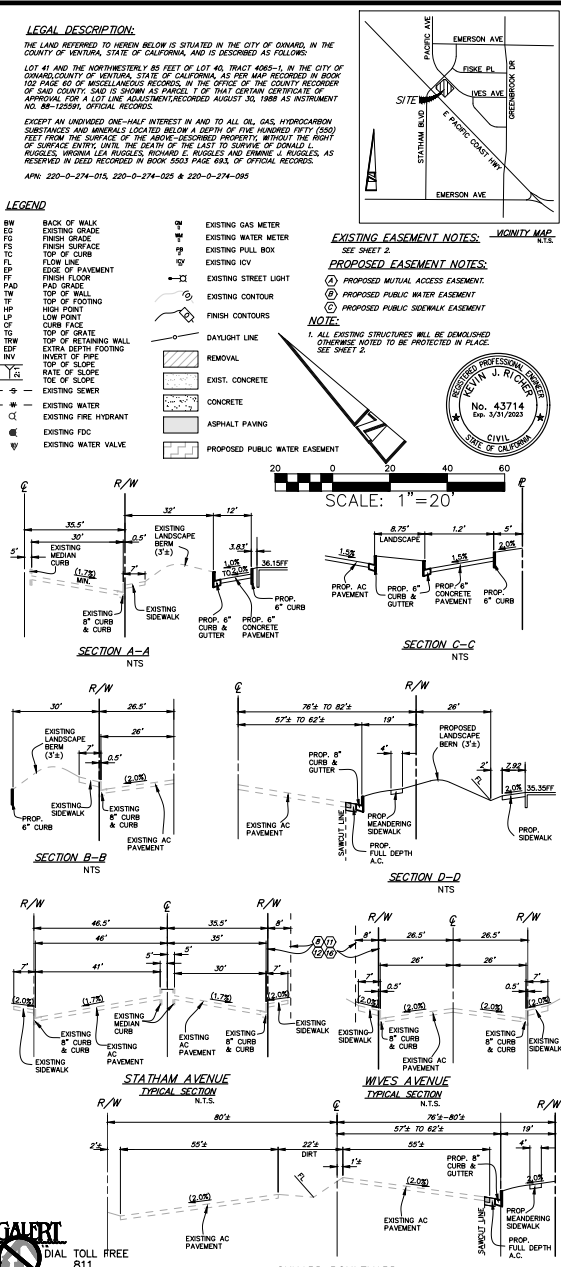
DIGALERT
DIAL TOLL FREE
811
AT LEAST TWO DAYS
BEFORE YOU DIG
UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



BENCHMARK:	REVISIONS:	PREPARED UNDER THE SUPERVISION OF:
		DENNIS C. FARNSWORTH C.E. 31653 LIC. EXP. 12/31/22 DATE 7/14/21
		APPROVED BY:
		DATE:

TENTATIVE PARCEL MAP NO. _____	DATE: 11/19/21
SITE: 1600 NEE AVENUE, ONTARIO, CA 93033	SCALE: 1"=20'
PREPARED FOR: HASSAN AMERSEGH, HARTAT COMMERCIAL INC., 10777 MELBOURNE BLVD. #607, LOS ANGELES, CA 90024	DESIGNED BY: KJR
	CHECKED BY: KJR
	SHEET 1 OF 1 SHEETS

LAND DEVELOPMENT DESIGN COMPANY, LLC
2313 E. Philadelphia St., Ste. F
(909) 930-1466 • FAX (909) 930-1468
PLANNING • CIVIL • SURVEYING



LEGEND		EMERSON AVE	
BW	BACK OF WALK	☐	EXISTING GAS METER
EW	EXISTING GRADE	☐	EXISTING WATER METER
FG	FINISH GRADE	☐	EXISTING PULL BOX
FS	FINISH SURFACE	☐	EXISTING KEY
TC	TOP OF CURB	☐	
FL	FINISH LINE	☐	
EP	EDGE OF PAVEMENT	☐	
FP	FINISH FLOOR	☐	
PAD	PAD GRADE	☐	
TF	TOP OF FINISH	☐	
WF	TOP OF FOOTING	☐	
HW	HIGH WALK	☐	
LF	LOW FENCE	☐	
CF	CORNER FACE	☐	
CG	TOP OF GRADE	☐	
TRW	TOP OF RETAINING WALL	☐	
EDF	EXTRA DEPTH FOOTING	☐	
INVERT	INVERT OF PIPE	☐	
TOP	TOP OF SLOPE	☐	
DOE	DOE OF SLOPE	☐	
EXISTING SEWER		☐	
EXISTING WATER		☐	
EXISTING FIRE HYDRANT		☐	
EXISTING FDC		☐	
EXISTING WATER VALVE		☐	
		☐	EXISTING STREET LIGHT
		☐	EXISTING CONTOUR
		☐	FINISH CONTOURS
		☐	DAYLIGHT LINE
		☐	REMOVAL
		☐	EXIST. CONCRETE
		☐	CONCRETE
		☐	ASPHALT PAVING
		☐	PROPOSED PUBLIC WATER EASEMENT

EXISTING EASEMENT NOTES:

SEE SHEET 2.

PROPOSED EASEMENT NOTES:

① PROPOSED MUTUAL ACCESS EASEMENT

② PROPOSED PUBLIC WATER EASEMENT

③ PROPOSED PUBLIC SIDEWALK EASEMENT

NOTE:

1. ALL EXISTING STRUCTURES WILL BE DEMOLISHED OTHERWISE NOTED TO BE PROTECTED IN PLACE.

SEE SHEET 2.

EMERSON AVE

100' CITY MAP

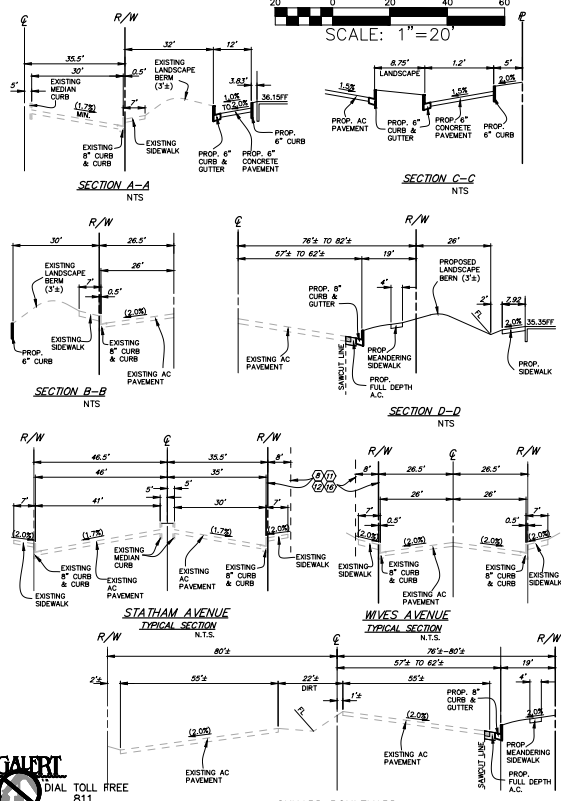
REGISTERED PROFESSIONAL ENGINEER

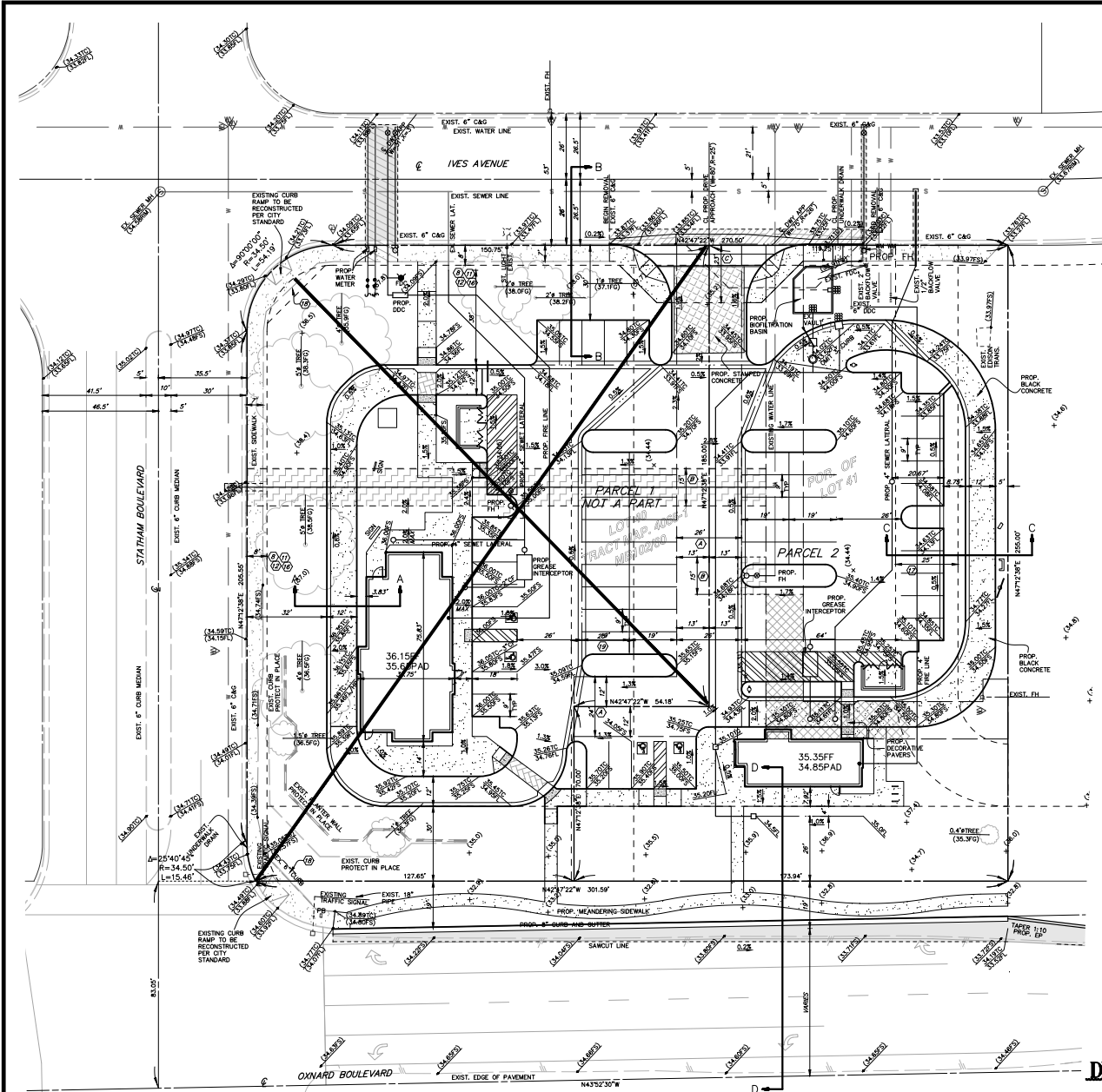
KEVIN J. RICHARDS

No. 43714

Exp. 3/31/2023

CITY OF OREGON

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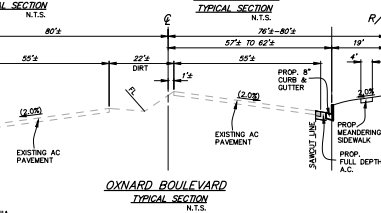
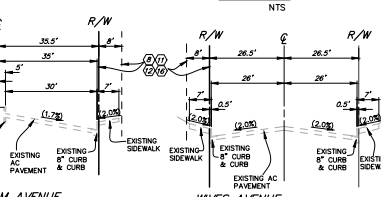
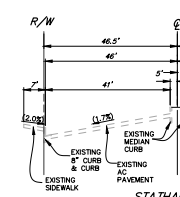
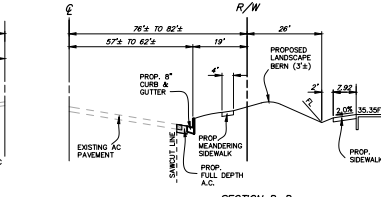
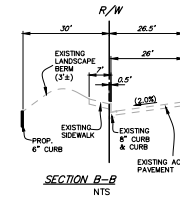
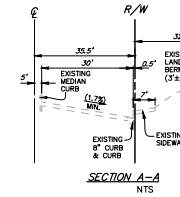
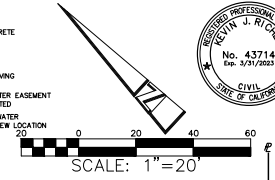


LEGAL DESCRIPTION:
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF OXNARD, IN THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 LOT 41 AND THE NORTHWESTERLY 1/4 OF LOT 40, TRACT 4085-1, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 102 PAGE 60 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID IS SHOWN AS PARCELS 1 OF THAT CERTAIN CERTIFICATE OF APPROVAL FOR A LOT LINE ADJUSTMENT RECORDED AUGUST 30, 1988 AS INSTRUMENT NO. 88-12559, OFFICIAL RECORDS.
 EXCEPT AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, HYDROCARBON SUBSTANCES AND MINERALS LOCATED BELOW A DEPTH OF FIVE HUNDRED FIFTY (500) FEET FROM THE SURFACE OF THE ABOVE-DESCRIBED PROPERTY, WITHOUT THE RIGHT OF SURFACE ENTRY, UNTIL THE DEATH OF THE LAST TO SURVIVE OF DONALD L. RUGGLES, WILSON L. RUGGLES, RICHARD E. RUGGLES AND JENNIE J. RUGGLES, AS RESERVED IN DEED RECORDED IN BOOK 5503 PAGE 693, OF OFFICIAL RECORDS.
 APRN: 220-0-274-015, 220-0-274-025 & 220-0-274-095

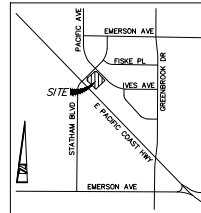
- LEGEND:**
- BW EXISTING GRADE
 - FG FINISH GRADE
 - FS FINISH SURFACE
 - FL FLOW LINE
 - EP EDGE OF PAVEMENT
 - FP FINISH FLOOR
 - PD PAD GRADE
 - TF TOP OF WALL
 - TP TOP OF FOOTING
 - TH HIGH POINT
 - LF LOW POINT
 - CF CURB FACE
 - UT UTILITY
 - TRW TOP OF RETAINING WALL
 - ETV EXTRA DEPTH FOOTING
 - INV INVERT OF PIPE
 - RS RATE OF SLOPE
 - TS TOP OF SLOPE
 - ES EXISTING SEWER
 - EW EXISTING WATER
 - EF EXISTING FIRE HYDRANT
 - ED EXISTING FDC
 - EV EXISTING WATER VALVE
- EXISTING EASEMENT NOTES:**
 SEE SHEET 2.

PROPOSED EASEMENT NOTES:
 (1) PROPOSED MUTUAL ACCESS EASEMENT.
 (2) PROPOSED WATER EASEMENT NEW LOCATION.

NOTE:
 1. ALL EXISTING STRUCTURES WILL BE DEMOLISHED OTHERWISE NOTED TO BE PROTECTED IN PLACE. SEE SHEET 2.



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 UNDERGROUND SERVICE ALERT OF SOUTHERN CALIFORNIA



PRELIMINARY GRADING PLAN

PREPARED FOR:
 LAND DEVELOPMENT
 DESIGN COMPANY, LLC
 2315 E. FLORENCE AVE., SUITE 100, OXNARD, CA 93030

DATE: 11/19/21
 DRAWN BY: VAP
 DESIGNED BY: KJR
 JOB NO.: 6365
 SCALE: 1"=20'
 SHEET 1 OF 2 SHEETS

NOTICE OF EXEMPTION

Project Description: Starbucks & Fast Food Drive-Throughs & Parcel Map - Ives Avenue; Planning and Zoning Permit Nos. 21-300-04 (Parcel Map), 21-500-06 (Special Use Permit), and 21-500-07 (Special Use Permit): The applicant requests permits to authorize the demolition of an existing 8,868 square-foot building and subdivide an existing 1.78 acre lot into two lots with new development. The proposed development includes the construction of a 983 square-foot coffee house (Starbucks) with drive-through with 14-vehicle capacity on a 0.79 acre lot, a 2,533 square-foot fast food restaurant (Fast Food) with drive-through with 9-vehicle capacity on a 0.99 acre site, and related site improvements including 72 shared parking spaces, sidewalks, patios, and landscaping.

The Project site is located at 1600 Ives Avenue (APNs: 220-0-274-015, -025, -095) within the Channel Islands Business Center (CIBC), the Commercial General, Planned Development (C-2-PD) zone district and the Commercial General (CG) General Plan land use designation. Filed by Hassan Amirsadeghi of Habitat Properties, 10717 Wilshire Boulevard, Unit 607, Los Angeles, California 90024, designated agent (the "Applicant") on behalf of Philippine Center of Ventura County, 1600 Ives Avenue, Oxnard, California 93030 (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 an existing commercial building, subdivision of the 1.78 acre project site lot into two lots with development including a 983 square-foot coffee house (Starbucks) with drive-through with 14-vehicle capacity on a 0.79 acre lot, a 2,533 square-foot fast food restaurant (Fast Food) with drive-through with 9-vehicle capacity on a 0.99 acre site, and related site improvements including 72 shared parking spaces, sidewalks, patios, and landscaping. The new development has been designed to be consistent with the Commercial General (CG) General Plan land use designation, as well as with the Commercial General, Planned Development zone designation, and the Channel Islands Business Center development plan. The proposed development is located on a 1.78-acre site which is generally surrounded by urban uses. The Project site will be adequately served by all required utilities and public

Notice of Exemption

Project Nos. 21-300-04, 21-500-06, and 21-500-07

Page 2 of 2

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, the Planning Commission has determined that there is no substantial evidence that the Project will have a significant effect on the environment, and the Planning Commission recommends 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 Code Consistency Table for Starbucks General Commercial (C-2) Zone

Development Standard	Requirement	Proposed	Complies?
16-137 Height Permitted	No building shall exceed two stories or 35 feet; provided, however, that additional stories may be approved by the issuance of a special use permit.	20 feet	Yes
16-138 Lot Area Per Dwelling Unit	Every main residential building shall have a lot area of not less than 600 square feet per dwelling unit, except for hotels or apartment hotels that have no cooking facilities in any individual room, suite or apartment.	Project does not include dwelling units.	Not applicable
16-139 Front Yard	There shall be a front yard of not less than ten feet.	37 feet and 11 inches	Yes
16-140 Side Yard	Side yards shall be not less than five feet. Where a lot zoned general commercial abuts another lot so zoned, no setback shall be required.	58 feet	Yes
16-141 Rear Yard	No rear yard setback shall be required of commercial structures of 16 feet in height or less, provided that there shall be no penetrations in the wall located on the zero property line. For buildings over 16 feet in height, a 15-foot rear yard setback shall be required. Buildings on properties which abut a public alley shall provide a ten-foot rear year setback.	299 feet and 2 inches	Yes
16-142 Yard Requirements for Dwellings	(A) Buildings used exclusively for dwelling purposes shall comply with the front, side and rear yard regulations of the R-3 zone. (B) Buildings having commercial uses on the lower floor and residential uses on the upper floor or floors shall comply with the front, side and rear yard regulations of the C-2 zone for commercial floors and the R-3 zone for the residential floors.	Project does not include dwelling units.	Not applicable

Attachment F

Zoning Code Consistency Table for Fast Food General Commercial (C-2) Zone

Development Standard	Requirement	Proposed	Complies?
16-137 Height Permitted	No building shall exceed two stories or 35 feet; provided, however, that additional stories may be approved by the issuance of a special use permit.	20 feet and 2 inches	Yes
16-138 Lot Area Per Dwelling Unit	Every main residential building shall have a lot area of not less than 600 square feet per dwelling unit, except for hotels or apartment hotels that have no cooking facilities in any individual room, suite or apartment.	Project does not include dwelling units.	Not applicable
16-139 Front Yard	There shall be a front yard of not less than ten feet.	56 feet	Yes
16-140 Side Yard	Side yards shall be not less than five feet. Where a lot zoned general commercial abuts another lot so zoned, no setback shall be required.	44 feet	Yes
16-141 Rear Yard	No rear yard setback shall be required of commercial structures of 16 feet in height or less, provided that there shall be no penetrations in the wall located on the zero property line. For buildings over 16 feet in height, a 15-foot rear yard setback shall be required. Buildings on properties which abut a public alley shall provide a ten-foot rear yard setback.	119 feet	Yes
16-142 Yard Requirements for Dwellings	(A) Buildings used exclusively for dwelling purposes shall comply with the front, side and rear yard regulations of the R-3 zone. (B) Buildings having commercial uses on the lower floor and residential uses on the upper floor or floors shall comply with the front, side and rear yard regulations of the C-2 zone for commercial floors and the R-3 zone for the residential floors.	Project does not include dwelling units.	Not applicable

Attachment G

Consistency Table for Starbucks & Fast Food Restaurant Channel Islands Business Center

Requirement	Proposed	Complies?
Utilities		
5. Trash and refuse enclosures shall be constructed in accordance with the approved plate and standards on file in the Public Works Department. Enclosures shall be located as shown in the approved plans. Final location of enclosures shall be subject to the approval of the Public Works Department. Enclosures shall be constructed and finished in a manner to match the major-design element of the main structure. Such finish shall be indicated on the building plans and is subject to approval of the Planning Division. Trash and refuse enclosures shall be a minimum height of six feet. Enclosures shall be provided with solid metal gates, matched to building colors. Trash and refuse enclosures for multi-story buildings shall be provided with overhead screening where visible from upper stories. (PW, PL/PW, B)	Trash and refuse enclosures are provided and shall be designed to match Environmental Resources standards.	Yes, as conditioned
6. Eight foot wide easements are provided on each side of the interior streets for utilities. In the M-L zone where sidewalks are provided, total landscape area, including the easement, shall be a minimum of 20 feet. (PW/PW)	8-foot wide easement is provided.	Yes
7. All utility lines shall be underground. No pipe, conduit, cable or line for water, gas, sewage, drainage, electricity, or any other energy or service line shall be installed or maintained upon any lot (outside of any building) above the surface of the ground. However, transformers or high voltage lines of such capacity as to preclude undergrounding, as well as hoses, movable pipes used for irrigation and temporary services used during construction shall be permitted above the surface of the ground. (PW)	Utilities are to be undergrounded.	Yes, as conditioned
8. Transformers, building backflow preventers, and other appurtenant devices shall be completely screened with full height and density landscaping at the time of installation, with the exception of Fire Department connections. Determination of such appurtenant devices requiring screening shall be made by the Director of Community Development. (PL/PL)	All utilities are required to be screened.	Yes, as conditioned
Parking and Access		
9. Off-street parking, including number of spaces, stall size, paving, striping, location and access shall comply with the Oxnard City Code. (PL/B)	All parking complies with the OCC.	Yes
10. Driveways within parking lots shall have a minimum width of 25 feet. Curb cuts shall be 35 feet wide. Minimum driveway throat	The driveways are 26 feet wide, and the curb cut has a minimum dimension of	Yes

Attachment G
Consistency Table for Starbucks & Fast Food Restaurant
Channel Islands Business Center
Page 2 of 9

requirement shall be 37 feet for all lots with more than forty (40) cars.	35 feet.	
Loading and Outdoor Storage		
11. Loading spaces shall be provided in accordance with Section 36-7.1.26 of the City of Oxnard Municipal Code and shall be a minimum of 50 feet away from any residential zone. Loading spaces shall be reserved exclusively for loading purposes, not used for storage. (PL)	Loading zones are provided.	Yes
12. Such loading dock areas, ramps, and entries shall be screened by a solid wall, and landscaping from any public roadway or residential area. Such wall or fence shall not be less than 8 feet in height. (PL)	The loading entry on the south side of the Starbucks building and the loading entry on the north side of the fast food building shall be screened by a solid wall and landscaping.	Yes, as conditioned
13. Requirements for outdoor storage shall be considered in the design of a individual buildings. Outdoor loading and storage areas, where otherwise permitted, shall be placed in side or rear yards only and shall be screened by a solid wall or fence and landscaping of not less than 8 feet in height. (PL)	Outdoor storage is not proposed or authorized with this action.	Yes
Screening and Walls		
14. Walls shall be utilized to visually screen and mounts and mechanical equipment and other appurtenant items of poor visual quality. Where walls cannot be attached to a structure, full-height and density landscape screening shall be provided as an alternative screening device subject to approval of the Parks Division and Director of Community Development. (PL)	All utilities are required to be screened.	Yes
15. Wall heights shall be as tall as those objects or areas that are intended to visually screen, however, no wall shall exceed forty-two inches in height within any required front setback area. (PL)	Screening walls may be provided. No walls are proposed in the front setback area.	Yes
16. Solid screening and enclosure walls or fences shall be constructed of materials and textures and/or colors to match or complement the architectural features of the primary structure. (PL)	Screening elements are required to complement the architectural features of the primary structure.	Yes, as conditioned
Landscaping		
18. Landscaping and irrigation shall be installed per plans as approved by the Parks division. (PK, PL/PK)	Landscape and irrigation plans shall be installed per plans.	Yes

Attachment G
Consistency Table for Starbucks & Fast Food Restaurant
Channel Islands Business Center
Page 3 of 9

19. Landscaping and irrigation installation on individual lots shall be inspected and approved by Parks Division prior to issuance of Certificate of Occupancy on that lot. (PK, PK/B)	Landscape and irrigation plans shall be inspected.	Yes
20. Four copies of median and parkway plans prepared in accordance with the median and parkway landscape standards shall be submitted to the Parks Division for approval prior to issuance of a building permit. The parkway shall include a 30 foot landscape strip measured from the property line along the following streets: Wooley Road and Rose Avenue. Parkway shall be mounded to an average height of 36 inches. Street trees and median trees shall be planted, per Parks Division specifications and approval, on all City streets. Medians are to be constructed along Wooley Road (along the project frontage only) and Rose Avenue south of Emerson (to complete the median). (PK, PL/PK)	A 30-foot landscape strip along Oxnard Boulevard is proposed consistent with General Plan Policy CD-9.4.	Yes
21. A streetscape design element shall be incorporated into the proposed streetscape plan. The streetscape plan shall provide for subdivision identification and entrance features at street intersections. (PK,PL/PK)		
22. All required trees shall be 24 inch box size (minimum), all shrubs and vines shall be 5 gallon size (minimum) except as specified by the Parks Division. Thirty-six inch box trees are required at all entries of lots having 40 or more parking spaces in accordance with the Commercial/ Industrial Landscape Guidelines. (PK/PK)		
23. All perimeter landscaping, including street medians, shall be maintained through the landscape maintenance district established through Tract 4065. Interior landscaping shall be maintained through the tract's covenants, conditions and restrictions. (PK, PL/PK)	All landscaping is required to be screened.	Yes, as conditioned
24. In order to achieve a uniform landscape theme within the Business Center, the areas within the street medians and streetscape setback areas have an established landscape materials palette as described in Exhibit "A". (PK, PL/PK)	Landscaping is required to be compatible with adjacent landscaping during approval of building plans.	Yes, as conditioned
25. A permanent water conserving, low gallonage automatic underground sprinkler system shall be installed in all required landscape areas and raised planters. It shall be capable of providing the proper amount of precipitation for the type of (drought tolerant) plant materials used. (PK/PK)	Landscaping shall comply with water conservation requirements of the State of California.	Yes, as conditioned
26. A 36-inch high screen shall be provided for all parking areas by a landscape berm or a combination of landscaping and berm. (PK,PL/PK)	Landscape screening is required during approval of building plans.	Yes, as conditioned
27. All irrigation backflow prevention systems shall be screened by landscaping. (PK,PL/PK)	Landscape screening is required during approval of	Yes, as conditioned

	building plans.	
28. Landscape planters at minimum 5 feet wide shall be provided on each side of the trash and refuse enclosures where parking is adjacent. Landscape planters shall be located throughout the rear parking areas for the purpose of providing a treescape. Cumulative square footage of such landscape planters throughout the parking areas shall be at least equivalent to the total square footage of a five foot wide landscape planter along the entire length of the rear wall of the building minus loading and entry areas and trash enclosures. Design, location, and square footage of the rear parking area treescape planters and the landscape planters beside trash and refuse enclosures shall be included in landscape and irrigation plans and subject to the approval of the Parks Division. (PK,PL/PK)	Landscape screening is required during approval of building plans.	Yes, as conditioned
29. A sidewalk plan shall be submitted by the developer and approved by the Community Development Director prior to issuance of building permits. (PL)	All plans shall be submitted for review and approval.	Yes, as conditioned
Signs and Appurtenant Structures In addition to the provisions of City Code, the following shall apply:		
30. Building and monument signs shall be as shown in Exhibit "A." All signs shall utilize raised, recessed or applied individual letters. Other types of building or monument signs may be allowed, subject to approval of the Community Development Director. No "Can" type signs are allowed. (PL)	Signage shall comply with a Master Sign Program that will be reviewed and approved by the Director.	Yes, as conditioned
31. Each parcel shall have not more than one monument sign on each street frontage. No monument sign shall be located closer than 10 feet to any property line and shall not exceed a height of 6 feet above adjacent curb nor 5 feet above top of adjacent berms. Maximum monument sign area shall be 50 square feet per sfde or a total of 100 square feet. (PL)	Signage shall comply with a Master Sign Program that will be reviewed and approved by the Director.	Yes, as conditioned
32. No freestanding signs shall be allowed. (PL)	Signage shall comply with a Master Sign Program that will be reviewed and approved by the Director.	Yes, as conditioned
33. In addition to the permitted monument sign, each parcel shall be permitted directional signs to promote smooth traffic flow. No directional sign shall exceed four square feet in area nor six feet in height. Directional signs may display text or logos other than that normally associated with circulation. but not advertising of any kind. The developer shall provide a program for sign standard treatment compatible with design elements of the CIBC subject to approval by the Planning Division. (PL) Compact stall signs shall be required to designate compact parking where compact parking spaces are grouped in clusters of 5 or more. (PL)	Signage shall comply with a Master Sign Program that will be reviewed and approved by the Director.	Yes, as conditioned

Attachment G
Consistency Table for Starbucks & Fast Food Restaurant
Channel Islands Business Center
Page 5 of 9

34. A lot, building or complex occupied by two or more businesses shall be permitted tenant identification signs in addition to the permitted monument sign. Such tenant identification signs shall not exceed eight square feet in area and shall be attached to the building. Building addresses shall be placed on the rear as well as front of the buildings. Design of address numbers shall be as shown in Exhibit A. (PL)	Signage shall comply with a Master Sign Program that will be reviewed and approved by the Director.	Yes, as conditioned
35. Lights within a site shall not be placed to cause glare or excessive light spillage on neighboring sites. Light colors shall be uniform within a single lot or development. Light poles shall not exceed twenty feet in height and in no case shall they exceed the height of buildings on-site. The design of light fixtures and their structural supports shall be as shown in Exhibit "A" (Development Plan). (PL)	Site lighting shall comply with Zoning Code standards.	Yes, as conditioned
Fire Safety Conditions		
36. On-site and/or boundary water mains, fire hydrants, and services shall be installed subject to the specifications of the Fire Department and Water Service Division. (PW, FD/PW)	A fire protection plan shall be reviewed and approved by the Fire Chief.	Yes, as conditioned
37. Before any building permit will be issued, the applicant shall submit a plan to provide fire equipment access and water for fire combat operations to all areas of the property. The plan shall be submitted for approval by the Fire Chief. (FD/FD)	A fire protection plan shall be reviewed and approved by the Fire Chief.	Yes, as conditioned
38. All vehicle access driveways shall be a minimum 25 feet wide, and striped and signs posted to Fire Lane Standards. (FD/FD, B)	All vehicle access driveways shall be at least 26 feet wide.	Yes, as conditioned
39. Developer shall provide automatic fire sprinklers as required by City Code. (FD/FD)	Developer shall provide automatic fire sprinklers as required by the City Code.	Yes, as conditioned
40. No burning of combustible refuse on the subject property is permitted. (FD/FD)	No combustible refuse or other flammable materials shall be burned on the project property.	Yes, as conditioned
41. All roof covering materials shall be of noncombustible or approved fire retardant materials. (FD)	All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief.	Yes, as conditioned
42. In order to provide an adequate turning radius for Oxnard fire fighting apparatus, the turning radius of all drives, courts, cul-de-sacs and turn around areas shall be a minimum of 48 feet. (FD, PL/FD, B)	The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City	Yes, as conditioned

	Traffic Engineering Department.	
General Development Conditions		
43. All roof mounted equipment, plumbing vents, ducts, and other appurtenances protruding from the roof shall be integrated in such a manner that they will not be viewed from any public street, the front of property or otherwise highly visible vantage points. A note shall be included on construction plumbing drawings of elevations to indicate to contractors that roof features shall be grouped and located in the described manner. All roof mounted equipment and vents shall be shown on construction drawings. (B/B)	All roof equipment shall be screened	Yes, as conditioned
44. Security devices and measures, including walkway and vehicle control gates, entrance phones, intercoms and other similar features, shall be installed subject to the approval of the Police Department. (PD, PL/PD, B)	A Security Plan shall be reviewed and approved by the Police Department.	Yes, as conditioned
45. Access to all parking and other areas held in common shall be of a "barrier free" design permitting access for the handicapped and elderly. (B/B)	Access for the handicapped and elderly is reviewed and approved during the building plan check process.	Yes, as conditioned
46. An art monument shall be installed at Office Building One (Lots 4, 6, 5,7 of Tract 4065-1) prior to approval of occupancy. The art monument at the corner of Rose Avenue and Highway 1 shall be installed within three years of the approval of the development plan or approval of occupancy of any building constructed on that lot. The final design of the proposed monument at the southwest corner of Wooley Road and Rose Avenue shall be submitted within one (1) year of the approval of this development plan or approval of occupancy, whichever comes first, and shall be constructed within 180 days of approval of the final design by the Community Development Director. The design of the three art monuments is subject to the approval of the Community Development Director. The three art monuments specified above satisfy the developer's requirement for providing art monuments. (PL/PL)	The project site does not include any of these three art monuments.	Not applicable
47. All driveways to the individual lots shall have stamped concrete for the length of the driveway throat, excluding the sloping portion of the driveway and that portion of the throat beyond the beginning of the radius of the planter forming the throat. (PL/PL)	The project includes stamped concrete for the length of the driveway throat.	Yes, as conditioned
48. All traffic intersection islands shall consist of raised stamped concrete per Parks Division standards. This condition does not require developer to replace existing constructed intersection improvements. (PW)	The project does not include traffic intersection islands.	Not applicable

Attachment G
Consistency Table for Starbucks & Fast Food Restaurant
Channel Islands Business Center
Page 7 of 9

49. A bicycle/jogging course shall be indicated by signage, striping, and mileage marking throughout the business center within the existing bike lane and sidewalk system and maps of the course made available through the Transportation Center. The time period by which the course shall be marked and mapped shall be determined by the Director of Community Development based on occupancy rates within the park.	The property owner shall participate in the Property Owner's Association.	Yes
50. Outdoor lounge areas in the form of planter seating walls shall be provided at an approximate ratio of one outdoor lounge area per 35,000 to 40,000 square feet of building for speculative industrial buildings in the ML zone. Final design, number, and location of such areas shall be subject to the approval of the Director of Community Development. Provision of outdoor eating areas for build to suit buildings and those buildings constructed in the BRP zone shall be considered in conjunction with individual special use permit requests.	The project site is not located within the ML zone.	Not applicable
51. The private alley system for each block on which any building is constructed shall be completely installed concurrently with the first building. (PL/PW)	The proposed development is not the first building.	Not applicable
52. All downspouts shall be inside the building. (PL/B)	All downspouts shall be in building elements.	Yes, as conditioned
53. The provisions of the transportation systems management plan shall apply to the entire Channel Islands Business Center and be implemented within two years of the approval of this development plan. Specific requirements are as follows:	The property owner shall participate in the Property Owner's Association.	Yes
o Establish a Property Owners Association the purpose of which includes providing owners, tenants, and commuters with transportation informational services. Each member of the association shall provide their own transportation coordinator whose responsibilities include acting as intermediary between commuters and the Transportation Services Center, to distribute and retrieve information and surveys. The Association shall financially support the Transportation Services Center.	A Property Owners Association has been established.	Yes
o Establish a Transportation Services Center. The Transportation Services Center shall be established by the Property Owners Association to provide a central location within CIBC to coordinate transportation needs. The Center shall be run by a transportation manager responsible for implementing and maintaining the transportation program and providing the following services: The owners shall be provided with a transportation policy statement. It shall state the goals of the transportation office, rationale and method of implementation.	The property owner shall participate in the Property Owner's Association.	Yes
a The Transportation Services Center shall survey the owners, tenants, and their employees about willingness to use alternative modes of transportation and ridesharing; provide a matching	The property owner shall participate in the Property Owner's Association.	Yes

Attachment G
Consistency Table for Starbucks & Fast Food Restaurant
Channel Islands Business Center
Page 8 of 9

service for those commuters wishing to carpool; distribute information about alternate modes of transportation including bus service; survey owners, tenants, and commuters to monitor the program and determine its effectiveness.		
o Owners shall be encouraged to allow their employees to use flex time to enable a greater opportunity to utilize public transportation and ridesharing.	The property owner shall participate in the Property Owner's Association.	Yes
o Public transportation shall be provided in the Center.	Public transportation is available to the Center along Rose Avenue.	Yes
o Provisions shall be made for non-polluting modes of transportation. All interior streets shall be striped for bicycle lanes, and each building shall be provided with bike racks.	The Project includes bike racks.	Yes, as conditioned
o Lunch wagons shall be allowed to operate at any site requested by an owner or tenant.	The Project does not prohibit lunch wagons.	Yes
o Each site shall be provided with the opportunity of using the fiber optic network by giving every building the ability to hook into the fiber optic system.	Fiber optic network infrastructure shall be installed prior to occupancy.	Yes, as conditioned
o The requirements of this condition shall not prohibit the developer from requesting modifications to this transportation management plan in order to conform with future requirements imposed by the AQMP.	The property owner shall participate in the Property Owner's Association.	Yes
54. Presently, the frontage on Highway 1 is freeway status, which requires a fence. The City and developer are working to eliminate that status. If these efforts are unsuccessful after three years of the date of adoption of the Development Plan developer agrees to install decorative fencing on the perimeter property line and, if CalTrans permits landscaping within their easement, the developer agrees to provide landscaping within the CalTrans right of way, subject to approval of the Public Works Department, Parks Division and CalTrans, or the developer agrees to participate in an in-lieu fee program (for the purpose of providing landscaping in the right-of-way) as may be established by the City and CalTrans. If the City and developer are successful in eliminating the freeway status of Highway 1, the developer agrees to install full perimeter landscaping and irrigation along the frontage and in the CalTrans right of way within 180 days of that decision.	The Project includes full perimeter landscaping.	Yes
55. The developer shall provide varying levels of enhanced architectural treatment in designated areas of development in the CIBC according to Exhibit B.	The Project includes enhanced architectural treatment to proposed development.	Yes

Attachment G
Consistency Table for Starbucks & Fast Food Restaurant
Channel Islands Business Center
Page 9 of 9

56. Where buildings abut each other, a distinct division shall be created by means of a recessed sheet metal panel painted a darker color, and/or recessing one building. (PL, PL/PK)	The two proposed buildings do not abut each other.	Yes
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ASSOCIATED TRANSPORTATION ENGINEERS

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Since 1978

Richard L. Pool, P.E.

Scott A. Schell

August 27, 2021

21031.L03

Hassan Amirsadeghi
Habitat Commercial, Inc.
10717 Wilshire Boulevard, #607
Los Angeles, CA 90025

TRANSPORTATION MANAGEMENT PLAN FOR THE 1600 IVES AVENUE COMMERCIAL PROJECT

Associated Transportation Engineers (ATE) has developed the following Transportation Management Plan (TMP) for the 1600 Ives Avenue Commercial Project (the "Project") located on the southeast corner of the Statham Boulevard/Ives Avenue intersection in the City of Oxnard. It is understood that the TMP will be submitted to the City as part of the Project's application package.

PROJECT DESCRIPTION

The Project is proposing to demolish the existing 8,868 square-foot Phil Center building and construct a Starbucks Coffee Shop and a fast-food restaurant. Figure 1 (attached) illustrates the Project site plan. As illustrated on the site plan, the Project consists of a new 2,533 square-foot fast-food building with a drive-through lane and storage for 9 vehicles; a new 983 square-foot coffee shop building with a drive-through lane and storage for 14 vehicles.

City staff expressed concern about potential impacts to Ives Avenue and the Statham Boulevard/Ives Avenue intersection. ATE has prepared the following Traffic Management Plan (TMP) for the Project. The TMP includes the following exhibits and written descriptions of the components:

1. Permanent traffic control measures and pavement directional signage throughout the retail commercial center parking lot.
2. Exhibits detailing the internal circulation of the site and turning movements at driveway ingress/egress locations and the entry and exit of the drive-through

lane.

3. A written description regarding “Vehicle Queue Overflow Management” operational characteristics that are to be implemented if the number of vehicles exceeds the number of vehicle queue spots in the drive-through lane. Potential operational characteristics can include, but are not limited to:
 - Placement of temporary traffic control measures (i.e. traffic cones)
 - Identification of overflow parking on-site
 - Use of handheld wireless ordering equipment
4. Vehicle Queue Exit Management operational characteristics.

SITE ACCESS AND CIRCULATION

Figures 2a, 2b, 3a, and 3b illustrate the circulation pattern for vehicles entering and exiting the commercial center driveway for access to the drive-through lanes. As illustrated on the Project site plan, access to the on-site parking area and drive-through lanes would be provided by the driveway on Ives Avenue. Vehicles would enter the driveway and proceed to either drive-through lane for customer service.



Drive-Through Entry. An analysis was completed using the AutoTurn software to evaluate vehicles entering the drive-through lane from the adjacent parking lot drive aisles. As illustrated on Figures 4a and 4b vehicles can maneuver into the either drive-through lane. Based on a review of the provided site plan, the internal parking lot design is expected to provide an acceptable circulation system.



are adequate.

Figure 5 illustrates the proposed drive-through access plan, which includes pavement marking and directional signs. As shown on the left, pavement markings would be installed to direct vehicles entering the site from Ives Avenue to the drive-through lane. Proposed markings and directional signs from the provided site plan

Drive-Through Exit. Figures 6a and 6b illustrate the exiting patterns for the drive-through facility. As illustrated on the figures, vehicles would exit the drive-through lanes near the northwest corner of the coffee shop building and would then proceed through the parking lot to exit the site on Ives Avenue. A STOP-Sign, STOP bar, and STOP legend are proposed near the drive-through exit (see Figure 7). The proposed signage and striping are expected to be adequate.



DRIVE-THROUGH STORAGE AND QUEUING

Coffee Shop

The site plan illustrates that the coffee shop drive-through lane would accommodate a queue of 14 vehicles. Queue studies were conducted at six Starbucks drive-through facilities located in Santa Barbara and Ventura Counties to evaluate the vehicle queues storage requirement for Starbucks Coffee Shops.¹ The studies were conducted in 2015 and 2019



(prior to the Covid 19 pandemic). The queue studies were conducted on typical weekdays between the hours of 7:00 AM and 9:00 AM, which is the peak activity time for Starbucks drive-through lanes. The queue studies observed the number of vehicles queued in the drive-through lane and counted the total number of vehicles using the drive-through lane. Table 1 summarizes the results of the queue studies.

Table 1
Starbucks Coffee Shop - Drive-Through Queue Study Results

Site	Storage Provided	Maximum Queue	Maximum Queue Occurrences
Ventura	14 Vehicles	14 Vehicles	2 Occurrences
Oxnard #1	11 Vehicles	11 Vehicles	2 Occurrences
Thousand Oaks	7 Vehicles	13 Vehicles	4 Occurrences
Lompoc	7 Vehicles	9 Vehicles	1 Occurrences
Oxnard #2	10 Vehicles	9 Vehicles	2 Occurrences
Simi Valley	12 Vehicles	14 Vehicles	3 Occurrences
Average:		12 Vehicles	2 Occurrences

Maximum queues observed during the 7:00 – 9:00 AM period.

As shown in Table 1, the maximum queues observed ranged from 9 to 14 vehicles with an average maximum queue of 12 vehicles. The 14-vehicle maximum queue occurred 2 to 3 times during the peak two-hour morning period. The vehicle storage provided for the proposed coffee shop would accommodate these queues.

¹ Transportation Management Plan (TMP) for the Main and Mills Starbucks Coffee Shop Project, Associated Transportation Engineers, 2019.

Additional queue data collected for the Drive-Through Queue Generation Study is summarized in Table 2. This queue data was collected for 26 days at coffee shops with drive through lanes located in Minnesota and Kansas (queue data is attached).

Table 2
Starbucks Coffee Shop Drive Through Queues Study Results

# Studies	Average Maximum Queue	Range of Maximum Queue	85 th Percentile Queue
26 Days	10.23 Vehicles	3 – 16 Vehicles	13 Vehicles

The data presented in Table 2 indicates that the maximum peak queue observed was 16 vehicles and the 85th percentile peak queue observed was 13 vehicle. Review of the field data sheets show that the 16-vehicle queue occurred once at one location. The vehicle storage provided for the proposed coffee shop would accommodate the 85th percentile queue.

Fast-Food Restaurant

The site plan illustrates that the drive-through lane for the fast-food restaurant can accommodate a queue of 9 vehicles in the existing configuration. Queue data collected at three McDonald's Restaurants located in Goleta, Santa Maria, and Canoga Park showed that the peak queues ranged from 9 to 12 vehicles, with an average peak queue of 10 vehicles. The average queue of 10 vehicles and the maximum queue of 12 vehicles would not be accommodated within the proposed vehicle storage area for the fast-food restaurant.

Additional queue data collected for the Drive-Through Queue Generation Study showed an 85th percentile peak queue of 12 vehicles and an average peak queue of 10 vehicles for coffee shops with drive-through lanes. Table 3 summarizes the results of the queue studies.

Table 3
Local and National Drive-Through Queue Study Results

Land Use	Maximum Queues	
	Local Studies	National Studies ^(a)
Hamburger Drive-Through	9 - 12 Vehicles	12 Vehicles

(a) 85th Percentile "Drive Through Queues Generation", Counting Cars, February 2012.

Based on the queue studies the vehicle storage for the proposed fast-food restaurant could be exceeded during peak periods if the store is busier than average. A vehicle queue of 10 - 12 vehicles would block several of the parking spaces adjacent to the drive through entrance. To reduce vehicle conflicts, guide signs or markers should be placed on-site to direct drivers to the drive through entries.

Vehicle Queue Overflow Management

The data presented above indicate that queues would be accommodated in the drive-through stacking lane provided for the coffee shop. For the fast-food restaurant there could be short periods when queues could exceed the 9-vehicle stacking capacity of the drive-through lane if the store is busier than average. Figure 8 illustrates the drive-through facility assuming the queues reached 12 vehicles. As illustrated on Figure 8, the 12th vehicle in the queue extending to the north would block one or two parking spaces in the adjacent parking lot and could interfere with two-way traffic flow in the drive-aisle.

The study identifies the maximum theoretical queues that could be accommodated without interfering with operations on Ives Avenue or Statham Boulevard. The site design would accommodate a queue of approximately 12 cars extending to the south without interfering with operations on Ives Avenue; and the design would accommodate a queue of approximately 15 vehicles extending to the west without interfering with operations on Ives Avenue.

The following measures should be considered if the peak queues extend to 12 vehicles or more.

1. The first measure would be to cone-off the drive-through entrance and place sandwich board signs directing vehicles through main drive aisle to the drive-through entry point as illustrated on Figure 9.
2. The second measure would be the implementation of an expedited ordering process to reduce wait times in the drive-through facility (which may include additional staff to reduce order preparation times and, if necessary, remote ordering).
3. The third measure would be to place a “KEEP CLEAR” pavement marking in the area between the entry, the main drive-aisle entry and the adjacent parking lot to prevent vehicles from blocking the two-way access aisle.

Associated Transportation Engineers,

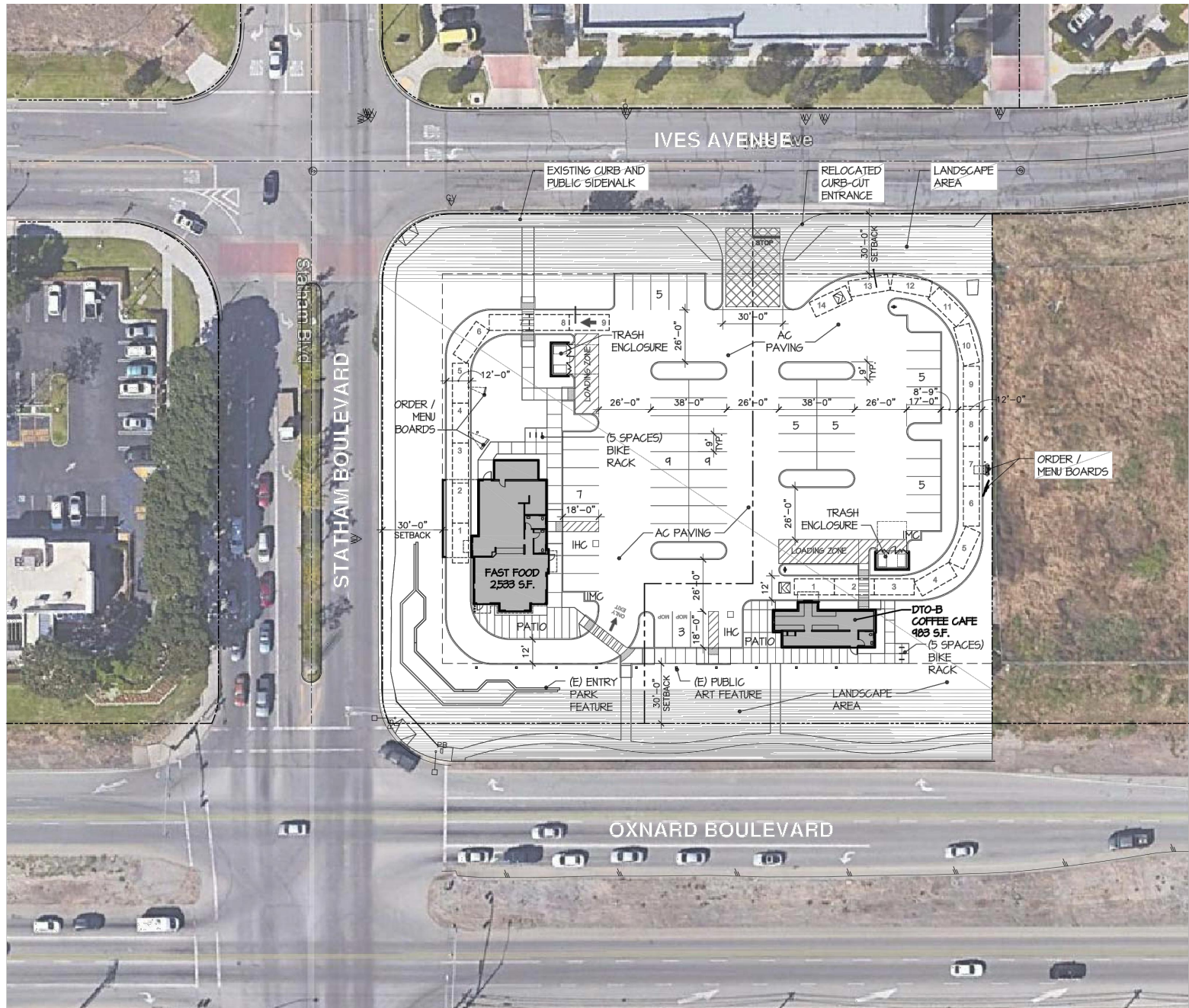


By: Scott A. Schell
Vice President

SAS/DFN

Attachments: Figures 1 through 9
Queue Survey Results



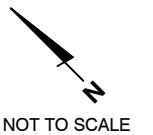
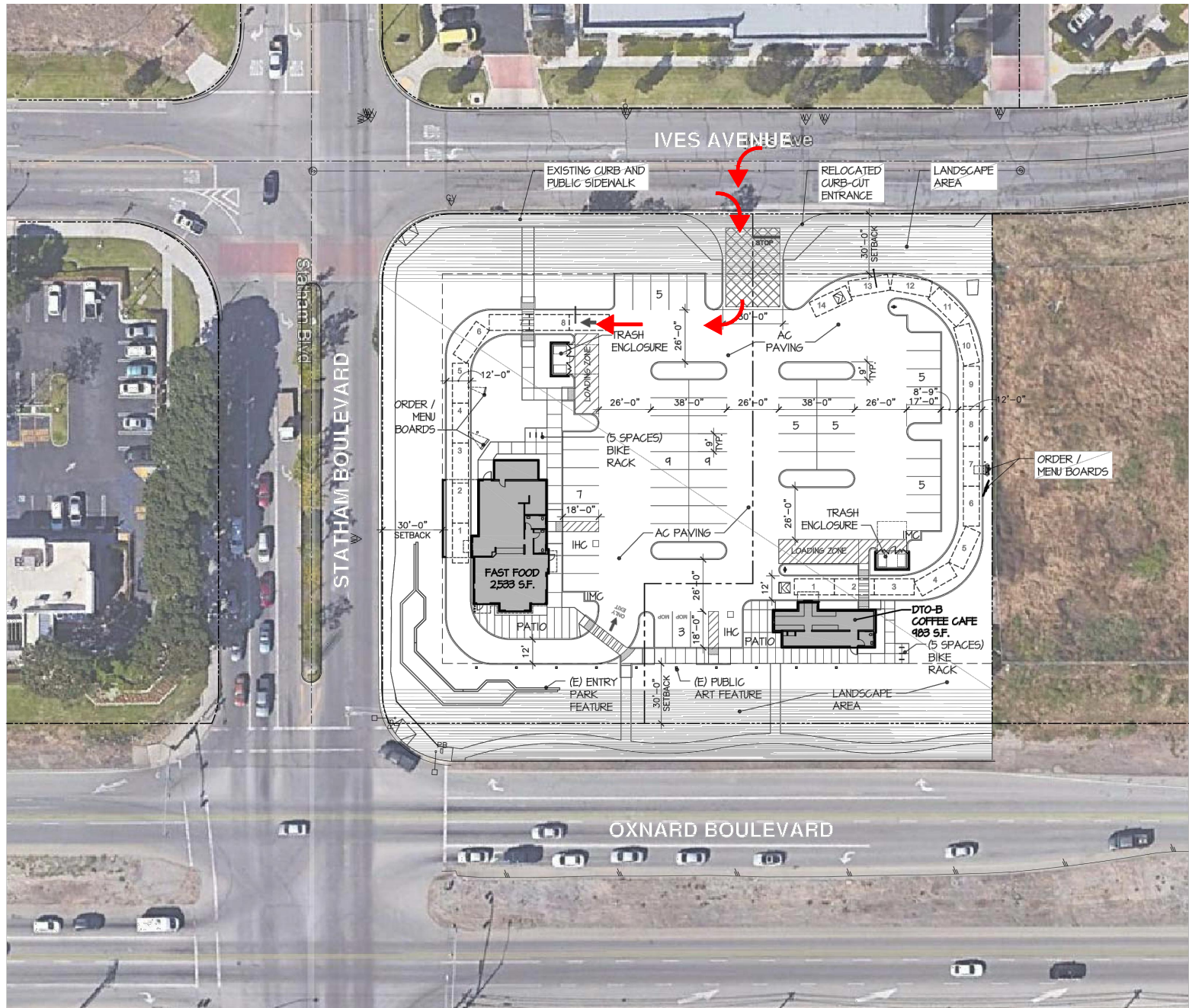


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PROJECT SITE PLAN

FIGURE 1

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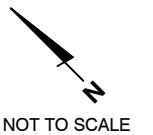
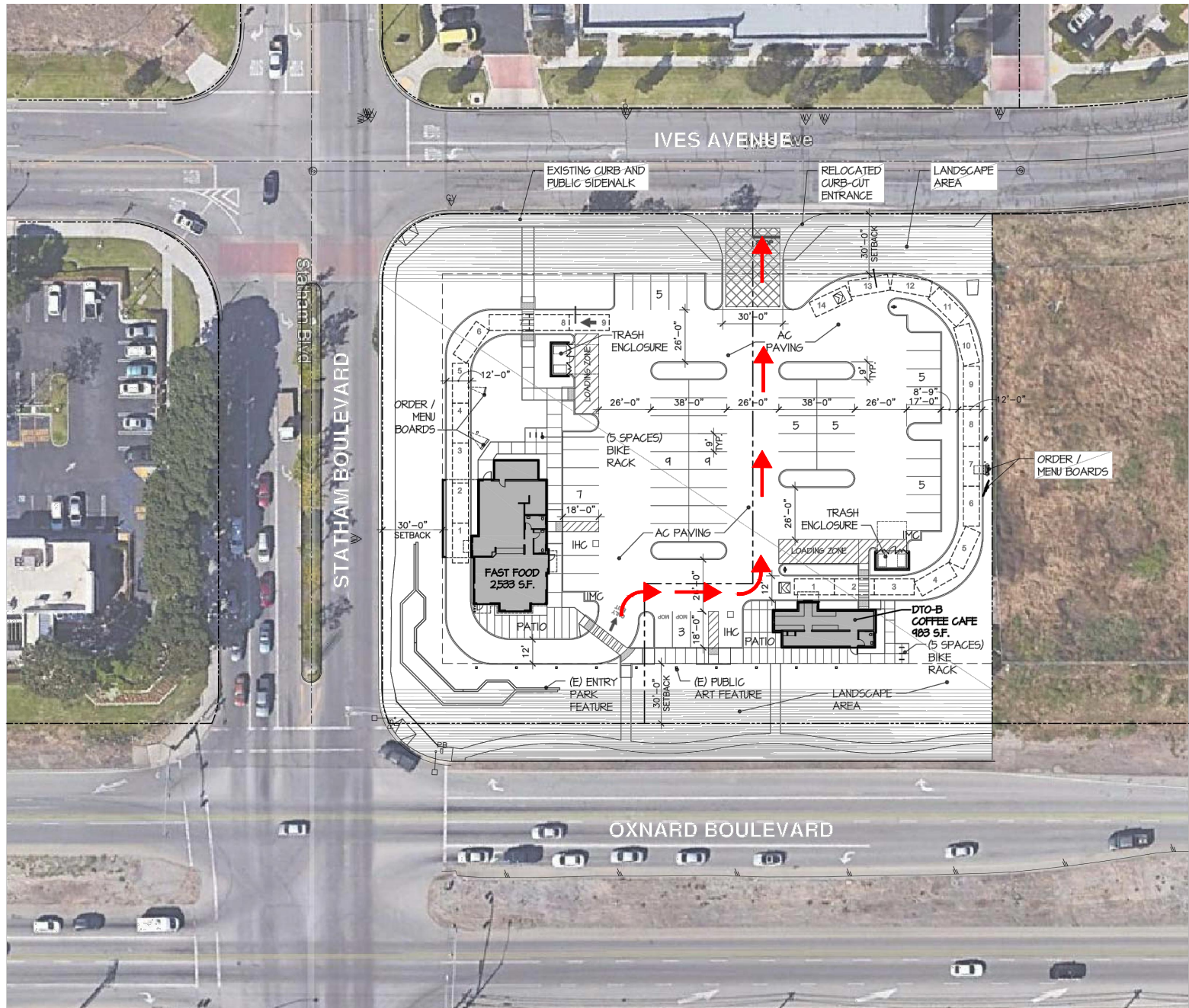
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INBOUND ACCESS ROUTE TO FAST FOOD RESTAURANT DRIVE THROUGH

FIGURE 2A

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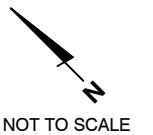
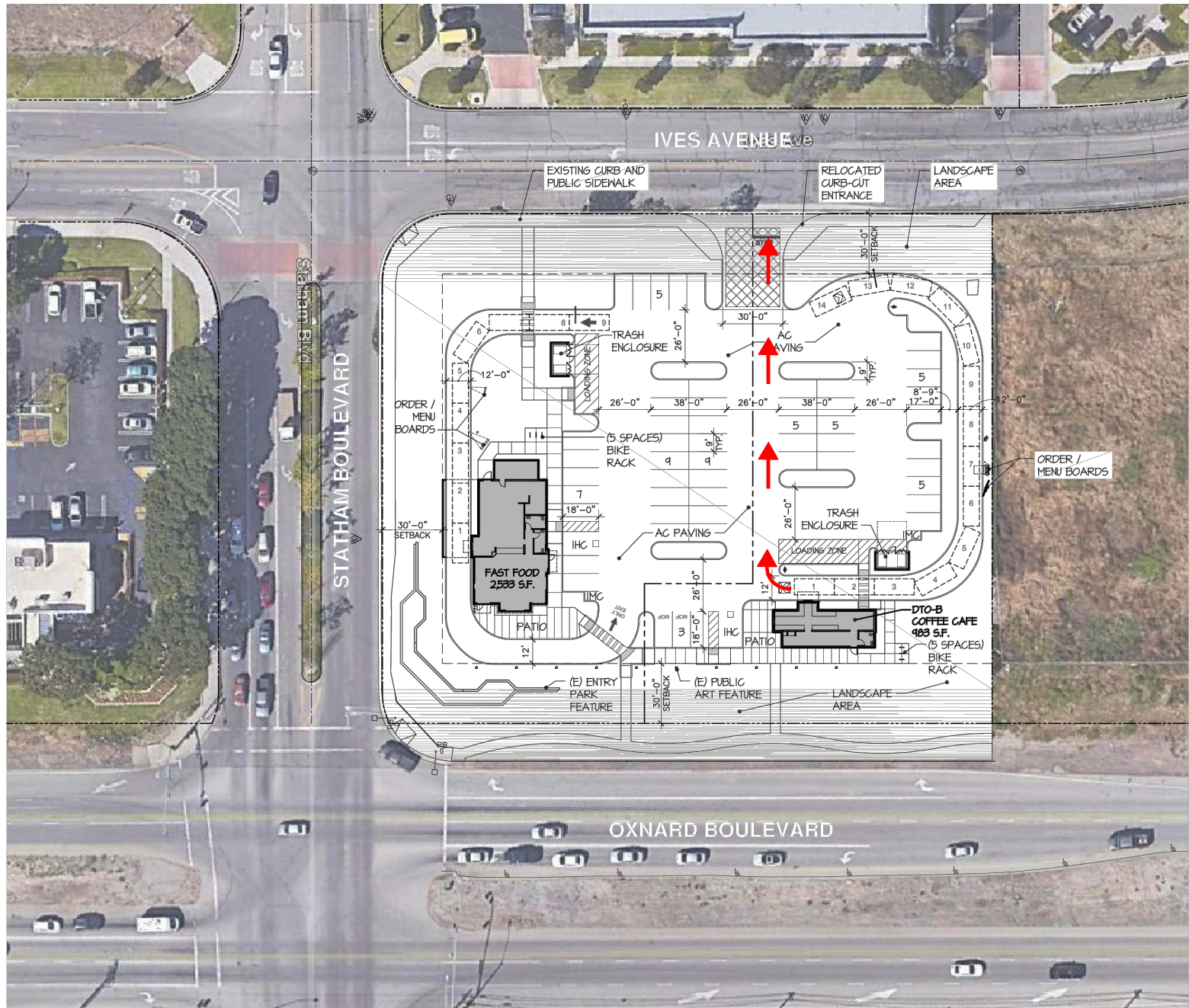


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OUTBOUND ACCESS ROUTE FROM FAST FOOD RESTAURANT DRIVE THROUGH

FIGURE 3A

JH - ATE#21031

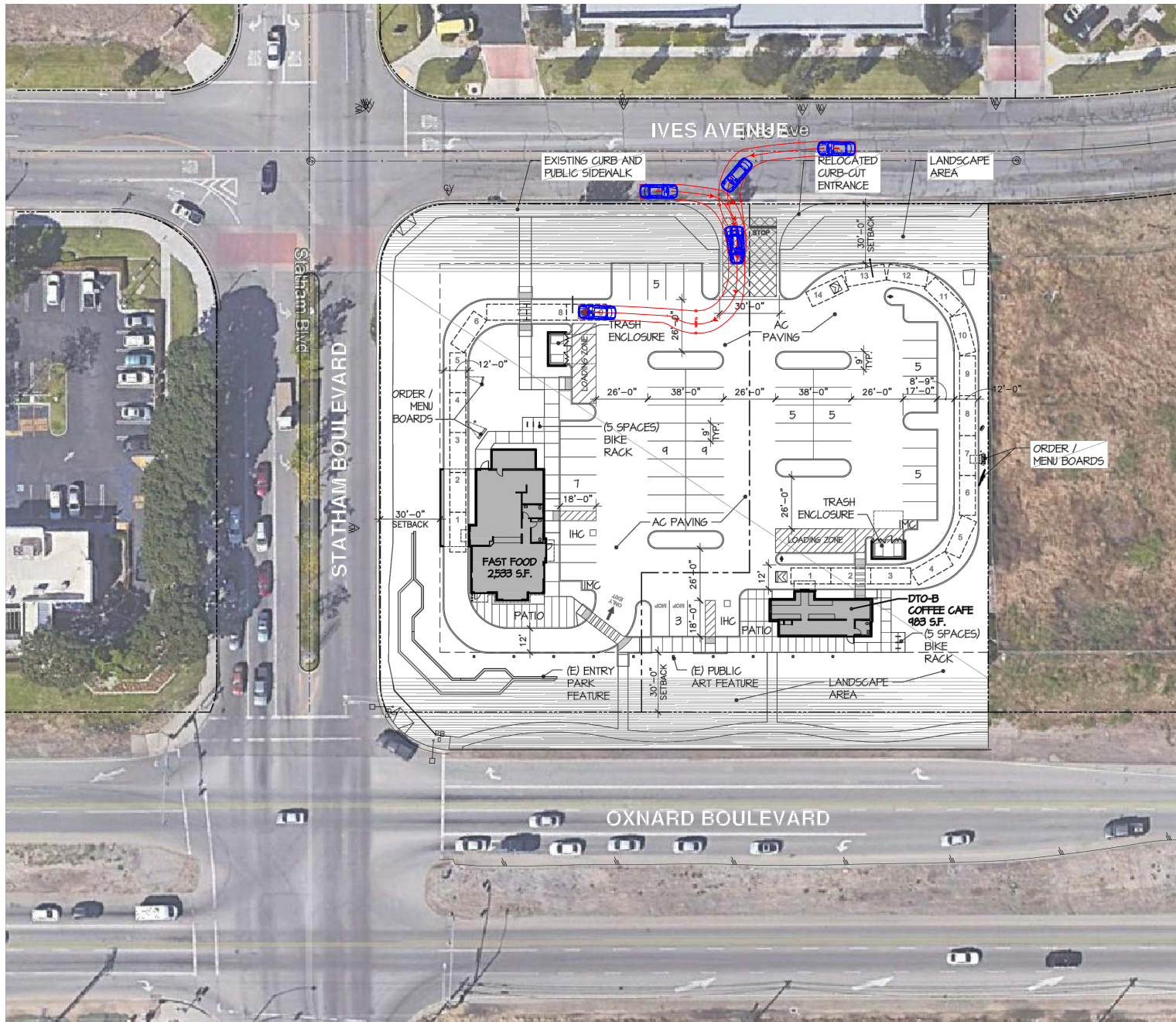


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OUTBOUND ACCESS ROUTE FROM COFFEE CAFE DRIVE THROUGH

FIGURE 3B

JH - ATE#21031

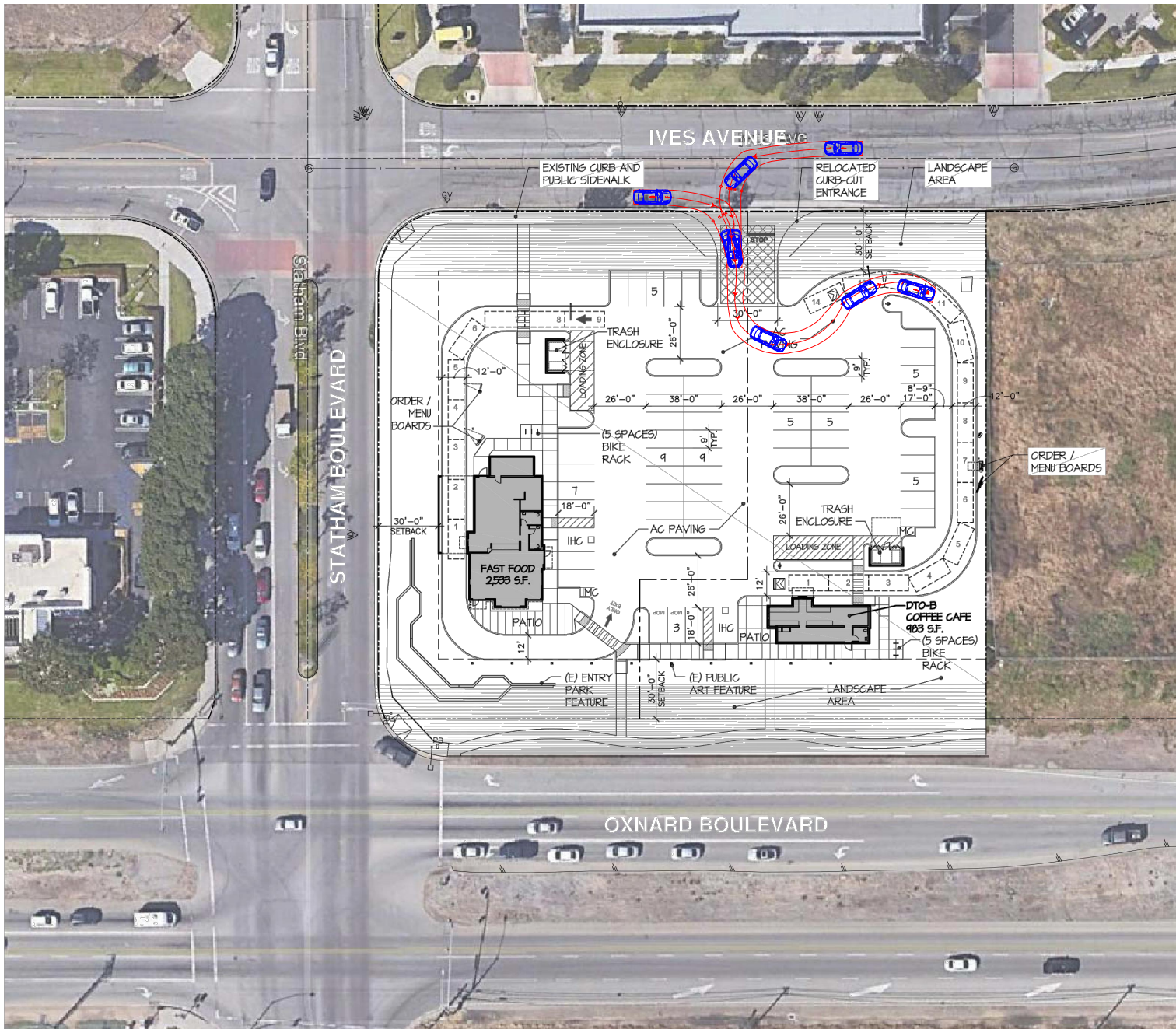


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INBOUND TURNING MOVEMENT TO FAST FOOD RESTAURANT DRIVE THROUGH

FIGURE 4A

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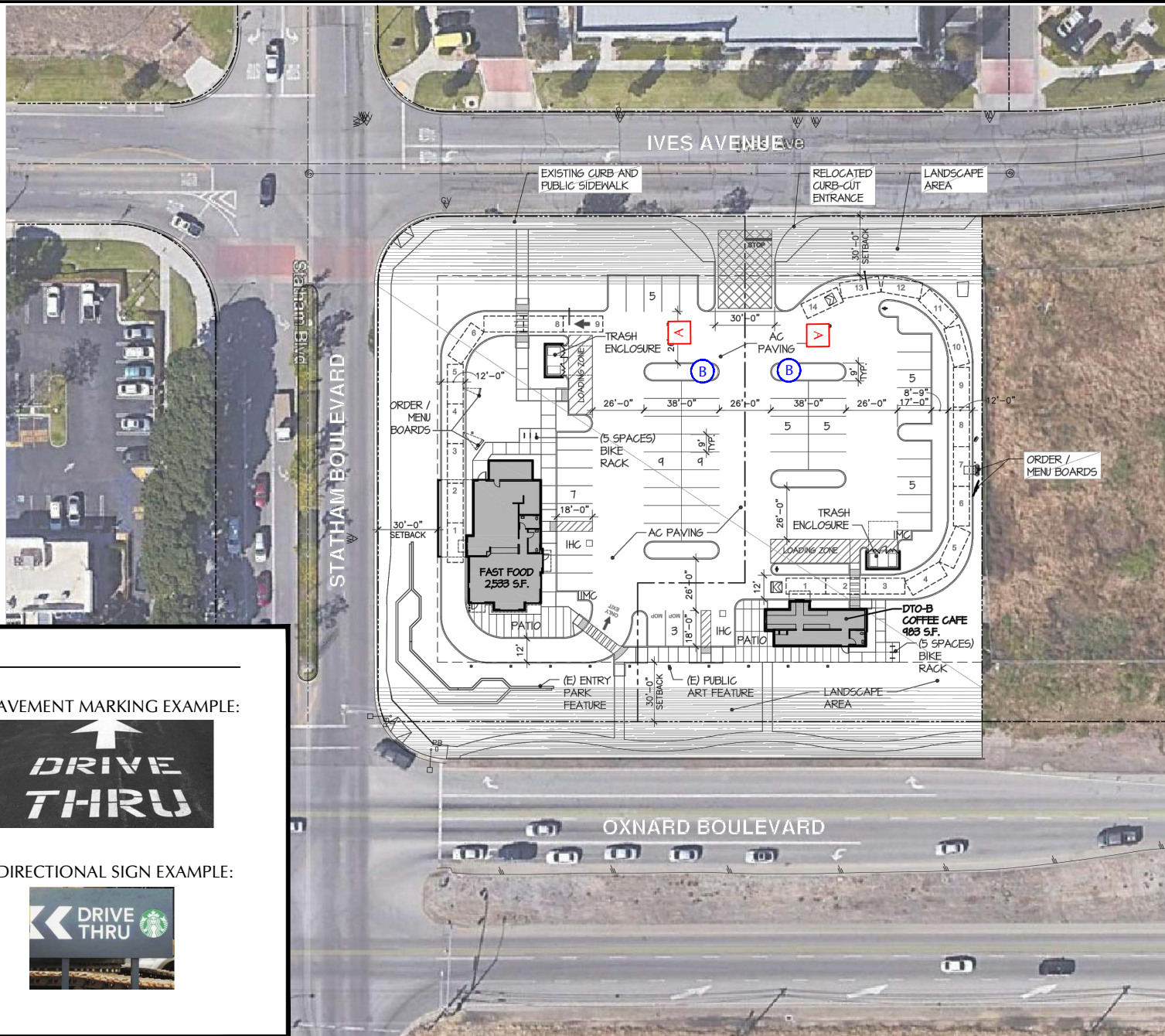


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INBOUND TURNING MOVEMENT TO COFFEE CAFE DRIVE THROUGH

FIGURE 4B

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LEGEND

A

- PAVEMENT MARKING EXAMPLE:



B

- DIRECTIONAL SIGN EXAMPLE:

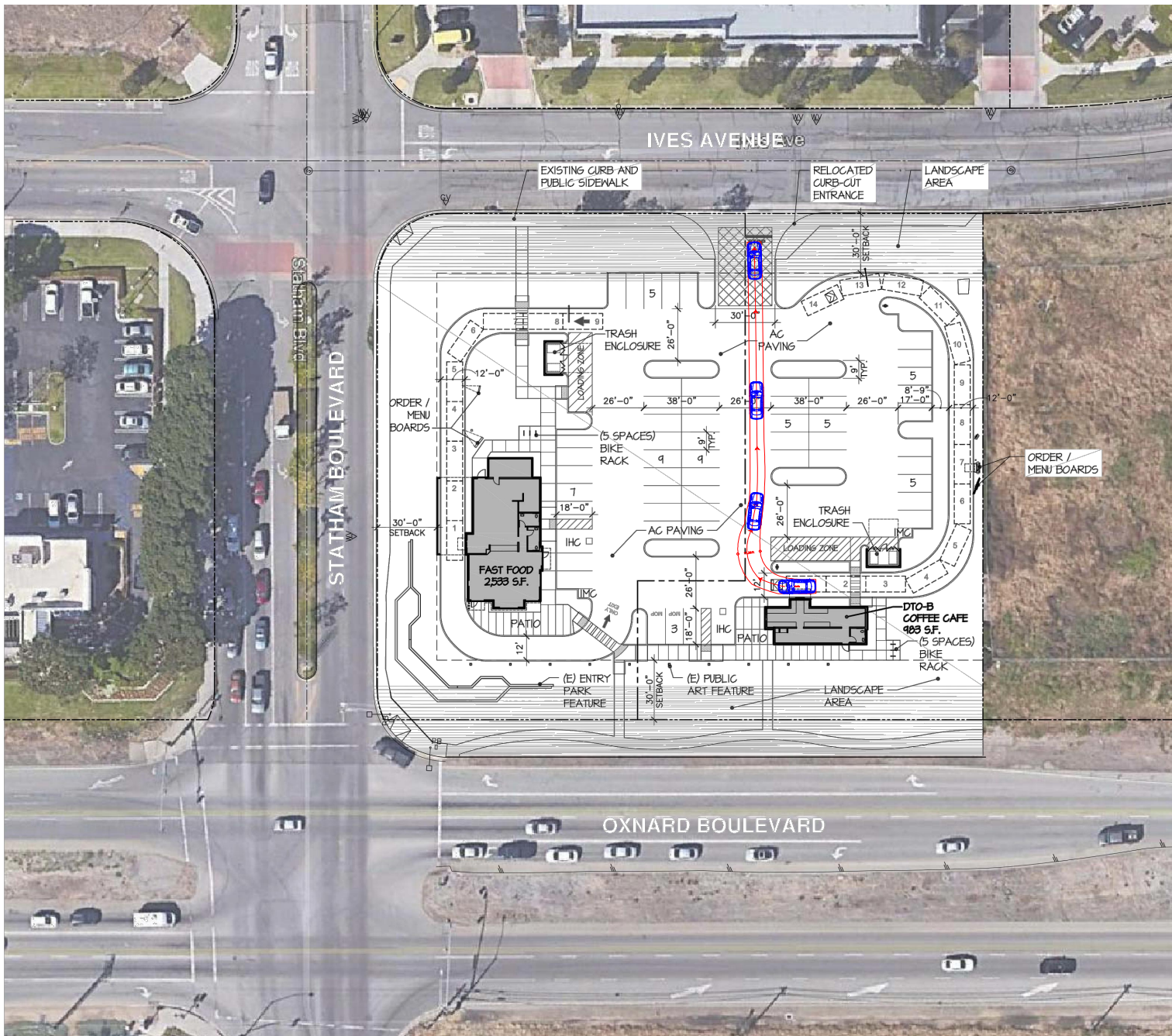


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PROPOSED PAVEMENT MARKINGS AND DIRECTIONAL SIGNS

FIGURE 5

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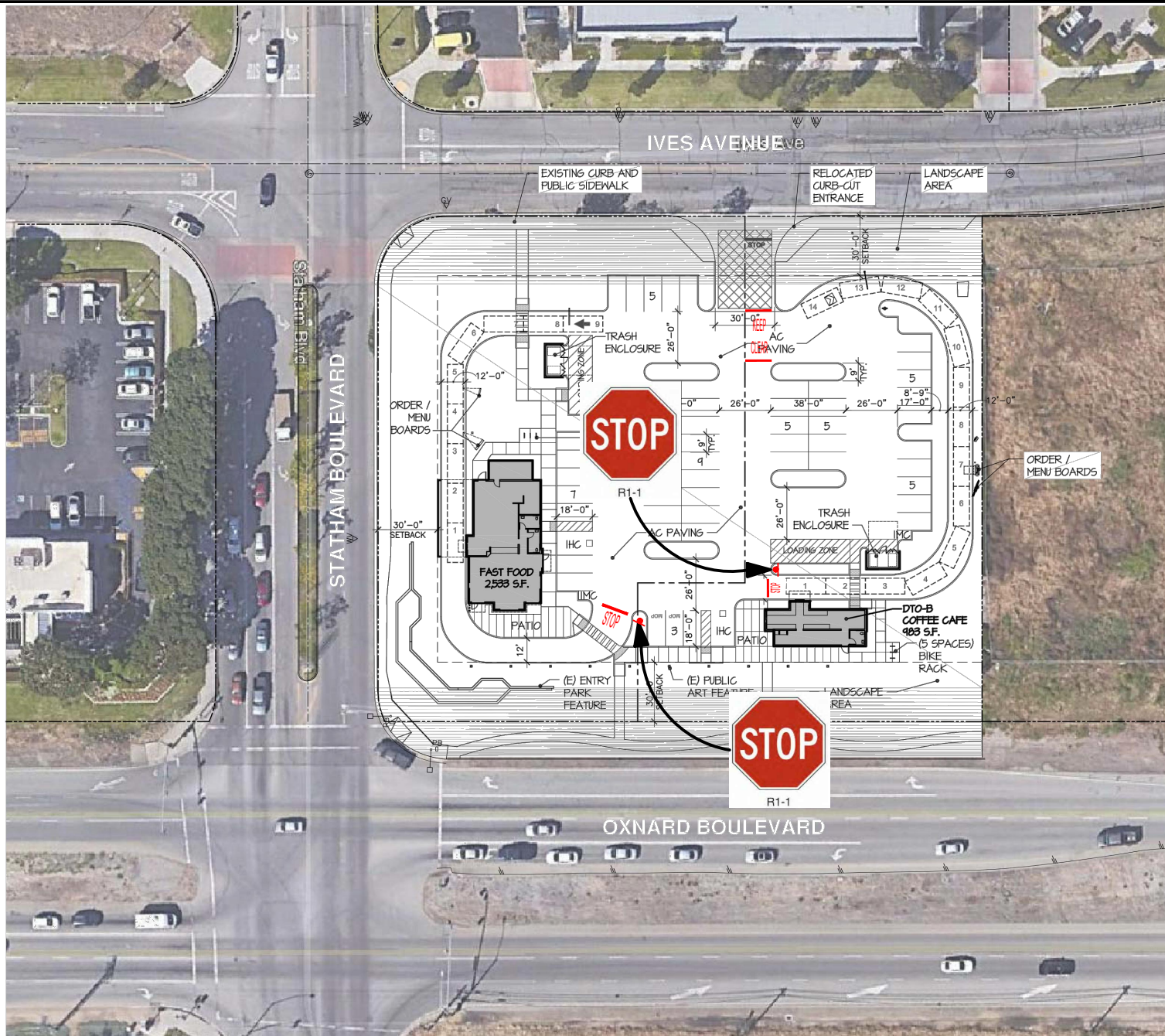
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OUTBOUND TURNING MOVEMENT FROM COFFEE CAFE DRIVE THROUGH

FIGURE 6A

JH - ATE#21031





NOT TO SCALE



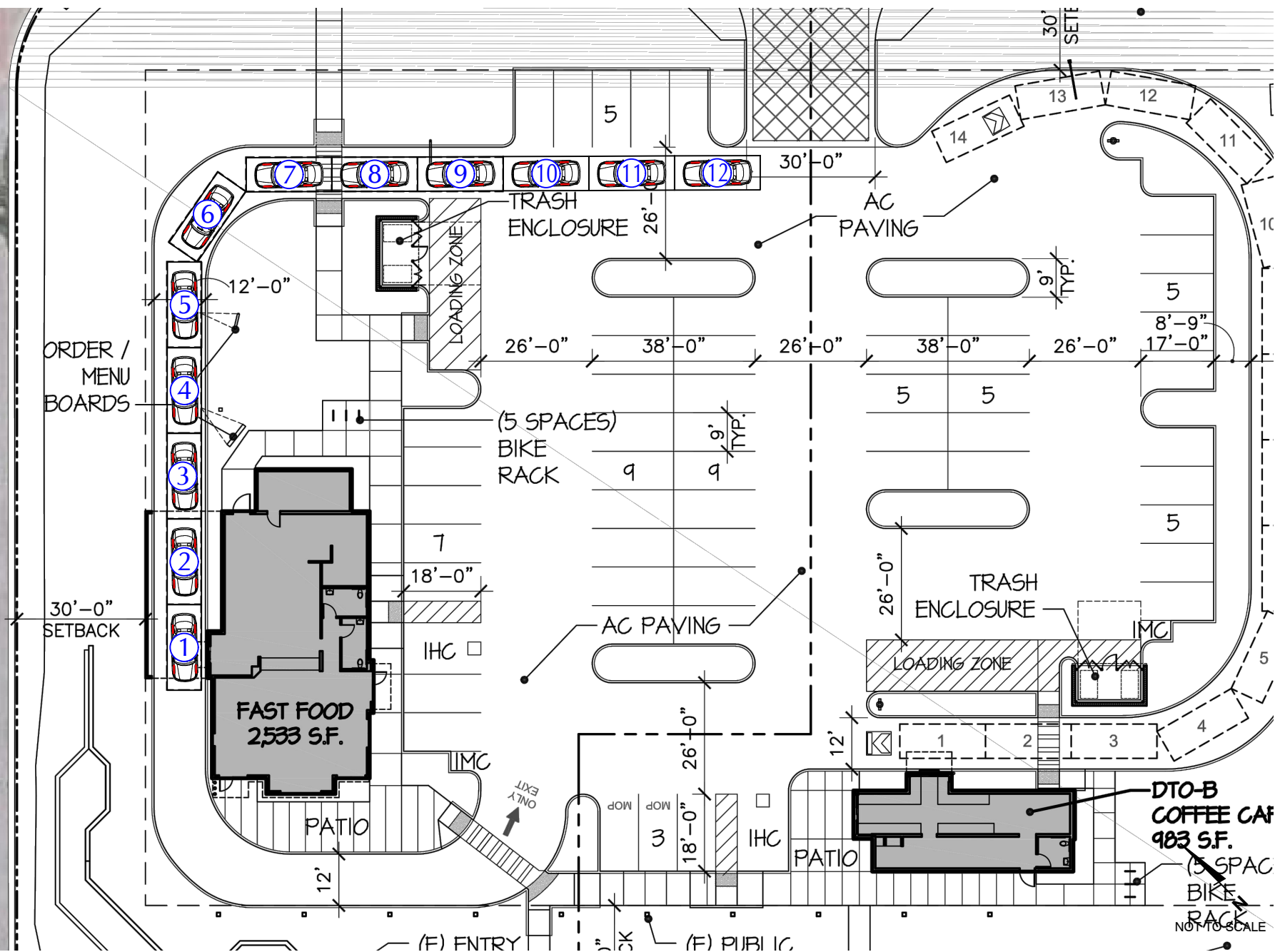
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STOP SIGN, STOP LEGEND, AND STOP BAR AT DRIVE-THRU EXIT
AND POTENTIAL KEEP CLEAR PAVEMENT MARKING

FIGURE 7

JH - ATE#21031

STATHAM BOULEVARD



RESOLUTION NO. 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING CITY COUNCIL APPROVE A TENTATIVE PARCEL MAP (PLANNING AND ZONING PERMIT NO. PZ 21-300-04) TO SUBDIVIDE A 1.78 ACRE SITE INTO TWO PARCELS (PARCEL 1 IS 0.99 ACRES, PARCEL 2 IS 0.79 ACRES) FOR A PROPERTY LOCATED AT 1600 IVES AVENUE, (APNS: 220-0-274-015, -025, -095) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY HASSAN AMIRSADEGHI, OF HABITAT PROPERTIES, 10717 WILSHIRE BOULEVARD, UNIT 607, LOS ANGELES, CALIFORNIA 90024, DESIGNATED AGENT, ON BEHALF OF PHILIPPINE CENTER OF VENTURA COUNTY, 1600 IVES AVENUE, OXNARD, CALIFORNIA 93030 (PROPERTY OWNER).

WHEREAS, the Philippine Center of Ventura County owns a 1.78 acre parcel located at 1600 Ives Avenue (APNs: 220-0-274-015, -025, -095); and

WHEREAS, Hassan Amirsadeghi (the “**Applicant**” and/or “**Permittee**”) on behalf of the Philippine Center of Ventura County filed an entitlement application with the City of Oxnard on August 12, 2021 for a Parcel Map (PZ No. 21-300-04); and

WHEREAS, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has conducted a duly noticed public hearing and considered the Applicant’s request to approve Tentative Parcel Map (Planning and Zoning Permit No. 21-300-04) to subdivision a 1.78 acre lot into two lots for the development of a 983 square-foot coffee house (Starbucks) with drive-through on a 0.79 acre lot, a 2,533 square-foot fast food restaurant with drive-through on a 0.99 acre site, and related site improvements in accordance with Chapter 15 of the Oxnard City Code; and

WHEREAS, said Parcel Map was referred to various public utility companies, City departments and the Development Advisory Committee for recommendations; and

WHEREAS, the Planning Commission finds the Tentative Parcel Map, together with the provisions for its design and improvement, conforms to the City’s 2030 General Plan and elements thereof; and

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit Nos. 21-500-06 (Special Use Permit) and 21-500-07 (Special Use Permit); 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 “Infill Development Projects” 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 General (CG) and a zoning designation of General Commercial, Planned Development (C-2-PD). The project site is currently developed within an existing events center, which contains an existing restaurant and events space. The project site is generally 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 events center contains a restaurant and event space. The existing building is generally 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 events center contains a restaurant and event space. The existing building 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 generally be surrounded on all sides by urban 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. The project site is located approximately 20 miles south of the nearest state scenic highway and does not include development which could result in damage to scenic resources within a highway designated as a state scenic highway. Thus, the proposed project will not result in damage to scenic resources within a highway designated as a state scenic resource.

- 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 has held a duly noticed public hearing and received and reviewed written and oral comments related to the Project; and

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the people who work, visit or live in this subdivision in particular.

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

SECTION 1. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project (subdivision of a lot and 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 located at 1600 Ives Avenue, subdivide the existing lot into two lots with development including construction of a 983 square-foot coffee shop with a drive-through with 14-vehicle capacity, on an 0.79 acre lot and related improvements including 31 shared parking spaces, sidewalks, patios and landscaping and infrastructure improvements and administrative parking relief for shared parking with the adjacent 0.99 acre lot with 41 parking spaces. 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 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 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission Staff Report and all attachments thereto, the Planning Commission finds:

Consistent with California Government Code Section 66474, a legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- (a) **That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.**

The project's commercial uses are consistent with the General Plan land use designation and zoning as discussed in great detail in Sections 6 (b), 6 (c), and 6 (e) and Section 7 of the Planning Commission Staff Report. The Project as designed and conditioned meets all applicable development standards. Therefore, the project is in conformance with the 2030 General Plan and the elements thereof and other adopted standards.

- (b) **That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.**

The design and improvements of the project will provide for development that furthers the intent of the General Plan to realize the potential of commercial improvements that increases commercial uses within the Channel Islands Business Center and is consistent with the 2030 General Plan, as discussed above in Finding 2a.

- (c) **That the site is not physically suitable for the type of development.**

The site is physically suitable for the proposed type of development because the site is relatively level and an environmental assessment of the site did not find any soil or geologic conditions that would make the site physically unsuitable for development. As the site is not subject to soil and/or geologic conditions indicating substrate instability, the site is suitable for the architectural design of the proposed development which is compatible with the character of the surrounding neighborhood

- (d) **That the site is not physically suitable for the proposed density of development.**

The site is physically suitable for the proposed density of development because it is located within a developed urban area and will be served by existing adequate public utilities. The C-2 zone does not have minimum parcel size or width requirements. The proposed development is designed and conditioned to meet all applicable development standards. Additionally, there are no identified physical constraints that would prohibit development of the proposed residential project.

- (e) **That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

The Project would not cause substantial environmental damage or substantially and

avoidably injure fish or wildlife or their habitat because no listed species are known or expected to occur at the project site and the project site is not considered to be conducive to important biological resources or their habitat. Additionally, the project site does not have any natural standing bodies of water, riparian habitat, or other sensitive natural communities. Federally protected wetland communities are not thought or known to exist on the site and the project site is not located within a Biological Resources Area which is known or thought to meet habitat needs for plants and animals or promote wildlife migration or movement.

(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The design of the subdivision or type of improvements is unlikely to cause serious public health problems as the Project includes development that is designed and conditioned to meet all applicable development standards. However, potentially hazardous materials such as fuels, lubricants, and solvents would be used during grading and construction of the proposed project, but their use and disposal would be subject to applicable standards and law so as to not create environmental or health issues. The design of the subdivision is not likely to cause serious public health problems because, as indicated by Finding 2.a above, it would utilize existing adequate public utilities, namely water and sewer.

(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

The design of the subdivision does not conflict with easements, acquired by the public-at-large, for access through or use of property within the subdivision because, as conditioned, no buildings would be located in the area of the existing public utilities easements, all blanket easements or other easement that are no longer needed by the City shall be abandoned, and there is no need for new or additional easement(s) for the public-at-large.

The Planning Commission of the City of Oxnard finds that the proposed division of land complies with requirements established by the Subdivision Map Act and this chapter, including but not limited to requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability and environmental protection.

SECTION 3. Based on the findings set forth herein, the Planning Commission hereby recommends the City Council approve Planning and Zoning Permit No. 21-300-04 for a Tentative Parcel Map, subject to the attached conditions of approval.

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

STANDARD CONDITIONS OF APPROVAL FOR LAND USE PERMITS

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated February 17, 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 Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
 4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5).
 5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. (CA, G-6)
 6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7).
 7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
 8. 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).

PLANNING DIVISION CONDITIONS

9. Before the City issues building permits, Developer shall include a reproduction of all conditions of this permit as adopted by resolution of the Planning Commission and/or the City Council in all sets of construction documents and specifications for the project. (PL, PL-3)

10. Approved tentative map for a Parcel Map shall expire thirty-six (36) months after its approval if a Certificate of Approval for the Parcel Map is not recorded with the Ventura County Recorder's Office. (PL)
11. All existing reciprocal access and parking agreements for the site with adjacent sites will remain in full force and effect and shall apply to Parcels A and B created by this Parcel Map. Said easements can only be vacated with the consent of all parties to include the City of Oxnard as the regulating authority. The easements cannot be vacated until alternatives are devised and approved by the City to accommodate parking and circulation on adjacent sites.
12. Prior to City's issuance of the Certificate of Approval for Parcel Map, Subdivider shall provide proof of recordation of a reciprocal access and parking agreement that is acceptable to the City Attorney's office for the proposed site affected by the newly created Parcels A & B. (PL)
13. Subdivider shall establish a property owner's association and the association shall be responsible for the maintenance of parking, landscaping, lighting and other common areas and facilities held in common by the association and for the enforcement of CC&Rs related to property maintenance.
14. Subdivider shall submit to Planning staff an application and exhibits required for the Certificate of Approval of Parcel Map. Planning staff shall prepare the Certificate of Approval for Parcel Map, and the Subdivider shall record the Certificate of Approval for Parcel Map with the Ventura County Recorder's Office. (PL)
15. These conditions of approval impose specific fees, dedications, reservations and/or other exactions. Pursuant to Government Code Section 66020, the 90-day period in which the Developer or applicant has to protest the imposed fees, dedications, reservations and/or other exactions has begun as of the date that the conditions of approval are approved.

DEVELOPMENT SERVICES DIVISION CONDITIONS

16. 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)
17. 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)

18. Developer agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Developer's expense, City and its agents, officers and employees from and against any claim, action or proceeding commenced within the time period provided for in Government Code Section 66499.37, to attack, review, set aside, void or annul the approval of this resolution or to determine the reasonableness, legality or validity of any condition attached thereto. City shall promptly notify Developer of any such claim, action or proceeding of which City receives notice, and City will cooperate fully with Developer in the defense thereof. Developer shall reimburse City for any court costs and attorney's fees that City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Developer of the obligations of this condition. Developer's acceptance of this resolution or commencement of construction or operations under this resolution shall be deemed to be acceptance of all conditions thereof. (DS-18)
19. 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)
20. Prior to approval of the final map or parcel map, Developer shall provide the City Engineer with written evidence from the Ventura County Clerk's Office that Developer has executed and filed with the Clerk all certificates, statements and securities required by Government Code Sections 66492 and 66493. (DS-26)
21. Prior to release of the final map or parcel map for recordation, Developer shall provide the City Engineer with a 100-scale base map for addressing purposes. The map shall be drawn on 18-inch by 24-inch mylar and shall show the standard address map title block, north arrow, street names, tract number, phase boundary and lot numbers. The City will assign all addresses. (DS-56)
22. Prior to release of the final map or parcel map for recordation, Developer shall post security satisfactory to the City Attorney guaranteeing that all survey monuments will be set as required by the Government Code and the City Code. (DS-57)
23. Developer shall process the Parcel Map PZ 21-300-04 associated with this permit concurrent with the site improvement plans for Planning and Zoning Permit Nos

21-500-06 and 21-500-07. The Parcel Map shall be processed for recordation concurrent with the approval of the PZs 21-500-06 and 21-500-07 site improvement plans. (DS)

24. The Parcel Map shall indicate the vacation of existing City easements that are determined by the City Engineer to no longer be necessary. The vacation(s) shall be processed under section 66445(j) of the Subdivision Map Act. If easement vacations are required to be processed separately from the Parcel Map, Developer shall be responsible for all costs associated with the vacation including, but not limited to, fees associated with the hearing(s), easement vacation document preparation, and review by the City. (DS)
25. Developer shall review and demonstrate to the City Engineer that the emergency access easement granted in favor of Pai Lu Tsai & Yu-Or Mu Tsai for Lot 40 of Tract 4065-1, recorded as Instrument No. 88-128954, is no longer needed for its intended use. Prior to the recording of the Parcel Map, Developer shall provide proof to the City Engineer that the existing emergency easement has been quitclaimed. (DS)
26. Developer shall provide to the City of Oxnard additional easement(s) for the sidewalk and curb ramp at the new driveway entry and the onsite water system. The new easements shall be shown on the Parcel Map, subject to review and approval by the City Engineer. (DS)
27. Developer shall identify the existing and proposed public drainage facilities along South Oxnard Boulevard and ensure that they stay within the public right of way. Alternatively, a drainage easement may be approved by the City Engineer if it is determined that no practical alternative exists. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of February 2022, by the following vote:

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 17th day of February 2022, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

*Resolution No. 2022-XX
PZ 21-300-04 (Parcel Map): Starbucks and Fast Food
Planning Commission Hearing Date: February 17, 2022
Page 12 of 12*

ABSTAIN: Commissioner(s):

Scott Kolwitz, Secretary

RESOLUTION NO. 2022 - **XX**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-500-06 (SPECIAL USE PERMIT) TO ALLOW FOR THE DEMOLITION OF THE EXISTING 8,868 SQUARE FOOT BUILDING AND THE CONSTRUCTION OF A 983 SQUARE-FOOT COFFEE SHOP WITH A DRIVE-THROUGH WITH A 14-VEHICLE CAPACITY ON A 0.79 ACRE LOT AND RELATED IMPROVEMENTS INCLUDING A TOTAL OF 72 SHARED PARKING SPACES WITH THE ADJACENT 0.99 ACRE LOT, SIDEWALKS, PATIOS, LANDSCAPING AND INFRASTRUCTURE IMPROVEMENTS , LOCATED AT 1600 IVES AVENUE (APNS: 220-0-274-015, -025, -095) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY HASSAN AMIRSADEGHI, OF HABITAT PROPERTIES, 10717 WILSHIRE BOULEVARD, UNIT 607, LOS ANGELES, CALIFORNIA 90024, DESIGNATED AGENT, ON BEHALF OF PHILIPPINE CENTER OF VENTURA COUNTY, 1600 IVES AVENUE, OXNARD, CALIFORNIA 93030 (PROPERTY OWNER).

WHEREAS, on August 12, 2021, Hassan Amirsadeghi (the “**Applicant**” and/or “**Permittee**”) submitted a request to approve Planning and Zoning Permit No. 21–500-06 (Special Use Permit) to permit the demolition of the existing 8,868 square-foot building and subdivision of an existing 1.78 acre lot into two lots with development including construction of a 983 square-foot coffee shop with a drive-through with 14-vehicle capacity on an 0.79 acre lot and related improvements including 31 parking spaces to be shared with the adjacent 0.99 acre property for a total of 72 shared parking spaces, sidewalks, patios and landscaping and infrastructure improvements and administrative parking relief for shared parking with the adjacent 0.99 acre lot with 41 parking spaces, located at 1600 Ives Avenue (APNs: 220-0-274-015, -025, -095) (the “**Project**”); and

WHEREAS, on February 17, 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, , in accordance with Sections 16-536 and 16-651 of the Oxnard City Code (OCC); and

WHEREAS, Sections 16-536 and 16-651 of the OCC authorize the Planning Commission to approve a Special Use Permit; 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 and 16-651 of the OCC; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 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 General (CG) and a zoning designation of General Commercial, Planned Development (C-2-PD). The project site is currently developed within an existing events center, which contains an existing restaurant and events space. The project site is generally 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 events center contains a restaurant and event space. The existing building is generally 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 events center contains a restaurant and event space. The existing building 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 generally be surrounded on all sides by urban 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. The project site is located approximately 20 miles south of the nearest state scenic highway and does not include development which could result in damage to scenic resources within a highway designated as a state scenic highway. Thus, the proposed project will not result in damage to scenic resources within a highway designated as a state scenic resource.

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

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

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

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

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

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

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

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

As described in the Staff Report, the existing events center building (1600 Ives Avenue) would be demolished to allow the construction of a coffee shop with a drive-through. The Project has a zoning designation of General Commercial, Planned Development (C-2-PD) 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 6) b, c, d, e, f, and g and Attachment F, the Project, as designed and conditioned, meets all applicable development standards. 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 “General Commercial, Planned Development” 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, limited manufacturing uses, and business research uses. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements, as conditioned, will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

3. The site that is subject to the Special Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532 (Conditions).

As described in the Staff Report, the project as designed and conditioned meets the development standards of the General Commercial (C-2) zone as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project has been designed to be consistent with the maximum building height, front, side and rear setbacks, and lot coverage. The project includes shared parking spaces with the adjacent lot. As detailed in the Staff report and attached parking study, the provided parking is

sufficient for the proposed coffee shop, 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 on the project site includes an events center building. The project site includes one existing driveway access from Ives Avenue that will be used for the proposed development. The driveway access currently provided would provide sufficient access to the site and would allow for adequate circulation around the site. The site has shared access and parking across both properties that will be created from the existing lot. 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 on the project site includes an events center building. The proposed project includes demolition of the existing building and the construction of the proposed coffee shop with a drive-through. 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 (subdivision of a lot and construction of commercial buildings) 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 located at 1600 Ives Avenue, subdivide the existing lot into two lots with development

including construction of a 983 square-foot coffee shop with a drive-through with 14-vehicle capacity, on an 0.79 acre lot and related improvements including 31 parking spaces to be shared with the adjacent 0.99 acre property for a total of 72 shared parking spaces, sidewalks, patios 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 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. This Resolution shall not become effective unless and until the City Council approves Planning and Zoning Permit No. 21-300-04 (Tentative Parcel Map). If the City Council does not approve the Tentative Parcel Map for this project, then this Resolution shall become null and void and be of no further force and effect.

SECTION 4. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 21-500-06 (Special Use Permit), subject to the attached conditions of approval.

SECTION 5. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 6. 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 February 17, 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 the City Council approves the Tentative Parcel Map (PZ No. 21-300-04), 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 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 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. 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.
34. Design measures to avoid vehicle and pedestrian/bicycle conflicts shall be maintained. Direct pedestrian entry through the front of the building shall be maintained from streets and sidewalks to the building entrance. Well articulated pedestrian routes and zones shall be maintained on the site, linking building entrances and parking areas. Drive-through lanes should be maintained to minimize conflicts with pedestrian walkways, bicycle routes, and paths of travel. Drive-through lanes that obstruct a pedestrian pathway between parking areas or sidewalks and entries into the building shall maintain a pedestrian crossing that is delineated by landscaping, striping, curbing, and raised or decorative paving to separate pedestrian and vehicular access and circulation to the satisfaction of the Community Development Director.
35. The location of drive-through facilities in relation to the building, including the location of the pick-up windows, stacking lane, and vehicle access, shall be oriented in a manner such that headlight glare is not directed towards oncoming traffic on public streets, or is to

be screened with landscaping, berms, walls or other means to the satisfaction of the Community Development Director.

36. The drive-through may operate 24 hours per day but the speaker box shall be equipped with an automatic volume control. The design of the drive-up audio system shall control and minimize the volume of the system to comply with the City's Noise Regulations in order to control unnecessary, excessive and annoying noises which could be detrimental to the public health and welfare to the satisfaction of the Community Development Director.
37. Prior to the issuance of a Building Permit, the Applicant/Operator is to submit a draft Transportation Demand Management Plan (TDMP) that identifies how the internal circulation of the site shall be managed, back-ups are avoided, and conflicting turning movements are to be avoided with the introduction of the new drive-through use. The TDMP should describe solutions that are available through personnel, technology and/or temporary and permanent barriers. For instance, the Applicant may propose using roving staff with mobile ordering devices when the drive-through exceeds the designed capacity. Prior to the issuance of a Certificate of Occupancy, the Community Development and Public Works Departments shall approve the TDMP.
38. After implementation of the TDMP, and upon the determination of the Community Development or Public Works Departments that the TDMP created for the drive-through use is not functioning effectively, or upon any future modification or expansion, the TDMP shall be comprehensively re-evaluated by the Community Development and Public Works Departments. This TDMP re-evaluation work effort shall be accompanied by a filing fee determined by the Community Development Director and Public Works Director to address staff review time by Community Development and Public Works staff.
39. All dining establishments with cooking operations shall implement best management practices to minimize the potential release of food processing facility odors and smoke outside the building as could be detected at the property line. Such best practices could include changing operating practices, improving maintenance of cooking equipment, installing odor control equipment, and/or upgrading venting systems to control unnecessary, excessive and annoying odors or smoke which in the judgment of the City of Oxnard or the Ventura County Air Pollution Control District is determined to be a public nuisance or to be detrimental to the public health and welfare.
40. No alcohol use of any type is approved as a part of this action. A separate alcohol use request must receive a Special Use Permit approved by the City and Alcohol Beverage Control prior to inauguration of the use.
41. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb gutter or asphalt paving adjacent to property due to the construction of the Project, as directed by the City Inspector. (DS)
42. Developer shall construct a waste enclosure, with a roof and level concrete pad for the storage of the required containers out of view of the public street. Developer shall provide a concrete apron in front of the enclosure to facilitate proper servicing. Enclosure gates must be constructed to allow eight (8) feet of clear space to allow passage of the

City issued containers. (DS)

43. 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 APCD regularities regarding Asbestos (Rule 63.7).
44. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
45. 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.
46. 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)
47. 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.
48. 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)
49. 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 in compliance 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. The master sign program is to be reviewed and approved by the Director.
50. 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)
51. 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)

52. 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)
53. 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)
54. 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)
55. 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)
56. 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)
57. 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)
58. 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).
59. 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)
60. 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)

61. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
62. 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)
63. 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)
64. 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).
65. 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)
66. 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)
67. 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)
68. 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)
69. Pursuant to the City Zoning Code Section 16-140, the proposed order board and other related structures shall be located no less than 5 feet from the side property line.

70. Pursuant to the City Zoning Code Section 7-185 (Exterior Sound Standards), the order boards or other project related items shall not exceed the maximum allowable exterior noise levels for commercial (60 dBA) areas, pursuant to OCC Section 7-185.
71. Pursuant to the Channel Islands Business Center development plan condition no. 12, the loading entry on the south side of the building shall be screened by a solid wall and landscaping from any roadway or residential area, and the wall or fence shall not be less than eight feet in height.
72. The reciprocal shared parking and access agreement between the adjacent properties requires that a written agreement in the form on file with the city clerk shall be executed by all landowners and tenants affected by the agreement. The agreement shall specify that the city is a third-party beneficiary to the agreement and shall state that the user agrees to vacate the use within 12 months if a landowner or tenant should amend or terminate the agreement so that the user no longer has sufficient parking to satisfy the parking requirements in effect at the time the agreement was accepted by the city.

GOLD COAST TRANSIT CONDITIONS

73. Developer shall construct 100' of curb, gutter, and 8' wide sidewalk along westbound Oxnard Boulevard, beginning at the end of the existing curb return west of the intersection with Statham Boulevard. The final design is subject to the review and approval of the City Traffic Engineer in coordination with the Gold Coast Transit District.

POLICE DEPARTMENT CONDITIONS

74. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii. Luminaires with a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque top to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To

prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

75. 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.
76. All exterior lighting shall operate from dusk to dawn.
77. All exterior LED lighting shall be of a similar nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
78. 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.
79. An integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. Luminaires used in the photometric calculations shall only include those instruments mounted 8-feet or more above walking/driving surface. This plan shall be submitted and approved prior to the issuance of building permits.
80. Drive through aisles may be illuminated between 7 and 20 foot-candles with a gradual drop off transition to adjacent parking/walking areas having illumination of 4 to 7 foot-candles.

Security Camera Systems – Businesses

81. Security cameras shall be installed and operated 24 hours a day to monitor the business. The camera system shall comply with 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.

- j) A security camera plan shall be submitted and approved prior to the issuance of building permits. The plan shall be included in the Security Plan and submitted in pdf format to specialprojects@oxnardpd.org
- k) All on-site control equipment for the security camera system shall be contained in a secure cabinet or closet or the system may be cloud based.

Alarms

- 82. 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.

Safe

- 83. A safe shall be secured in the floor or wall to store operating cash. Cash shall not be stored in the point of sale drawers during the hours the business is closed.

Signs

- 84. 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)

Security Plan

- 85. A security plan shall be submitted to and approved by the Police Department prior to the issuance of building permits. The submission shall be made in a PDF format and the specific requirements shall be included in the Security Plan Requirements which will be made available upon request.

DEVELOPMENT SERVICES DIVISION CONDITIONS

- 86. 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)
- 87. 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)
- 88. Developer shall have the site improvement plans prepared using standard Building and Engineering Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City

Engineer and ink-on-mylar plans filed with the Building and Engineering Division.
(DS-3)

89. 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)
90. Developer shall protect building pads from inundation during a 1% chance (100 year) storm. (DS-5)
91. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
92. 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)
93. 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)
94. Developer's site improvement plans shall include an on site sewer plan. (DS-10)
95. 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)
96. 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)
97. 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)
98. 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)

99. Prior to issuance of a site improvement permit, Developer shall provide to the Building and Engineering Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
100. 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)
101. 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)
102. 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)
103. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)
104. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
105. 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)
106. "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)

107. 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)
108. 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)
109. 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)
110. 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)
111. 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)
112. 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)
113. 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)
114. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
115. 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)

116. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
117. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross connection control. (DS-59)
118. 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)
119. 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)
120. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
121. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
122. 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)
123. 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)
124. 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)
125. 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)

126. Using forms provided by the Building and Engineering Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the City Engineer approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)
127. 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)
128. Developer's engineer shall submit written confirmation that the project landscape drawings comply with the landscape requirements of the Technical Guidance Manual for Stormwater Quality Control Measures for all landscape based stormwater quality best management practices. (DS-84)
129. 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)
130. 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 stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS-88)

131. 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 owner. (DS-102)
132. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and drainage agreement with the adjacent property owner. (DS-104)
133. 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 Building and Engineering Division prior to issuance of a building permit. (DS-105)
134. Developer shall process the Parcel Map PZ 21-300-04 concurrent with the site improvement plans for this project. The Parcel Map shall be processed for recordation concurrent with the approval of the site improvement plans for this project. (DS)
135. The site improvements for the Starbucks Project (PZ 21-500-06) and the Fast Food Restaurant Project (PZ 21-500-07) shall be approved, constructed, and be completed concurrently. (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, stormwater quality treatment, access, and shared parking between the Starbucks Project (PZ 21-500-06) and the Fast Food Restaurant Project (PZ 21-500-07). The agreement or CC&Rs shall clearly outline the responsible parties, funding, and maintenance requirements of all shared facilities. The agreement or CC&Rs shall clearly indicate the maintenance of the shared utilities and stormwater treatment facilities is jointly and severally the responsibility of all property owners subject to the agreement or CC&Rs. The shared access and facilities which the two projects depend on shall not be altered without the written approval of the City of Oxnard and the affected property owners. (DS)
137. 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)
138. At the direction of the City Engineer, Developer shall remove portions of the onsite city-owned water system, including fire hydrants, that will no longer be needed to serve the project. Developer shall deliver the removed fire hydrant(s) and/or water meters to the City Water Yard if so directed by the City Engineer. Developer shall update the existing water system with a loop system with a connection to Statham Boulevard and the other on Ives Avenue. 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)

139. Designated ADA and Electric Vehicle (EV) parking stalls shall be 19-feet deep or 18-feet with a 1-foot overhang. 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 to allow the cars to overhang by 2 feet. The sidewalk affected shall maintain a 5-foot unobstructed sidewalk when affected by either the 1-foot or 2-foot overhang. (DS)
140. Developer shall construct a minimum 7 foot wide sidewalk at all locations where the sidewalk is located at the front of vehicle parking spaces to accommodate for 2 feet of vehicular overhang. Sidewalks in all other locations shall be a minimum of 5 foot wide unless otherwise approved by the City Engineer. (DS)
141. Developer shall pave all motorcycle parking spaces of concrete in conformance with City Code. (DS)
142. This project site's stormwater discharge flow rates shall conform to the approved design parameters established for Tract 4065-1. Developer shall demonstrate that the existing detention/retention facility constructed for the Tract still provides adequate volume and already accounted for this project's impervious area and drainage pattern into the design. (DS)
143. Developer shall relocate and/or locate water, fire protection, and other utilities out of the vegetated swale that is designed to provide stormwater quality treatment. (DS)
144. Prior to site improvement/grading permit, Developer shall submit document(s) showing the ownership and maintenance records of the existing retention/detention facility located at the southwest corner of South Rose Avenue and Jones Way. Developer shall have the engineer inspect and verify that the system is functioning and performing as intended and list out any immediate maintenance required. Developer to address the identified maintenance as part of the site improvement/grading permit issuance. (DS)
145. Developer shall design the project drainage improvements for the project frontage along South Oxnard Boulevard to match the original design intent of DWG 1989-006A, subject to review and approval of the City Engineer. Drainage improvements shall include but are not limited to restoring the swale and existing drainage pipelines to ensure that they will function as intended. Developer shall grant the City of Oxnard a drainage easement if determined necessary by the City Engineer to ensure that the public drainage facilities stay within the public right of way or easement. (DS)
146. Developer shall include a drainage collection structure to convey the runoff from the proposed South Oxnard Boulevard street widening improvements to safely discharge runoff into the swale, subject to review and approval of the City Engineer. (DS)
147. Developer shall construct a 5 foot wide meandering sidewalk along Oxnard Boulevard, unless a different configuration is directed by the City Engineer. (DS)
148. Developer shall abandon all existing sewer, water, and storm drain laterals to the project site that aren't used by the project. (DS)

149. Developer shall submit a sewer study with sizing calculations meeting City standards demonstrating that the public sewer system is adequate to serve the project. Developer shall upgrade/replace all downstream improvements determined to be inadequate as required by the City Engineer. (DS)
150. Developer shall construct a trash enclosure (to store three bins minimum) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall provide a traffic rated drainage inlet within the enclosure to catch all enclosure wash water. This drain shall connect to the sanitary sewer system via a grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Building and Engineering Division. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)
151. Developer shall design the trash enclosure in substantial conformance with City standard plates for trash enclosures. The enclosure dimensions may be adjusted to accommodate additional bins but the design shall not require bins to be shuffled around when being serviced. An ADA path of travel shall connect the trash enclosure to the nearest sidewalk. (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. 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)
154. The hydrologic and hydraulic drainage report, including the stormwater quality, shall be prepare meeting the City standard format. (DS)
155. 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)

TRAFFIC DIVISION CONDITIONS

156. Developer shall widen South Oxnard Boulevard along the project frontage to accommodate the following improvements on the westbound direction; a) a 11-foot left turn lane, b) two 12-foot through lanes, c) a 6-foot wide Class II bike lane, d) a 12-foot right turn lane, and e) modify to the vehicle detection and traffic signal system as appropriate to accommodate the improvements. The widening improvements also include re-striping and signing and shall be completed prior to the issuance of occupancy for the project. Final design shall be approved by the City Traffic Engineer. (TR)

157. Developer shall re-stripe the westbound receiving lanes of South Oxnard Blvd. to accommodate two 12-foot through lanes and an 8-foot bike lane. (TR)
158. 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)
159. 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)
160. Developer shall retrofit existing High-Pressure Sodium Vapor (HPSV) street lights on both sides of Statham Boulevard and Ives Avenue along the project frontage with LED. LED specifications are subject to approval of the City Traffic Engineer. (TR)
161. Developer shall install LED street lights along Oxnard Blvd's project frontage. Final locations and specifications of the LED street lights shall be approved by the City Traffic Engineer. (TR)
162. Developer shall comply and implement the recommendations described in the Transportation Management Plan (TMP) prepared for the 1600 Ives Avenue Commercial project by Associated Transportation Engineers (ATE) dated August 27, 2021. (TR)

ENVIRONMENTAL RESOURCES DIVISION

163. 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.
164. 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.
165. 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.

166. 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.
167. 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.
168. 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.
169. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.
170. 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.
171. Waste enclosures must conform to the Material Management and Design Guidelines developed by the Environmental Resources Division. A copy of these guidelines are attached to this Resolution as Exhibit 1.
172. 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 CONDITIONS

173. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide, exclusive of shoulders. 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)

174. 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)
175. 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)
176. 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. The tests must be certified by a mechanical, civil, or fire protection engineer. 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)
177. 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)
178. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
179. At all times during construction, Developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for firefighting apparatus to all parts of the project property. (FD/DS, F-7)
180. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
181. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
182. The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, F-11)
183. 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)
184. Developer shall install in each structure in the project an 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 provides floor by floor water flow monitoring and allows the central station monitor to inform the Fire Department. (FD, F-13)
185. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F15)

186. 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)
187. 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.
188. Before the city issues a certificate of occupancy, the developer shall install Knox key vaults at a location to be determined by the Fire Department.
189. All overhangs over 4 feet in width are required to be sprinklered.
190. Verify height of parapet. Not to be over 40 inches.
191. Each Building shall be equipped with a Fire Department Connection (FDC) adjacent to the nearest fire hydrant, within 50-feet and on the same side of the drive aisle. FDC shall not be allowed to be attached to the proposed building.
192. Provide two separate sprinkler backflow devices, one for each building located no further than 5 feet from the back of the public sidewalk.
193. Provide a looped hydrant line.
194. Provide a hydrant within 150-feet of all portions of the building exterior walls. Provide a plan with hydrants located and 150-foot radius circles at their center to demonstrate coverage.
195. Existing backflows and FDC shall be removed if they are not intended to be utilized by the proposed buildings/project.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of February 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 17th day of February 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

Exhibit 1: Environmental Resources Division - Material Management and Design Guidelines

Solid Waste Collection Service for Residential and Commercial Entities

—Material Management & Enclosure Design Guidelines



Environmental Resources Division
Del Norte Recycling & Transfer Station
111 S Del Norte Blvd, Oxnard, CA 93030

(805) 385-8060
recycle@oxnard.org



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General

The Solid Waste Collection Service for Residential and Commercial Entities – Material Management & Enclosure Design Guidelines were developed to assist the City of Oxnard, residents, commercial entities, organizations and industries develop comprehensive waste management systems that adhere to local and state requirements, regulations and laws. All new construction as well as significant additions or remodels to existing buildings, must meet the requirements laid out in this document.

California state law mandates that 50% of materials, at a minimum, be diverted from landfill disposal and a new goal of 75% diversion has been set as a statewide goal (AB 939 and AB 341). Multi-family properties that have five (5) or more units and commercial entities that generate four (4) or more cubic yards per week, are required to have on site recycling and organics diversion (AB 341, AB 1826 and SB 1383). It is important to understand the impacts these laws have on both the construction and the long-term use of projects, and this guide helps define the best methods to comply with these mandates.

There are also construction and design considerations to ensure that the structure meets state and local regulations (building, environmental, fire, stormwater, etc.) and other standards. Information supplied in this document will help ensure that projects are designed to meet those requirements.

The document is divided into sections that have specific focus on the type of construction/development being proposed. For example, if a single-family residential community is planned, that specific section can be referenced, with related appendices as appropriate, to determine appropriate items to incorporate into the design.

To demonstrate compliance with requirements set forth in these guidelines, a **Waste Enclosure/Management Plan** is required. The Waste Enclosure/Management Plan will detail the anticipated waste generation; waste management methods; size, number and placement of waste enclosures (if appropriate), the proposed service path of travel for waste collection vehicles; and other relevant details.

Definitions

The following terms are further defined to provide clarity as to their relevance to the topics covered and to identify their source, if applicable. Definitions are determined by the Environmental Resources Division for the purposes of this document and related programs, etc.

AB 341 – a state law that set a new statewide diversion goal of 75 percent by 2020 and requires that any organization generating four (4) or more cubic yards of waste a week, or multi-family residences of five (5) or more units, engage in recycling services (effective July 1, 2012).

AB 827 – a state law that requires a business subject to either AB 341 or AB 1826, and that provides customers access to the business, to provide customers with a recycling bin or container for that waste stream that is visible, easily accessible, adjacent to each bin or container for trash other than that recyclable waste stream, except in restrooms, and clearly marked with educational signage, as specified. Full-service restaurants, as defined, are exempted from its requirements, as specified (effective July 1, 2020).

AB 939 – a state law that requires that each jurisdiction in California establish programs to reduce, recycle or otherwise annually divert 50 percent of material from landfill disposal by 2000.

AB 1327 – a state law that requires commercial or multifamily developments of 5 units or more to include adequate, accessible and convenient areas for collecting and loading recyclable materials.

AB 1826 – a state law that requires that any organization generating two (2) or more cubic yards of waste on a weekly basis, or multi-family residences of five (5) or more units, to engage in organic recycling services (effective April 1, 2016).

C & D Waste Diversion Plan – documentation required for qualified projects that details the types, quantities and disposition methods of waste materials during the demolition and construction phases. Per the CalGreen building code standards, a minimum of 65% of material must be diverted from landfill disposal.

C & D Waste Diversion Report – documentation required to substantiate efforts to divert materials during the demolition and construction phases of a project as defined in the related **C & D Waste Diversion Plan**. Per the CalGreen building code standards, a minimum of 65% of material must be diverted from landfill disposal.

CalGreen – the portion of the California Building Standard Codes that establish mandatory green building standards. It is administered by the California Building Standards Commission.

CalRecycle – the California Department of Resources Recycling and Recovery (calrecycle.ca.gov). CalRecycle is the body responsible for solid waste management, including enforcement of non-compliance with applicable law, at the state level.

City – the City of Oxnard, including the area within the territorial 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.

Commercial Entity – any hotel, motor court, restaurant, office, store, warehouse, factory, hospital, assisted living facility, church and any other premises used for functions other than as a single-family dwelling. Other interchangeable terms for Commercial Entity are Business and Organization.

Construction & Demolition Debris – materials generated in the construction or deconstruction of a building. Materials generated as a result of these activities typically include: asphalt, brick, concrete, drywall, cardboard, wood, doors, windows, fixtures, and residual trash; may also be abbreviated as C & D.

Container – a watertight metal or plastic device designed and used to hold recyclable materials, food scraps, yard waste, organic materials, trash or cooking oil/grease prior to collection. Containers can include plastic wheeled carts with lids, bins, roll-offs, compactors and tanks.

Contamination – the inclusion of materials into a container other than that for which the container is intended. For example, placing plastic bottles or metal cans in a container labeled to collect food waste would be considered contamination. These materials would need to be removed prior to processing the food waste for composting.

Convenient Recycling Area – the placement of an area that is accessible and equivalent in size to those areas designated for trash disposal. Provision of a convenient recycling area is specifically referenced in AB 827 and AB 1327.

Diversion – the disposition of materials other than in a landfill or incinerator. Diversion is typically accomplished by reusing, recycling or composting materials originally destined for disposal.

Enclosure – a structure designed to store containers for the collection of recyclable material, organics and trash. Enclosures will have an access door for users and at least one or more gates for access by service vehicles.

EPA – the Environmental Protection Agency of the United States.

Food-Soiled Paper – paper that is soiled with liquid or solid food waste. Some types of food-soiled paper--particularly items that are uncoated--are compostable and may be managed in the same way as food waste and other organic waste, providing there are facilities nearby which will accept them. Examples of food-soiled paper that are typically mixed in with food waste include products such as napkins and tissues, paper plates and cups, to-go containers, food-service wrappers, pizza boxes, and cardboard produce boxes.

Food Waste – a type of organic material generated through the preparation or consumption of food. It includes solid, semisolid, and liquid food, such as, fruit, vegetables, cheese, meat, bones, poultry, seafood, bread, rice, pasta, and oils; coffee grounds and filters and tea bags; cut flowers and herbs; and any putrescible matter produced from human or animal food production, preparation, and consumption activities. Food waste includes food-soiled paper.

Green Waste – grass cuttings, tree trimmings, leaves, branches and other similar material. It may also be referred to as “Yard Waste” or “Yard Trimmings”.

Hazardous Waste – waste with properties that make it potentially dangerous or harmful to human health or the environment. Hazardous wastes can be liquids, solids, or contained gases. They can be the by-products of manufacturing processes, discarded used materials, or discarded unused commercial products, such as cleaning fluids (solvents) or pesticides.

Liquid Waste – any waste material that passes through a 0.45 micron filter at a pressure differential of 75 psi per the EPA’s definition of a liquid. Liquid waste may not be disposed of in any solid waste container or solid waste facility.

Multi-Family – for the purposes of these guidelines, refers to dwellings in a single complex or group of buildings that share common management, etc. The number of units in a complex/group will trigger certain state diversion requirements.

Occupancy Plan – an official City of Oxnard form, to be completed prior to receiving a certificate of occupancy, that details how recycling and organic materials will be managed to meet statutory requirements; including a minimum of 50% diversion of all materials from landfill disposal.

Organic Material – solid waste containing material originated from living organisms and their metabolic waste products including but not limited to food, green material, landscape and pruning waste, organic textiles, lumber, wood, paper products, manure, biosolids, digestate and sludges.

Recyclable Material – material which otherwise would be treated as solid waste but which through collection, sorting, and processing, may be returned as a feedstock for manufacturing to produce new or reconstituted products. The definition includes materials such as glass, plastic, newspaper, metals, junk mail, magazines, cardboard, boxboard (cereal and shoe boxes) and other similar materials.

SB 1383 – a state law that establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. It establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025 (effective January 1, 2020).

Soiled Paper – any uncoated paper product that has been soiled by food, water, or other naturally occurring material or process. It includes items like paper towels, tissue products, paper napkins, paper plates and cups, coffee filters, tea bags, waxed paper, butcher paper, paper take-out boxes and containers, greasy pizza boxes, paper bags and cardboard and wax-coated cardboard produce boxes. It does not include any paper products that have been contaminated by a hazardous waste or are coated so as not to allow proper composting or digestion in a controlled environment. Examples of items that do not qualify as soiled paper include polystyrene, plastic-backed paper, blueprints, diapers, cat litter, any paper containing plastics, aluminum foil, or foil-lined food wrap.

Solid Waste – any amount of discarded putrescible and non-putrescible solid and semi-solid wastes, including garbage, trash, refuse, rubbish, paper, glass, plastic, metal, ashes, industrial wastes, construction and demolition debris, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid wastes, and other non-hazardous discarded substances or materials. In technical terms, it is referred to as Municipal Solid Waste (MSW).

Waste Enclosure/Management Plan – a plan, submitted as part of site plans, drawings, etc. for consideration of new development/construction projects, that details the following: the types and volumes of waste expected to be generated by the occupant; the methodology used to determine the types/volumes; the number, type and location of waste collection containers, the dimensions of the exterior waste enclosure (if applicable); the path of travel for waste collection vehicles; and other items. See the **Waste Enclosure/Management Plan** section for more information.

Yard Trimmings – grass cuttings, tree trimmings, leaves, branches and other similar green waste material.

Construction & Demolition Material Management

The California Integrated Waste Management Act of 1989 (AB 939) requires that local governments ensure that solid wastes are diverted from disposal. In addition, the current CalGreen building standards mandate that 65% of construction and demolition materials be reused, recycled, composted or otherwise diverted from landfill disposal.

In order to be in compliance with these mandates, a **Waste Diversion Plan** and a **Waste Diversion Report** are required to be completed for all qualified projects. In addition, at occupancy, an **Occupancy Plan** that details how recycling, organic and residual waste will be managed within the facility must be completed for all non-single-family dwellings.

C & D Waste Diversion Plan

A Waste Diversion Plan is necessary to receive a permit from the Building Department. This document specifies how materials are planned to be managed on site, and ultimately diverted from disposal. Users must specify the estimated quantity, handling methods, and planned recycling/disposal locations. The Waste Diversion Plan is located on the Environmental Resources website here: <https://www.oxnard.org/city-department/public-works/c-d-worksheets/>.

C & D Waste Diversion Report

A Waste Diversion Report is required to be submitted prior to receiving a certificate of occupancy. This document specifies how materials were actually managed from the project, as detailed in the Waste Diversion Plan, and must be accompanied by weight slips or alternative authentication denoting where the quantity of materials delivered to recycling/disposal locations. The Waste Diversion Report is located on the Environmental Resources website here: <https://www.oxnard.org/city-department/public-works/c-d-worksheets/>.

Occupancy Plan

An Occupancy Plan is required to be submitted for all multi-family and commercial projects (single-family dwelling projects do not need to submit an Occupancy Report). The Occupancy Plan details how the operational building(s) will comply with state laws regarding recycling and organics diversion, including: how collection containers will be situated in public areas, how occupants/tenants will be encouraged to participate in the diversion program, and how materials will be conveyed to an appropriate recycling facility. The Occupancy Plan is located on the Environmental Resources website here: <https://www.oxnard.org/city-department/public-works/c-d-worksheets/>.

Single-Family Residential Guidelines

Storage Requirements

Storage space for a minimum of three (3) wheeled curb carts is required. The three carts consist of one each for trash, recycling and green waste. ***Carts must not be in public view unless set out on the actual day of collection.*** The preferred storage method is for curb carts to be placed within a structure that hides them from public view and helps mitigate illegal dumping, scavenging and other illicit activity.

Residential curb carts are available in these standard dimensions by size:

Capacity	Height	Width	Depth
64 Gallon	3'6"	2'1"	2'10"
96 Gallon	3'8"	2'6"	3'0"

Placement at curb

In order for carts to be efficiently serviced, they should be placed along the curb with a minimum of two (2) feet between them and any other stationary object (vehicle, etc.). Carts must also not block driveways or be placed near intersections such that they would inhibit traffic.

Current residential service is defined as follows:

Service	Level
Trash	Weekly
Recycling	Bi-weekly (serviced opposite week of green waste)
Green waste	Bi-weekly (serviced opposite week of recycling)

Multi-Family Residential Guidelines

Residential Service

Properties with **four (4) units or less** are recommended to utilize residential curb cart service for waste management needs. An appropriate number of containers will be deployed to accommodate each material stream generated by the property. Residential service allows flexibility for storage of the containers, eliminates the need to construct a large waste enclosure (if at all) and is a much less expensive option from a service perspective*. Refer to the **Single-Family Residential Service** section above for more information.

In certain circumstances, exceptions can be made and commercial service can be provided (see **Commercial Service** below for guidelines). However, accommodation for three materials streams is still recommended for compliance with state diversion requirements and future changes to laws/regulations.

**Note: when providing a service set for each unit, this option is less expensive than equivalent commercial front-load service.*

Commercial Service

Properties with **five (5) units or more** must use commercial front-load container service and must comply with state recycling and organics diversion requirements (per AB 341, AB 1826 and SB 1383). Front-load container offerings for recycling and trash are as follows:

Capacity	Height	Width	Depth
2 Cubic Yards	4'6"	5'4"	3'0"
4 Cubic Yards	4'10"	6'0"	4'0"

Food waste service is currently available in 64 gallon curb carts which are serviced three (3) times per week at a minimum. Yard waste/green waste is currently available in 96 gallon curb carts which are serviced every other week. Dimensions for these containers are found in the **Single-Family Residential** section above.

Front-load Compactors

Front-load compactors are not provided by the Environmental Resources Division. A third-party must construct/install the compactor(s) on site (a number of companies are available to meet project needs). However, the dimensions must be such that city-owned waste collection vehicles can service the containers. Compactors must be approved by the Environmental Resources Division Manager (or delegate) prior to installation. The use of compactors does not alter the need to comply with mandatory diversion requirements.

Generation Estimates

The Environmental Resources Division developed the following guidelines for estimating the weekly generation of waste material from residential units. This estimate is based on a combination of EPA data on waste generation per person and housing data on the average number of people per household (4.4 pounds per person x 2.6 people x 365). It also includes a leap year adjustment as well as a 20% capacity buffer to accommodate peak service needs.

Item	Annual Lbs	Weekly Lbs	Weekly Yds ³
Recycling	2,505.6	48.6	.35
Food Waste	902.0	17.5	.13
Residual Trash	1,603.6	31.1	.22
Total	5,011.2	97.2	.70

These are general guidelines that can be used to estimate the required waste capacity; simply multiply the number of units by the appropriate **Weekly Yds³** figure to arrive at the volume required for that material. For example, a thirty (30) unit apartment complex would require the following services:

Item	Units	Weekly Yds ³	Volume Total	Service Needs
Recycling	30	.35	10.5 yds ³	One (1) 4-yd Recycling 3x/week
Food Waste	30	.13	3.9 yds ³	Four (4) 64-gallon Food Waste 3x/week
Residual Trash	30	.22	6.6 yds ³	One (1) 4-yd Trash 2x/week
Total	30	.70	21 yds³	

Other methodologies to arrive at the appropriate capacity requirements are acceptable if supporting documentation is provided (especially if the estimates are significantly less than what is outlined above).

Service Frequency

The maximum frequency for estimating service levels during planning/development is three (3) times per week. This allows additional capacity to be made available without having to require additional containers to be delivered and/or waste enclosures to be constructed. Only with special dispensation from the Environmental Resources Division Manager (or delegate) can this frequency be exceeded.

Interior Storage

In lieu of an exterior waste enclosure, interior storage is allowed subject to the following conditions.

- Collection containers for recycling, trash and organics must be placed side by side to ensure equivalent access and proper use for each material stream.
- Adequate space must be allocated to allow access to each container by users. An aisle way of a minimum of a 36" at the front of the containers is recommended.
- Containers must be made accessible to collection vehicles on actual service days. In most circumstances, it is the responsibility of the property owner/management to move containers to an exterior location where they will be serviced by the Environmental Resources Division.
- The room where containers are stored must have adequate ventilation and be protected by an approved automatic fire sprinkler system.

Collection of waste materials via chutes is discouraged as they make providing equivalent access to three material streams, especially organic collection, problematic. However, if chutes cannot be avoided, provision for all three material streams must be made. If a chute will not be employed for organic material, an equivalent collection method must be present where recycling and trash chutes are located (e.g. an organics collection bin in front of the recycling/trash chutes).

Exterior Storage

Exterior storage of commercial front-load containers must be in enclosures. To provide appropriate access, use, servicing and compliance with state mandated diversion requirements, the following items apply to waste enclosures.

Siting

- Enclosures must be sited such that users do not have to travel more than 150' from the building to access containers.
- Enclosures cannot be placed within 5' of combustible walls, openings, or combustible roof eave lines unless protected by an approved automatic fire sprinkler system.
- Enclosures may not be located within any required zoning setback, open space, or other restricted area.
- Enclosures must be located on the same parcel (deviations must be approved by the Community Development Department and accompanied by a Waste Management Plan/Agreement).
- Enclosures must be sited such that they do not conflict with loading zones, parking or normal traffic flow.
- A straight approach of 50' at a minimum must be maintained for the waste collection vehicle to properly service front-load containers in the enclosure.
- A minimum overhead clearance of 15' must be maintained to allow the waste collection vehicle to enter, approach and exit. At the point of service, no overhead obstructions are allowed (roofs, wires, overhangs, tree branches, etc.) that will interfere with collection vehicle operation and/or lifting/emptying containers.
- Waste collection vehicle service approaches to enclosures must provide an exit that allows a forward moving path of travel, or a turnaround that eliminates reversing.
- Enclosures must be sited such that containers can be serviced directly by a waste collection vehicle (see Figure 1 below) or with up to a 30 degree angle to the path of travel (see Figure 2 below). Indirect access* is discouraged (see Figure 3 below).

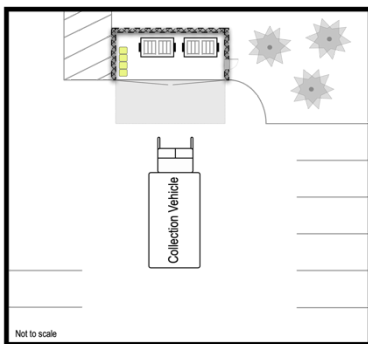


Figure 1 – Direct Access

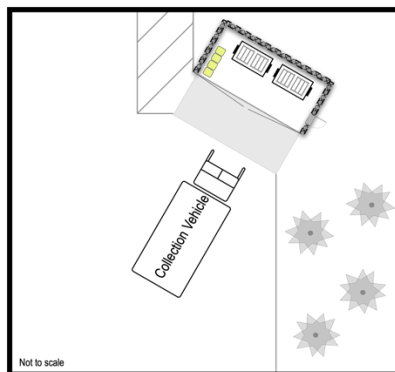


Figure 2 – Direct Access (angle)

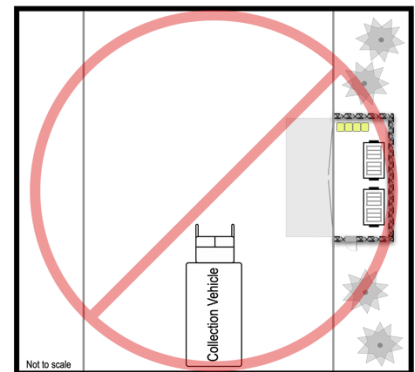


Figure 3 – Indirect Access (discouraged)

**Indirect access may be allowed if curb cart service only is appropriate for waste management needs or with approval from the Environmental Resources Division Manager (or delegate).*

Accessibility (tenant)

- Per California State Access Regulations, an accessible route or path of travel from the building to the enclosure is required, which shall include all walkways, ramps, doors, gates, etc. The path of travel from the building to the containers shall be free of stairs, textured surfacing, and other impediments.
- A pedestrian access, separate from the primary service access, is required. It must also adhere to California State Access Regulations.

Enclosure Sizing

- Utilize the Generation Guidelines above to determine the appropriate number and size of containers. The enclosure(s) must be sized to accommodate all containers and each enclosure (if multiple enclosures are necessary) must provide for the collection of three material streams.
- The enclosure must be sized to provide adequate space around containers for use by tenants and for access by service vehicles. An unobstructed aisle way of a minimum of 36" is required from the pedestrian door and between containers and the enclosure service gates to allow easy tenant access. In addition, a 20" buffer between each container must be maintained.
- Within the enclosure, collection containers for recycling, trash and organics must be placed in close enough proximity to one another to ensure proper use for each material stream. If multiple enclosures are required on site, each enclosure must provide for the collection of all three material streams. Deviations must be approved by the Environmental Resources Division Manager (or delegate).
- No permanent or semi-permanent structures (bollards, etc.) are allowed within the enclosure and it is to be used for the storage of waste collection containers only.

Apron, Floor and Path of Travel Surfaces

- All surfaces in the vehicle path of travel must be engineered to accommodate repeated use by a truck with a Gross Vehicle Weight (GVW) of 68,000 pounds. Surfaces must be maintained so as not to devolve into a deleterious state.
- The enclosure floor must be concrete. An apron, also made of concrete, must extend 4'6" in front of the waste collection vehicle service gates and span the entire width of the enclosure. The floor and apron must be flush with adjoining pavement, and it must be engineered to withstand up to 20,000 pounds of direct force from a single truck axle, multiple times per week.
- The enclosure floor must have a minimum 4" drain, located in the center of the enclosure, connected to the sanitary sewer. The maximum slope to the drain must not exceed 2%. Enclosures that serve food preparation facilities, gas stations, grocery stores and other like entities must include a grease interceptor in the drain.

Enclosure Design

- The enclosure shall be made of non-combustible materials; wood construction is not allowed, masonry is recommended.
- Materials and finishes shall relate to the structure and be of the same quality for which the enclosure is built.
- Walls are to be 6' in height and must enclose all sides of the enclosure, except where the service gate is located.

- A curb measuring 8" wide by 3" tall is required on the interior of the enclosure. The curb must be flush to the walls.
- No landscape/gardenscape items are allowed to grow on or be attached to the enclosure as this can allow access to nuisance animals.

Gates/Pedestrian Door

- Gates are required for enclosures and must open to 110 degrees.
- Gates must be free standing with no center pole. They shall be hung on a 3" concrete filled steel pipe that is not attached to the enclosure itself. Bolts, not screws, are required to secure the gate to the pipe.
- Gates must be steel framed with steel angle brace type metal with 18 gauge steel mini v-beam panels.
- Gated opening for ingress/egress of containers must be a minimum of 8' wide with no posts in the middle; place gate posts outside this span to avoid reducing the span.
- A latching assembly is required to secure gate doors both opened and closed. A cane bolt w/sleeve and slide latch between doors and sleeve in pavement, is required. The sleeves shall be 3/4" pipe to hold the cane bolt. The bolt shall drop a minimum of 4" into the sleeve to secure the gate.
- A roll-up door may be used in place of a gate. The door must provide adequate overhead clearance, no lower than seven (7) feet, for access by service provider staff.
- Gates must remain closed unless in use and be able to be secured open.
- A separate additional pedestrian entrance with a door (minimum of 36" wide) which can be locked is required from the back or the side. This door must provide direct access to a 36" service aisleway within the enclosure.
- To help mitigate scavenging, illegal dumping and illicit use, it is recommended that both the service gate(s) and pedestrian door be locked when not in use.

Roof

- The enclosure must have a solid roof with 8' of clearance from the floor.
- It is recommended that the area between the top of the enclosure wall and the bottom of the roof (including the area over the gates) be clad with wire mesh to help mitigate illegal dumping and access by nuisance animals.

Roll-Off Containers

There may be circumstances where roll-off compactors are desired due to the size of the residential community and the volume of waste produced. The Environmental Resources Division Manager (or delegate) needs to pre-approve the use of a roll-off compactor(s) in lieu of other collection methods.

While the Environmental Resources Division does not offer roll-off compactor units, it does provide collection service for them. As such, a third party will need to install/maintain roll-off compactor unit(s). The use of compactors does not alter the need to comply with mandatory state diversion requirements.

Note: this does not preclude the use of temporary open-top roll-off containers for construction projects. By their nature, these containers are only on site for a limited period. No such containers may be placed permanently without prior approval, and only in circumstances where there is agreement from

the Environmental Resources Division Manager (or delegate) that other collection methods are unsatisfactory.

Interior Storage

In lieu of an exterior waste enclosure, interior storage is allowed subject to the following conditions.

- Collection containers for recycling, trash and organics must be in close enough proximity to ensure proper use for each material stream. This includes access to the roll-off compactor(s).
- The room where containers are stored must have adequate ventilation and be protected by an approved automatic fire sprinkler system.
- The compactor must be made accessible on the appropriate service day(s), with an overhead door that has adequate clearance for servicing. The typical boom/container height for a roll-off is 24'.

Exterior Storage

Exterior storage of roll-off compactors must be in enclosures. To provide appropriate use, servicing and compliance with state mandated diversion requirements, the following items apply to waste enclosures.

Siting

- Enclosures must be sited such that users do not have to travel more than 150' from the building to access compactor(s).
- Enclosures cannot be placed within 5' of combustible walls, openings, or combustible roof eave lines unless protected by an approved automatic fire sprinkler system.
- Enclosures may not be located within any required zoning setback, open space, or other restricted area.
- Enclosures must be located on the same parcel (deviations must be approved by the Community Development Department and accompanied by a Waste Management Plan/Agreement).
- Enclosures must be sited such that they do not conflict with loading zones, parking or normal traffic flow.
- A straight approach of 75' at a minimum must be maintained for the waste collection vehicle to properly service roll-off compactors in the enclosure.
- A minimum overhead clearance of 15' must be maintained to allow the waste collection vehicle to enter, approach and exit. At the point of service, no overhead obstructions are allowed (roofs, wires, overhangs, tree branches, etc.) that will interfere with collection vehicle operation and/or lifting/emptying containers. The typical boom/container height for a roll-off is 24'.
- Waste collection vehicle service approaches to enclosures must provide an exit that allows a forward moving path of travel, or a turnaround that eliminates reversing.
- Enclosures must be sited such that containers can be serviced directly by a waste collection vehicle (see Figure 1 below).

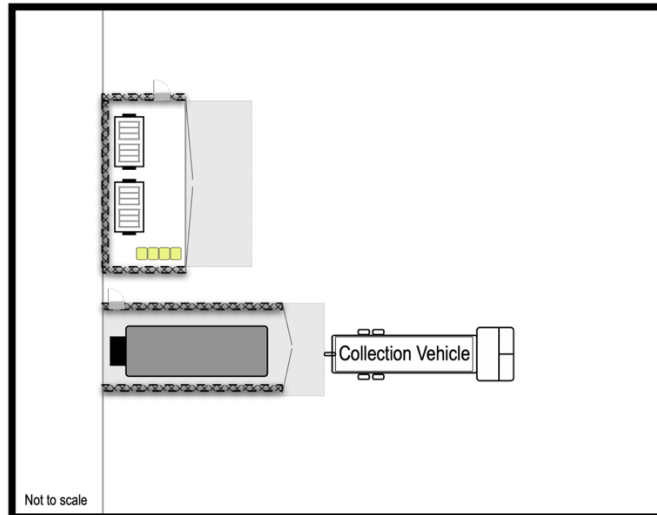


Figure 1 – Direct Access

Accessibility (tenant)

- Per California State Access Regulations, an accessible route or path of travel from the building to the enclosure is required, which shall include all walkways, ramps, doors, gates, etc. The path of travel from the building to the dumpster shall be free of stairs, textured surfacing, and other impediments.
- A pedestrian access, separate from the primary service access, is required. It must also adhere to California State Access Regulations.

Enclosure Sizing

- The enclosure must be sized to provide adequate space for use of the compactor hopper by tenants. It must have a minimum of 4' on the control side of the compactor and 2' on the opposite side to allow staff to disconnect the unit and allow for proper servicing.
- No permanent or semi-permanent structures (bollards, etc.) are allowed within the enclosure and it is to be used for the storage of waste collection containers only.

Apron, Floor and Path of Travel Surfaces

- All surfaces in the vehicle path of travel must be engineered to accommodate repeated use by a truck with a Gross Vehicle Weight (GVW) of 68,000 pounds. Surfaces must be maintained so as not to devolve into a deleterious state.
- The enclosure floor must be concrete. An apron, also made of concrete and must extend 4'6" in front of the waste collection vehicle service gates and span the entire width of the enclosure. The floor and apron must be flush with adjoining pavement.
- The enclosure floor must have a minimum 4" drain, located near the compactor hopper, connected to the sanitary sewer. The maximum slope to the drain must not exceed 2%. Enclosures that serve food preparation facilities, gas stations, grocery stores and other like entities must include a grease interceptor in the drain.

Enclosure Design

- The enclosure shall be made of non-combustible materials; wood construction is not allowed, masonry is recommended.
- Materials and finishes shall relate to the structure and be of the same quality for which the enclosure is built.
- Walls are to be 8' in height.
- No landscape/gardenscape items are allowed to grow on or be attached to the enclosure as this can allow access to nuisance animals.

Gates/Pedestrian Door

- Gates are required for enclosures and must open to 110 degrees.
- Gates must be free standing with no center pole. They shall be hung on a 3" concrete filled steel pipe that is not attached to the enclosure itself. Bolts, not screws, are required to secure the gate to the pipe.
- Gates must be steel framed with steel angle brace type metal with 18 gauge steel mini v-beam panels.
- Gated opening for ingress/egress of containers must be a minimum of 8' wide with no posts in the middle; place gate posts outside this span to avoid reducing the span.
- A latching assembly is required to secure gate doors both opened and closed. A cane bolt w/sleeve and slide latch between doors and sleeve in pavement, is required. The sleeves shall be ¾" pipe to hold the cane bolt. The bolt shall drop a minimum of 4" into the sleeve to secure the gate.
- A roll-up door may be used in place of a gate. The door must provide adequate overhead clearance for container service.
- Gates must remain closed unless in use and be able to be secured open.
- A separate additional pedestrian entrance with a door (minimum of 36" wide) which can be locked is required from the back or the side.
- To help mitigate scavenging, illegal dumping and illicit use, it is recommended that both the service gate(s) and pedestrian door be locked when not in use.

Roof

- The enclosure must have a solid roof with adequate clearance for servicing. The typical boom/container height for a roll-off is 24'.

Commercial Guidelines

Residential Service

Commercial locations that generate **less than two (2) cubic yards of waste per week, or have significant space restrictions**, are recommended to utilize residential curb cart service for waste management needs. An appropriate number of containers will be deployed to accommodate each material stream generated by the property. Residential service allows flexibility for storage of the containers, eliminates the need to construct a large waste enclosure and is a much less expensive option from a service perspective*. Refer to the **Single-Family Residential Service** section above for more information.

**Note: providing a service set for each unit, this option is less expensive than equivalent commercial front-load service.*

Commercial Service

Locations that generate **two (2) cubic yards or more per week** must use commercial front-load container service and must comply with state organics diversion requirements (per AB 1826 and SB 1383). Further, locations that generate **four (4) cubic yards or more per week** must comply with state recycling and organics diversion requirements (per AB 341 and AB 1826). Front-load container offerings for recycling and trash are as follows:

Capacity	Height	Width	Depth
2 Cubic Yards	4'6"	5'4"	3'0"
4 Cubic Yards	4'10"	6'0"	4'0"

Food waste service is currently available in 64 gallon curb carts which are serviced three (3) times per week at a minimum. Yard waste/green waste is currently available in 96 gallon curb carts which are serviced every other week. Dimensions for these containers are found in the **Single-Family Residential** section above.

Front-load Compactors

Front-load compactors are not provided by the Environmental Resources Division. A third-party must construct/install the compactor(s) on site (a number of companies are available to meet project needs). However, the dimensions must be such that city-owned waste collection vehicles can service the containers. Compactors must be approved by the Environmental Resources Division Manager (or delegate) prior to installation. The use of compactors does not alter the need to comply with mandatory state diversion requirements.

Generation Estimates

The Environmental Resources Division utilizes the following guidelines for estimating the weekly generation of waste material **per employee** of commercial business types. These estimates were derived from CalRecycle's 2006 Waste Disposal and Diversion Findings for Selected Industry Groups. The estimates below include a 20% capacity buffer to accommodate peak service needs.

Business Type	Annual Lbs	Weekly Lbs	Weekly Yds ³
Arts, Entertainment, & Recreation	7,388.5	142.1	1.03
Durable Wholesale & Trucking	7,184.2	138.2	1.00
Education	1,128.0	21.7	.16
Hotels & Lodging	5,136.0	98.8	.72
Manufacturing - All Other	3,528.0	67.9	.49
Manufacturing - Electronic Equipment	1,776.0	34.2	.25
Manufacturing - Food & Nondurable Wholesale	4,392.0	84.5	.61
Medical & Health	1,704.0	32.8	.24
Not Elsewhere Classified	2,784.0	53.5	.39
Public Administration	936.0	18.0	.13
Restaurants	7,032.0	153.2	.98
Retail Trade - All Other	5,736.0	110.3	.80
Retail Trade - Food & Beverage Stores	15,888.0	305.5	2.21
Services - Management, Administration, Support & Social	3,336.0	64.2	.46
Services - Professional, Technical & Financial	5,520.0	106.2	.77
Services - Repair & Personal	264.0	5.08	.04

These are general guidelines that can be used to estimate the required waste capacity; simply multiply the number of employees by the appropriate **Weekly Yds³** figure to arrive at the volume required for that material. For example, a hotel with twenty-five (25) employees would require the following services:

Item	Employees	Weekly Yds ³	Volume Total	Service Needs
Recycling	25	.36	9 yds ³	One (1) 4-yd Recycling 3x/week
Food Waste	25	.06	1.5 yds ³	Two (2) 64-gallon Food Waste 3x/week
Residual Trash	25	.30	7.5 yds ³	One (1) 4-yd Trash 2x/week
Total	25	.72	18 yds³	

Other methodologies to arrive at the appropriate capacity requirements are acceptable if supporting documentation is provided (especially if the estimates are significantly less than what is outlined above).

Service Frequency

The maximum frequency for estimating service levels during planning/development is three (3) times per week. This allows additional capacity to be made available without having to require additional containers to be delivered and/or waste enclosures to be constructed. Only with special dispensation from the Environmental Resources Division Manager (or delegate) can this frequency be exceeded.

Shopping Plaza/Multiple Tenant/Mixed Use Development

For projects with multiple buildings/tenants in a plaza, or for a mixed-use development, comprehensive waste management services are required. Individual service for each commercial entity is not allowed.

Interior Storage

In lieu of an exterior waste enclosure, interior storage is allowed subject to the following conditions.

- Collection containers for recycling, trash and organics must be placed side by side to ensure proper use for each material stream.
- Adequate space must be allocated to allow access to each container by users. An aisle way of a minimum of a 36" at the front of the containers is recommended.
- Containers need to be made accessible to collection vehicles on actual service days.
- The room where containers are stored must have adequate ventilation and be protected by an approved automatic fire sprinkler system.

Exterior Storage

Exterior storage of commercial front-load containers must be in enclosures. To provide appropriate use, servicing and compliance with state mandated diversion requirements, the following items apply to waste enclosures.

Siting

- Enclosures must be sited such that users do not have to travel more than 250' from the building to access containers.
- Enclosures cannot be placed within 5' of combustible walls, openings, or combustible roof eave lines unless protected by an approved automatic fire sprinkler system.
- Enclosures may not be located within any required zoning setback, open space, or other restricted area.
- Enclosures must be located on the same parcel (deviations must be approved by the Community Development Department and accompanied by a Waste Management Plan/Agreement).
- Enclosures must be sited such that they do not conflict with loading zones, parking or normal traffic flow.
- A straight approach of 50' at a minimum must be maintained for the waste collection vehicle to properly service front-load containers in the enclosure.
- A minimum overhead clearance of 15' must be maintained to allow the waste collection vehicle to enter, approach and exit. At the point of service, no overhead obstructions are allowed (roofs, wires, overhangs, tree branches, etc.) that will interfere with collection vehicle operation and/or lifting/emptying containers.
- Waste collection vehicle service approaches to enclosures must provide an exit that allows a forward moving path of travel, or a turnaround that eliminates reversing.
- Enclosures must be sited such that containers can be serviced directly by a waste collection vehicle (see Figure 1 below) or with up to a 30 degree angle to the path of travel (see Figure 2 below). Indirect access* is discouraged (see Figure 3 below).

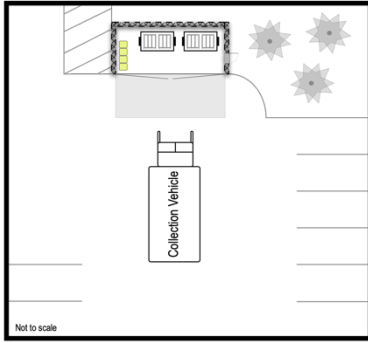


Figure 1 – Direct Access

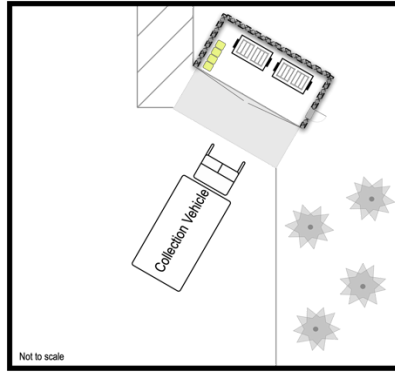


Figure 2 – Direct Access (angle)

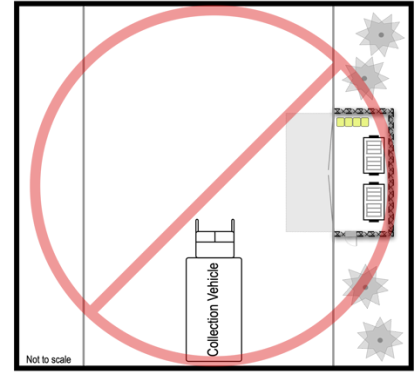


Figure 3 – Indirect Access (discouraged)

**Indirect access may be allowed if curb cart service is appropriate for waste management needs or with approval from the Environmental Services Division Manager (or delegate).*

Enclosure Sizing

- Utilize the Generation Guidelines above to determine the appropriate number and size of containers. The enclosure(s) must be sized to accommodate all containers and, if multiple enclosures are necessary, each enclosure must provide for the collection of three material streams.
- The enclosure must be sized to provide adequate space around containers for use by users and service vehicles and for access by service vehicles. An unobstructed aisle way of a minimum of 36" is required from the pedestrian door and between containers and the enclosure service gates to allow easy tenant access. In addition, a 20" buffer between each container must be maintained.
- Within the enclosure, collection containers for recycling, trash and organics must be placed in close enough proximity to one another to ensure proper use for each material stream. If multiple enclosures are required on site, each enclosure must provide for the collection of all three material streams. Deviations must be approved by the Environmental Resources Division Manager (or delegate).
- No permanent or semi-permanent structures (bollards, etc.) are allowed within the enclosure and it is to be used for the storage of waste collection containers only.

Apron, Floor and Path of Travel Surfaces

- All surfaces in the vehicle path of travel must be engineered to accommodate repeated use by a truck with a Gross Vehicle Weight (GVW) of 68,000 pounds. Surfaces must be maintained so as not to devolve into a deleterious state.
- The enclosure floor must be concrete. An apron, also made of concrete, must extend 4'6" in front of the waste collection vehicle service gates and span the entire width of the enclosure. The floor and apron must be flush with adjoining pavement. It must be engineered to withstand up to 20,000 pounds of direct force from a single truck axle, multiple times per week.
- The enclosure floor must have a minimum 4" drain, located in the center of the enclosure, connected to the sanitary sewer. The maximum slope to the drain must not exceed 2%. Enclosures that serve food preparation facilities, gas stations, grocery stores and other like entities must include a grease interceptor in the drain.

Enclosure Design

- The enclosure shall be made of non-combustible materials; wood construction is not allowed, masonry is recommended.
- Materials and finishes shall relate to the structure and be of the same quality for which the enclosure is built.
- Walls are to be 6' in height.
- A curb measuring 8" wide by 3" tall is required on the interior of the enclosure. The curb must be flush to the walls. The curb should be interrupted where the pedestrian door is located.
- No landscape/gardenscape items are allowed to grow on or be attached to the enclosure as this can allow access to nuisance animals.

Gates/Pedestrian Door

- Gates are required for enclosures and must open to 110 degrees.
- Gates must be free standing with no center pole. They shall be hung on a 3" concrete filled steel pipe that is not attached to the enclosure itself. Bolts, not screws, are required to secure the gate to the pipe.
- Gates must be steel framed with steel angle brace type metal with 18 gauge steel mini v-beam panels.
- Gated opening for ingress/egress of containers must be a minimum of 8' wide with no posts in the middle; place gate posts outside this span to avoid reducing the span.
- A latching assembly is required to secure gate doors both opened and closed. A cane bolt w/sleeve and slide latch between doors and sleeve in pavement, is required. The sleeves shall be 3/4" pipe to hold the cane bolt. The bolt shall drop a minimum of 4" into the sleeve to secure the gate.
- A roll-up door may be used in place of a gate. The door must provide adequate overhead clearance, no lower than seven (7) feet, for access by service provider staff.
- Gates must remain closed unless in use and be able to be secured open.
- A separate additional pedestrian entrance with a door (minimum of 36" wide) which can be locked is required from the back or the side. This door must provide direct access to a 36" service aisleway within the enclosure.
- To help mitigate scavenging, illegal dumping and illicit use, it is recommended that both the service gate(s) and pedestrian door be locked when not in use.

Roof

- The enclosure must have a solid roof with 8' of clearance.
- It is recommended that the area between the top of the enclosure wall and the bottom of the roof (including the area over the gates) be clad with wire mesh to help mitigate illegal dumping and access by nuisance animals.

Roll-Off Containers

There may be circumstances where roll-off compactors are desired due to the size of the business and the volume of waste produced. The Environmental Resources Division Manager (or delegate) needs to pre-approve the use of a roll-off compactor(s) in lieu of other collection methods. While the

Environmental Resources Division does not offer roll-off compactor units, it does provide collection service for them. As such, a third party will need to install/maintain roll-off compactor unit(s). Please review **Appendix B – Collection Container Specifications** for more information on Environmental Resources Division servicing requirements. The use of compactors does not alter the need to comply with mandatory state diversion requirements.

Note: this does not preclude the use of temporary open-top roll-off containers for construction projects. By their nature, these containers are only on site for a limited period. No such containers may be placed permanently without prior approval from the Environmental Resources Division Manager, and only in circumstances where there is agreement that other collection methods are unsatisfactory.

Interior Storage

In lieu of an exterior waste enclosure, interior storage is allowed subject to the following conditions.

- Collection containers for recycling, trash and organics must be in close enough proximity to ensure proper use for each material stream. This includes access to the roll-off compactor(s).
- The room where containers are stored must have adequate ventilation and be protected by an approved automatic fire sprinkler system.
- The compactor must be made accessible on the appropriate service day(s), with an overhead door that has adequate clearance for servicing. The typical boom/container height for a roll-off is 24'.

Exterior Storage

Exterior storage of roll-off compactors must be in enclosures. To provide appropriate use, servicing and compliance with state mandated diversion requirements, the following items apply to waste enclosures.

Siting

- Enclosures must be sited such that users do not have to travel more than 250' from the building to access compactor(s).
- Enclosures cannot be placed within 5' of combustible walls, openings, or combustible roof eave lines unless protected by an approved automatic fire sprinkler system.
- Enclosures may not be located within any required zoning setback, open space, or other restricted area.
- Enclosures must be located on the same parcel (deviations must be approved by the Community Development Department and accompanied by a Waste Management Plan/Agreement).
- Enclosures must be sited such that they do not conflict with loading zones, parking or normal traffic flow.
- A straight approach of 75' at a minimum must be maintained for the waste collection vehicle to properly service roll-off compactors in the enclosure.
- A minimum overhead clearance of 15' must be maintained to allow the waste collection vehicle to enter, approach and exit. At the point of service, no overhead obstructions are allowed (roofs, wires, overhangs, tree branches, etc.) that will interfere with collection vehicle operation and/or lifting/emptying containers. The typical boom/container height for a roll-off is 24'.

- Waste collection vehicle service approaches to enclosures must provide an exit that allows a forward moving path of travel, or a turnaround that eliminates reversing. The maximum distance a collection vehicle may reverse is 50’.
- Enclosures must be sited such that containers can be serviced directly by a waste collection vehicle (see Figure 1 below).

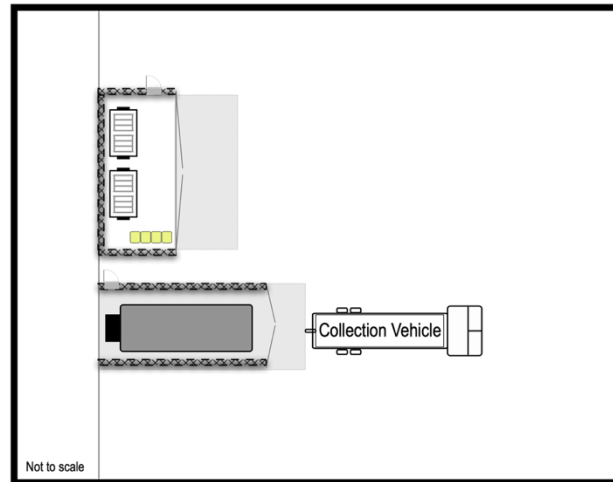


Figure 1 – Direct Access

Enclosure Sizing

- The enclosure must be sized to provide adequate space for use to the compactor hopper by users.
- No permanent or semi-permanent structures (bollards, etc.) are allowed within the enclosure.

Apron, Floor and Path of Travel Surfaces

- All surfaces in the vehicle path of travel must be engineered to accommodate repeated use by a truck with a Gross Vehicle Weight (GVW) of 68,000 pounds. Surfaces must be maintained so as not to devolve into a deleterious state.
- The enclosure floor must be concrete. An apron, also made of concrete and must extend 4’6” in front of the waste collection vehicle service gates and span the entire width of the enclosure. The floor and apron must be flush with adjoining pavement.
- The enclosure floor must have a minimum 4” drain, located near the compactor hopper, connected to the sanitary sewer. The maximum slope to the drain must not exceed 2%. Enclosures that serve food preparation facilities, gas stations, grocery stores and other like entities must include a grease interceptor in the drain.

Enclosure Design

- The enclosure shall be made of non-combustible materials; wood construction is not allowed, masonry is recommended.
- Materials and finishes shall relate to the structure and be of the same quality for which the enclosure is built.
- Walls are to be 8’ in height.

Gates/Pedestrian Door

- Gates are required for enclosures and must open to 110 degrees.
- Gates must be free standing with no center pole. They shall be hung on a 3" concrete filled steel pipe that is not attached to the enclosure itself. Bolts, not screws, are required to secure the gate to the pipe.
- Gates must be steel framed with steel angle brace type metal with 18 gauge steel mini v-beam panels.
- Gated opening for ingress/egress of containers must be a minimum of 8' wide with no posts in the middle; place gate posts outside this span to avoid reducing the span.
- A latching assembly is required to secure gate doors both opened and closed. A cane bolt w/sleeve and slide latch between doors and sleeve in pavement, is required. The sleeves shall be 3/4" pipe to hold the cane bolt. The bolt shall drop a minimum of 4" into the sleeve to secure the gate.
- A roll-up door may be used in place of a gate. The door must provide adequate overhead clearance for container service..
- Gates must remain closed unless in use and be able to be secured open.
- A separate additional pedestrian entrance with a door (minimum of 36" wide) which can be locked is required from the back or the side.
- To help mitigate scavenging, illegal dumping and illicit use, it is recommended that both the service gate(s) and pedestrian door be locked when not in use.

Roof

- The enclosure must have a solid roof with appropriate clearance for servicing. The typical boom/container height for a roll-off is 24'.

Industrial Guidelines

Industrial Service

Industrial service consists of utilizing open-top roll-off containers on a permanent basis due to the nature of the material generated (volume, size, type, etc.). Any permanent placement of open-top roll-off containers must be reviewed and approved by the Environmental Resources Division Manager (or delegate). The use of compactors does not alter the need to comply with mandatory state diversion requirements.

Exterior Storage

In general, because of their intended use, open-top roll-off containers are not stored within waste enclosures. However, depending on the circumstances, screening or placement within a waste enclosure, as outlined in the commercial section above, may be required. The Community Development Department will have final approval on the need for these mitigation measures.

Siting

- Containers must be placed out of public view on the property.
- Containers must be placed on a level surface, capable of withstanding repeated use by a truck with a Gross Vehicle Weight (GVW) of 68,000 pounds.
- Containers cannot be placed within 5' of combustible walls, openings, or combustible roof eave lines.
- Containers may not be placed within any required zoning setback, open space, or other restricted area.
- Containers must be sited such that they do not conflict with loading zones, parking or normal traffic flow.
- A straight approach of 75' at a minimum must be maintained for the waste collection vehicle to properly service roll-off containers.
- A minimum overhead clearance of 15' must be maintained to allow the waste collection vehicle to enter, approach and exit. At the point of service, no overhead obstructions are allowed (roofs, wires, overhangs, tree branches, etc.) that will interfere with collection vehicle operation and/or lifting/emptying containers. The typical boom/container height for a roll-off is 24'.

Waste Enclosure/Management Plan

The Waste Enclosure/Management Plan provides comprehensive detail about how waste materials will be managed for the proposed project. The plan should be submitted in digital PDF form to the Environmental Resources Division at recycle@oxnard.org.

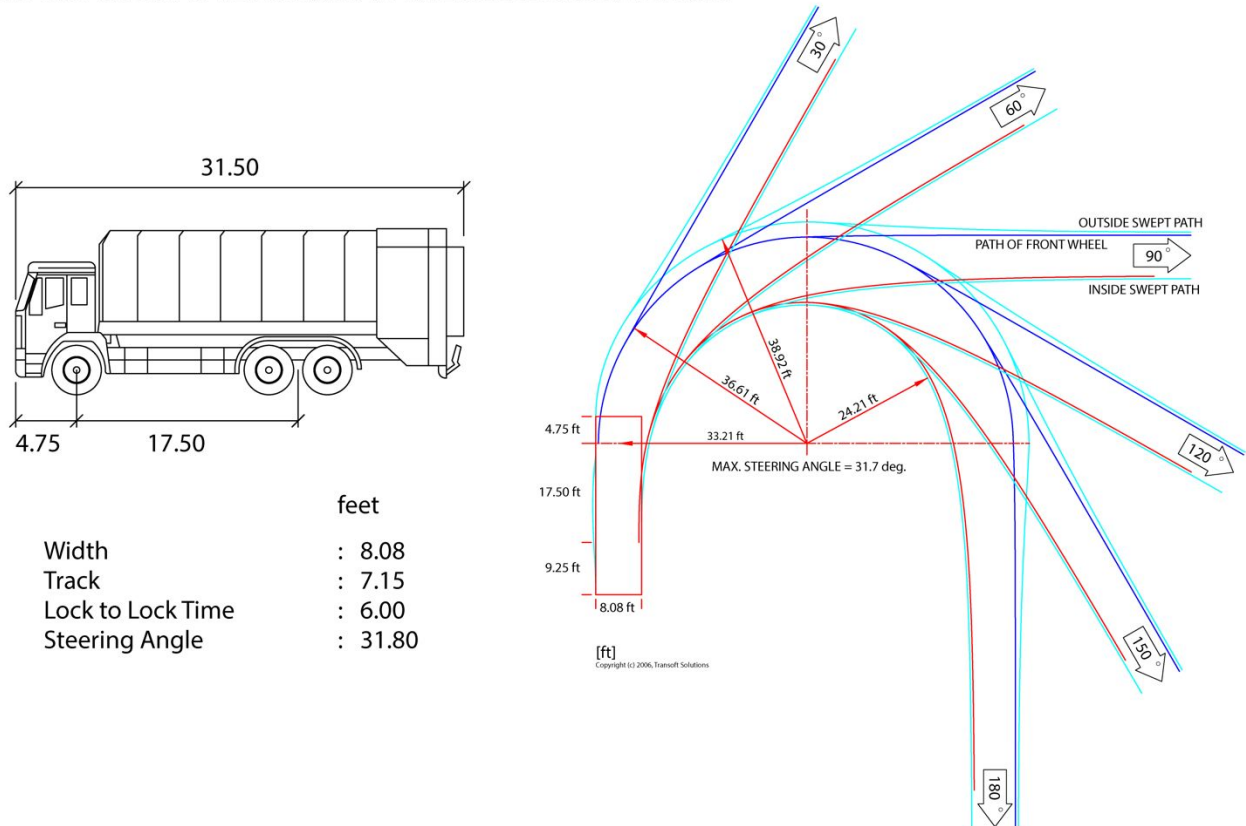
Requirements

- Project Info – includes the following: name of project, name/phone/email of principal point of contact, project address, and project reference number issued by the City of Oxnard.
- Project Description – describes the ultimate end use of the building(s), including the number of units if it is a multi-family development. This detail is necessary to ascertain appropriate waste generation and service levels as well as the compliance with applicable California state law.
- Generation Detail – provides estimates for the types and volumes of the different material streams generated by the occupant(s).
- Collection Container Detail – details the types, sizes, quantities and proposed frequency to adequately service the waste management needs of the project.
- Enclosure Detail – drawings that detail the dimensions, container placement/spacing, design considerations, and construction details. If interior storage is proposed, a drawing that displays where containers will be sited within the building, spacing dimensions,
- Enclosure Siting – drawing that details the placement of enclosure(s) on the property and their relation to the proposed structure(s). Call outs must include distance from building, setbacks and other details required as part of the planning process.
- Waste Collection Vehicle Path of Travel – displays the ingress, service area(s) and egress path of travel for waste collection vehicles. The path of travel must show the appropriate turning radius, as applicable, for the

An example Waste Enclosure/Management Plan is included as a reference. This example plan is meant to provide visual guidance only. It is not a professional drawing with scaled measurements, etc.

Appendix A – Waste Collection Vehicle Guidelines/Specifications

ENVIRONMENTAL RESOURCES WASTE COLLECTION VEHICLE



- Tare Weight – 38,000 lbs.
- GVW – 68,000 lbs.
- Axle load (front) – 20,000 lbs.
- Axle load (rear) – 48,000 lbs.
- Roll-Off Truck Boom Height without Container – 18'
- Roll-Off Truck Boom Height with Container – 24'

Appendix B – Collection Container Specifications

Material	Type	Capacity	Height	Width	Depth	Image
Food Waste	Curb Cart	64 Gallon	3'6"	2'1"	2'10"	
Green Waste	Curb Cart	96 Gallon	3'8"	2'6"	3'0"	
Recycling	Curb Cart	64 Gallon	3'6"	2'1"	2'10"	
Recycling	Curb Cart	96 Gallon	3'8"	2'6"	3'0"	

Trash	Curb Cart	64 Gallon	3'6"	2'1"	2'10"	
Trash	Curb Cart	96 Gallon	3'8"	2'6"	3'0"	
Recycling	Front-Load	2 Cubic Yards	4'6"	5'4"	3'0"	
Recycling	Front-Load	4 Cubic Yards	4'10"	6'0"	4'0"	
Trash	Front-Load	2 Cubic Yards	4'6"	5'4"	3'0"	
Trash	Front-Load	4 Cubic Yards	4'10"	6'0"	4'0"	

Material	Type	Capacity	Height	Width	Length	Image
Multi*	Roll-Off	10 Cubic Yards	2'0"	8'0"	18'0"	
Multi*	Roll-Off	13.4 Cubic Yards	4'0"	8'0"	16'0"	
Multi*	Roll-Off	30 Cubic Yards	7'0"	8'0"	18'0"	
Multi*	Roll-Off	40 Cubic Yards	6'6"	8'0"	22'0"	

**Roll-Offs can accept several different material streams including: construction and demolition debris, food waste, green waste, and recycling.*

RESOLUTION NO. 2022 - XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 21-500-07 (SPECIAL USE PERMIT) TO ALLOW FOR THE DEMOLITION OF THE EXISTING 8,868 SQUARE FOOT BUILDING AND THE CONSTRUCTION OF A 2,533 SQUARE-FOOT FAST FOOD RESTAURANT WITH A DRIVE-THROUGH WITH A 9-VEHICLE CAPACITY ON A 0.99 ACRE LOT AND RELATED IMPROVEMENTS INCLUDING A TOTAL OF 72 SHARED PARKING SPACES WITH THE ADJACENT 0.79 ACRE LOT, SIDEWALKS, PATIOS, LANDSCAPING AND INFRASTRUCTURE IMPROVEMENTS, LOCATED AT 1600 IVES AVENUE (APNS: 220-0-274-015, -025, -095) SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY HASSAN AMIRSADEGHI, OF HABITAT PROPERTIES, 10717 WILSHIRE BOULEVARD, UNIT 607, LOS ANGELES, CALIFORNIA 90024, DESIGNATED AGENT, ON BEHALF OF PHILIPPINE CENTER OF VENTURA COUNTY, 1600 IVES AVENUE, OXNARD, CALIFORNIA 93030 (PROPERTY OWNER).

WHEREAS, on August 12, 2021, Hassan Amirsadeghi (the **“Applicant”** and/or **“Permittee”**) submitted a request to approve Planning and Zoning Permit No. 21–500-07 (Special Use Permit) to permit the demolition of the existing 8,868 square-foot building and subdivision of an existing 1.78 acre lot into two lots with development including construction of a 2,533 square-foot fast food restaurant with a drive-through with 9-vehicle capacity on an 0.99 acre lot and related improvements including 41 parking spaces to be shared with the adjacent 0.79 acre property for a total of 72 shared parking spaces, sidewalks, patios and landscaping and infrastructure improvements and administrative parking relief for shared parking with the adjacent 0.79 acre lot with 31 parking spaces, located at 1600 Ives Avenue (APNs: 220-0-274-015, -025, -095) (the **“Project”**); and

WHEREAS, on February 17, 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, , in accordance with Sections 16-536 and 16-651 of the Oxnard City Code (OCC); and

WHEREAS, Sections 16-536 and 16-651 of the OCC authorize the Planning Commission to approve a Special Use Permit; 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 and 16-651 of the OCC; and

WHEREAS, the Project has been reviewed by the Development Advisory Committee (DAC) and the DAC has prepared conditions of approval that are incorporated within the recommended permits; and

WHEREAS, the Planning Commission finds that the Project conforms to the City of Oxnard 2030 General Plan elements thereof and the Oxnard City Code for the reasons set forth in the Planning Commission Staff Report; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 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 General (CG) and a zoning designation of General Commercial, Planned Development (C-2-PD). The project site is currently developed within an existing events center, which contains an existing restaurant and events space. The project site is generally 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 events center contains a restaurant and event space. The existing building is generally 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 events center contains a restaurant and event space. The existing building 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 generally be surrounded on all sides by urban 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. The project site is located approximately 20 miles south of the nearest state scenic highway and does not include development which could result in damage to scenic resources within a highway designated as a state scenic highway. Thus, the proposed project will not result in damage to scenic resources within a highway designated as a state scenic resource.

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

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

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

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

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

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

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

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

As described in the Staff Report, the existing events center building (1600 Ives Avenue) would be demolished to allow the construction of a fast food restaurant with a drive-through. The Project has a zoning designation of General Commercial, Planned Development (C-2-PD) 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 6) b, c, d, e, f, and g and Attachment F, the Project, as designed and conditioned, meets all applicable development standards. 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 “General Commercial, Planned Development” zoning district, the proposed use of the project site as a fast food restaurant with a drive-through, is an allowed use, subject to a Special Use Permit. The surrounding uses are characterized by commercial uses, which are predominantly commercial centers, limited manufacturing uses, and business research uses. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes. Therefore, the proposed use and improvements, as conditioned, will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.

3. The site that is subject to the Special Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and items which may be required by Section 16-532 (Conditions).

As described in the Staff Report, the project as designed and conditioned meets the development standards of the General Commercial (C-2) zone as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project has been designed to be consistent with the maximum building height, front, side and rear setbacks, and lot coverage. The project includes shared parking spaces with the adjacent lot. As

detailed in the Staff report and attached parking study, the provided parking is sufficient for the proposed fast food restaurant, 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 on the project site includes an events center building. The project site includes one existing driveway access from Ives Avenue that will be used for the proposed development. The driveway access currently provided would provide sufficient access to the site and would allow for adequate circulation around the site. The site has shared access and parking across both properties that will be created from the existing lot. 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 on the project site includes an events center building. The proposed project includes demolition of the existing building and the construction of the proposed coffee shop with a drive-through. 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 (subdivision of a lot and 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

located at 1600 Ives Avenue, subdivide the existing lot into two lots with development including construction of a 2,533 square-foot fast food restaurant with a drive-through with 9-vehicle capacity, on an 0.99 acre lot and related improvements including 41 parking spaces to be shared with the adjacent 0.79 acre property for a total of 72 shared parking spaces, sidewalks, patios 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 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. This Resolution shall not become effective unless and until the City Council approves Planning and Zoning Permit No. 21-300-04 (Tentative Parcel Map). If the City Council does not approve the Tentative Parcel Map for this project, then this Resolution shall become null and void and be of no further force and effect.

SECTION 4. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby approves Planning and Zoning Permit No. 21-500-07 (Special Use Permit), subject to the attached conditions of approval.

SECTION 5. The decision of the Planning Commission shall be final unless an appeal of the action is filed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

SECTION 6. 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 February 17, 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 the City Council approves the Tentative Parcel Map (PZ No. 21-300-04), 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 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 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 Ives Avenue to Oxnard Boulevard shall be maintained at all times. The walkway materials within any vehicle areas including the drive-through queue and parking areas shall 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 shall 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 judgment 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 APCD 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 in compliance 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. The master sign program is to be reviewed and approved by the Director.
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)

70. Pursuant to the City Zoning Code Section 16-140, the proposed order board and other related structures shall be located no less than 5 feet from the side property line.
71. Pursuant to the City Zoning Code Section 7-185 (Exterior Sound Standards), the order boards or other project related items shall not exceed the maximum allowable exterior noise levels for commercial (60 dBA) areas, pursuant to OCC Section 7-185.
72. Pursuant to the Channel Islands Business Center development plan condition no. 12, the loading entry on the north side of the building shall be screened by a solid wall and landscaping from any roadway or residential area, and the wall or fence shall not be less than eight feet in height.
73. The reciprocal shared parking and access agreement between the adjacent properties requires that a written agreement in the form on file with the city clerk shall be executed by all landowners and tenants affected by the agreement. The agreement shall specify that the city is a third-party beneficiary to the agreement and shall state that the user agrees to vacate the use within 12 months if a landowner or tenant should amend or terminate the agreement so that the user no longer has sufficient parking to satisfy the parking requirements in effect at the time the agreement was accepted by the city.

POLICE DEPARTMENT CONDITIONS

74. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii. Luminaires with a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one foot-candle at any point. A light source shall not shine upon, or illuminate directly any surface other than the area required to be lighted. No lighting shall be of a type or in a location that constitutes a hazard to vehicular traffic, either on private property or on the abutting streets. The height of light standards shall not exceed 26 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected.

75. 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.
76. All exterior lighting shall operate from dusk to dawn.
77. All exterior LED lighting shall be of similar nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
78. 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.
79. An integrated landscape/lighting/photometric plan shall be submitted illustrating a 20-year tree maturity. This is to ensure that tree growth will not adversely impact future lighting and therefore site safety as the project matures. Luminaires used in the photometric calculations shall only include those instruments mounted 8-feet or more above walking/driving surface. This plan shall be submitted and approved prior to the issuance of building permits.
80. Drive through aisles may be illuminated between 7 and 20 foot-candles with a gradual drop off transition to adjacent parking/walking areas having illumination of 4 to 7 foot-candles.

Security Camera Systems – Businesses

81. Security cameras shall be installed and operated 24 hours a day to monitor the business. The camera system shall comply with 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.
 - j) A security camera plan shall be submitted and approved prior to the issuance of building permits. The plan shall be included in the Security Plan and submitted in pdf format to specialprojects@oxnardpd.org

- k) All on-site control equipment for the security camera system shall be contained in a secure cabinet or closet or the system may be cloud based.

Alarms

- 82. 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.

Safe

- 83. A safe shall be secured in the floor or wall to store operating cash. Cash shall not be stored in the point of sale drawers during the hours the business is closed.

Signs

- 84. 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)

Security Plan

- 85. A security plan shall be submitted to and approved by the Police Department prior to the issuance of building permits. The submission shall be made in a PDF format and the specific requirements shall be included in the Security Plan Requirements which will be made available upon request.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

- 86. 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)
- 87. 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)
- 88. Developer shall have the site improvement plans prepared using standard Building and Engineering Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Building and Engineering Division. (DS-3)

89. 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)
90. Developer shall protect building pads from inundation during a 1% chance (100 year) storm. (DS-5)
91. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
92. 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)
93. 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)
94. Developer's site improvement plans shall include an on site sewer plan. (DS-10)
95. 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)
96. 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)
97. 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)
98. 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)

99. Prior to issuance of a site improvement permit, Developer shall provide to the Building and Engineering Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
100. 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)
101. 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)
102. 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)
103. Developer shall pay the cost of all inspections of on site and off site improvements. (DS-22)
104. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
105. 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)
106. "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)

107. 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)
108. 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)
109. 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)
110. 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)
111. 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)
112. 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)
113. 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)
114. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
115. 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)
116. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

117. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross connection control. (DS-59)
118. 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)
119. 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)
120. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
121. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
122. 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)
123. 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)
124. 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)
125. 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)
126. Using forms provided by the Building and Engineering Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this

project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the City Engineer approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

127. 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)
128. Developer's engineer shall submit written confirmation that the project landscape drawings comply with the landscape requirements of the Technical Guidance Manual for Stormwater Quality Control Measures for all landscape based stormwater quality best management practices. (DS-84)
129. 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)
130. 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 stormwater runoff from any portion of this project that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures ("TGM"). (DS-88)
131. 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 owner. (DS-102)

132. Prior to issuance of a site improvement permit, Developer shall provide evidence of the recordation of a reciprocal access and drainage agreement with the adjacent property owner. (DS-104)
133. 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 Building and Engineering Division prior to issuance of a building permit. (DS-105)
134. Developer shall process the Parcel Map PZ 21-300-04 concurrent with the site improvement plans for this project. The Parcel Map shall be processed for recordation concurrent with the approval of the site improvement plans for this project. (DS)
135. The site improvements for the Starbucks Project (PZ 21-500-06) and the Fast Food Restaurant Project (PZ 21-500-07) shall be approved, constructed, and be completed concurrently. (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, stormwater quality treatment, access, and shared parking between the Starbucks Project (PZ 21-500-06) and the Fast Food Restaurant Project (PZ 21-500-07). The agreement or CC&Rs shall clearly outline the responsible parties, funding, and maintenance requirements of all shared facilities. The agreement or CC&Rs shall clearly indicate the maintenance of the shared utilities and stormwater treatment facilities is jointly and severally the responsibility of all property owners subject to the agreement or CC&Rs. The shared access and facilities which the two projects depend on shall not be altered without the written approval of the City of Oxnard and the affected property owners. (DS)
137. 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)
138. At the direction of the City Engineer, Developer shall remove portions of the onsite city-owned water system, including fire hydrants, that will no longer be needed to serve the project. Developer shall deliver the removed fire hydrant(s) and/or water meters to the City Water Yard if so directed by the City Engineer. Developer shall update the existing water system with a loop system with a connection to Statham Boulevard and the other on Ives Avenue. 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)
139. Designated ADA and Electric Vehicle (EV) parking stalls shall be 19-feet deep or 18-feet with a 1-foot overhang. 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 to allow the cars to overhang by 2 feet. The sidewalk affected

shall maintain a 5-foot unobstructed sidewalk when affected by either the 1-foot or 2-foot overhang. (DS)

140. Developer shall construct a minimum 7 foot wide sidewalk at all locations where the sidewalk is located at the front of vehicle parking spaces to accommodate for 2 feet of vehicular overhang. Sidewalks in all other locations shall be a minimum of 5 foot wide unless otherwise approved by the City Engineer. (DS)
141. Developer shall pave all motorcycle parking spaces of concrete in conformance with City Code. (DS)
142. This project site's stormwater discharge flow rates shall conform to the approved design parameters established for Tract 4065-1. Developer shall demonstrate that the existing detention/retention facility constructed for the Tract still provides adequate volume and already accounted for this project's impervious area and drainage pattern into the design. (DS)
143. Developer shall relocate and/or locate water, fire protection, and other utilities out of the vegetated swale that is designed to provide stormwater quality treatment. (DS)
144. Prior to site improvement/grading permit, Developer shall submit document(s) showing the ownership and maintenance records of the existing retention/detention facility located at the southwest corner of South Rose Avenue and Jones Way. Developer shall have the engineer inspect and verify that the system is functioning and performing as intended and list out any immediate maintenance required. Developer to address the identified maintenance as part of the site improvement/grading permit issuance. (DS)
145. Developer shall design the project drainage improvements for the project frontage along South Oxnard Boulevard to match the original design intent of DWG 1989-006A, subject to review and approval of the City Engineer. Drainage improvements shall include but are not limited to restoring the swale and existing drainage pipelines to ensure that they will function as intended. Developer shall grant the City of Oxnard a drainage easement if determined necessary by the City Engineer to ensure that the public drainage facilities stay within the public right of way or easement. (DS)
146. Developer shall include a drainage collection structure to convey the runoff from the proposed South Oxnard Boulevard street widening improvements to safely discharge runoff into the swale, subject to review and approval of the City Engineer. (DS)
147. Developer shall construct a 5-foot wide meandering sidewalk along Oxnard Boulevard, unless a different configuration is directed by the City Engineer. (DS)
148. Developer shall abandon all existing sewer, water, and storm drain laterals to the project site that aren't used by the project. (DS)
149. Developer shall submit a sewer study with sizing calculations meeting City standards demonstrating that the public sewer system is adequate to serve the project. Developer

shall upgrade/replace all downstream improvements determined to be inadequate as required by the City Engineer. (DS)

150. Developer shall construct a trash enclosure (to store three bins minimum) with a solid non-combustible roof (8-foot minimum clearance) that prevents stormwater from entering the refuse bins. Developer shall provide a traffic rated drainage inlet within the enclosure to catch all enclosure wash water. This drain shall connect to the sanitary sewer system via a grease interceptor. Developer shall construct all other components of the trash enclosure in accordance with the approved City Standard Plan on file with the Building and Engineering Division. Developer shall finish the trash enclosure to match the major design elements of the main structure subject to approval by the Planning Division. The location and configuration of the enclosure shall be approved by the Environmental Resources Division. All site refuse bins shall be stored in an approved enclosure. No objects other than refuse bins may be stored in the enclosure without the written permission of the Environmental Resources Division. (DS)
151. Developer shall design the trash enclosure in substantial conformance with City standard plates for trash enclosures. The enclosure dimensions may be adjusted to accommodate additional bins but the design shall not require bins to be shuffled around when being serviced. An ADA path of travel shall connect the trash enclosure to the nearest sidewalk. (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. 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)
154. The hydrologic and hydraulic drainage report, including the stormwater quality, shall be prepared meeting the City standard format. (DS)
155. 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)

TRAFFIC CONDITIONS

156. Developer shall widen South Oxnard Boulevard along the project frontage to accommodate the following improvements on the westbound direction; a) a 11-foot left turn lane, b) two 12-foot through lanes, c) a 6-foot wide Class II bike lane, d) a 12-foot right turn lane, and e) modify to the vehicle detection and traffic signal system as appropriate to accommodate the improvements. The widening improvements also include re-striping and signing and shall be completed prior to the issuance of occupancy for the project. Final design shall be approved by the City Traffic Engineer. (TR)
157. Developer shall re-stripe the westbound receiving lanes of South Oxnard Blvd. to accommodate two 12-foot through lanes and an 8-foot bike lane. (TR)

158. 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)
159. 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)
160. Developer shall retrofit existing High-Pressure Sodium Vapor (HPSV) street lights on both sides of Statham Boulevard and Ives Avenue along the project frontage with LED. LED specifications are subject to approval of the City Traffic Engineer. (TR)
161. Developer shall install LED street lights along Oxnard Blvd's project frontage. Final locations and specifications of the LED street lights shall be approved by the City Traffic Engineer. (TR)
162. Developer shall comply and implement the recommendations described in the Transportation Management Plan (TMP) prepared for the 1600 Ives Avenue Commercial project by Associated Transportation Engineers (ATE) dated August 27, 2021. (TR)

ENVIRONMENTAL RESOURCES DIVISION

163. 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.
164. 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.
165. 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.

166. 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.
167. 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.
168. 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.
169. This property is required to adhere to applicable solid waste management ordinances, including future ordinance creation and/or revisions.
170. 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.
171. Waste enclosures must conform to the Material Management and Design Guidelines developed by the Environmental Resources Division. A copy of these guidelines are attached to this Resolution as Exhibit 1
172. 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 CONDITIONS

173. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide, exclusive of shoulders. 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)

174. 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)
175. 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)
176. 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. The tests must be certified by a mechanical, civil, or fire protection engineer. 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)
177. 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)
178. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
179. At all times during construction, Developer shall maintain paved surfaces capable of handling loads of 76,000 pounds which will provide access for firefighting apparatus to all parts of the project property. (FD/DS, F-7)
180. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
181. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
182. The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, F-11)
183. 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)
184. Developer shall install in each structure in the project an 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 provides floor by floor water flow monitoring and allows the central station monitor to inform the Fire Department. (FD, F-13)
185. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F15)

186. 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)
187. 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.
188. Before the city issues a certificate of occupancy, the developer shall install Knox key vaults at a location to be determined by the Fire Department.
189. All overhangs over 4 feet in width are required to be sprinklered.
190. Verify height of parapet. Not to be over 40 inches.
191. Each Building shall be equipped with a Fire Department Connection (FDC) adjacent to the nearest fire hydrant, within 50-feet and on the same side of the drive aisle. FDC shall not be allowed to be attached to the proposed building.
192. Provide two separate sprinkler backflow devices, one for each building located no further than 5 feet from the back of the public sidewalk.
193. Provide a looped hydrant line.
194. Provide a hydrant within 150-feet of all portions of the building exterior walls. Provide a plan with hydrants located and 150-foot radius circles at their center to demonstrate coverage.
195. Existing backflows and FDC shall be removed if they are not intended to be utilized by the proposed buildings/project.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 17th day of February 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 17th day of February 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

Exhibit 1: Environmental Resources Division - Material Management and Design Guidelines

Starbucks & Fast Food Drive-Throughs & Parcel Map - Ives Avenue

Planning & Zoning Permit Nos.

- 21-500-06 (Special Use Permit - Starbucks)
- 21-500-07 (Special Use Permit - Fast Food)
- 21-300-04 (Parcel Map)

Applicant: Hassan Amirsadeghi, Habitat Properties

Jay Dobrowalski, Senior Planner

Scott Kolwitz, Planning and Environmental Services Manager

Planning Commission
February 17, 2022

Project Description

- A request for the following actions:
 - PZ 21-300-04 - Parcel Map
 - Subdivide the existing 1.78 acre project area
 - Create two lots with development:
 - 0.79 acre lot with coffee shop
 - 0.99 acre lot with fast food restaurant
 - Reciprocal access and parking

Project Description (Continued)

- A request for the following actions:
 - PZ 21-500-06 - Special Use Permit - Starbucks
 - Demolish the existing 8,868 square-foot building
 - Construct a new 983 square-foot coffee shop and outdoor patio
 - Drive-through with 14-vehicle capacity
 - Parking lot for 25 vehicles
 - Landscaping and infrastructure improvements
 - 0.79 acre project site

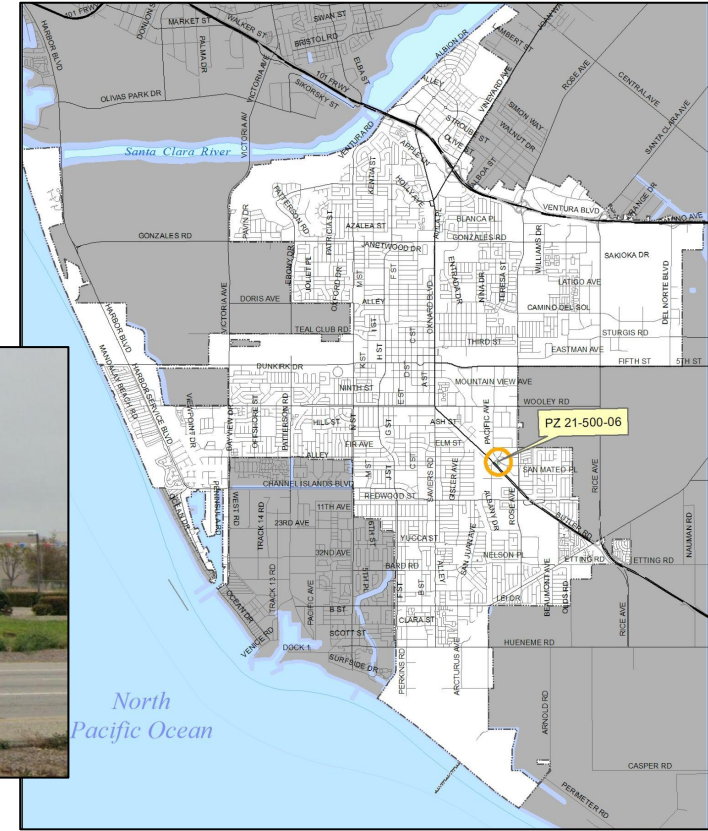
Project Description (Continued)

- A request for the following actions:
 - PZ 21-500-07 - Special Use Permit - Fast Food
 - Demolish the existing 8,868 square-foot building
 - Construct a new 2,533 square-foot restaurant and outdoor patio
 - Drive-through with 9-vehicle capacity
 - Parking lot for 32 vehicles
 - Landscaping and infrastructure improvements
 - 0.99 acre project site

Project Location

Subject Site: 1600 Ives Avenue

Existing Events Center



Street View



View from Oxnard Blvd looking north

Surrounding Land Uses



General Plan and Zoning

2030 General Plan:
Commercial General (CG)



Zoning Designation:
General Commercial, Planned
Development (C-2-PD)



Background - Existing Events Center

- **August 7, 1989:** Community Development Director granted Development Design Review Permit No. 89-3 to authorize the construction of a speculative building that was operated as a Marie Callender's Restaurant (later it became Liu City Buffet).
- **October 16, 2013:** City Council conducted a Pre-Application review for a General Plan Amendment and one Change to change the zoning from Business Research Park (BRP) to General Commercial Planned Development (C-2-PD).
- **January 27, 2014:** City Council approved proposed General Plan Amendment and Zone Change.

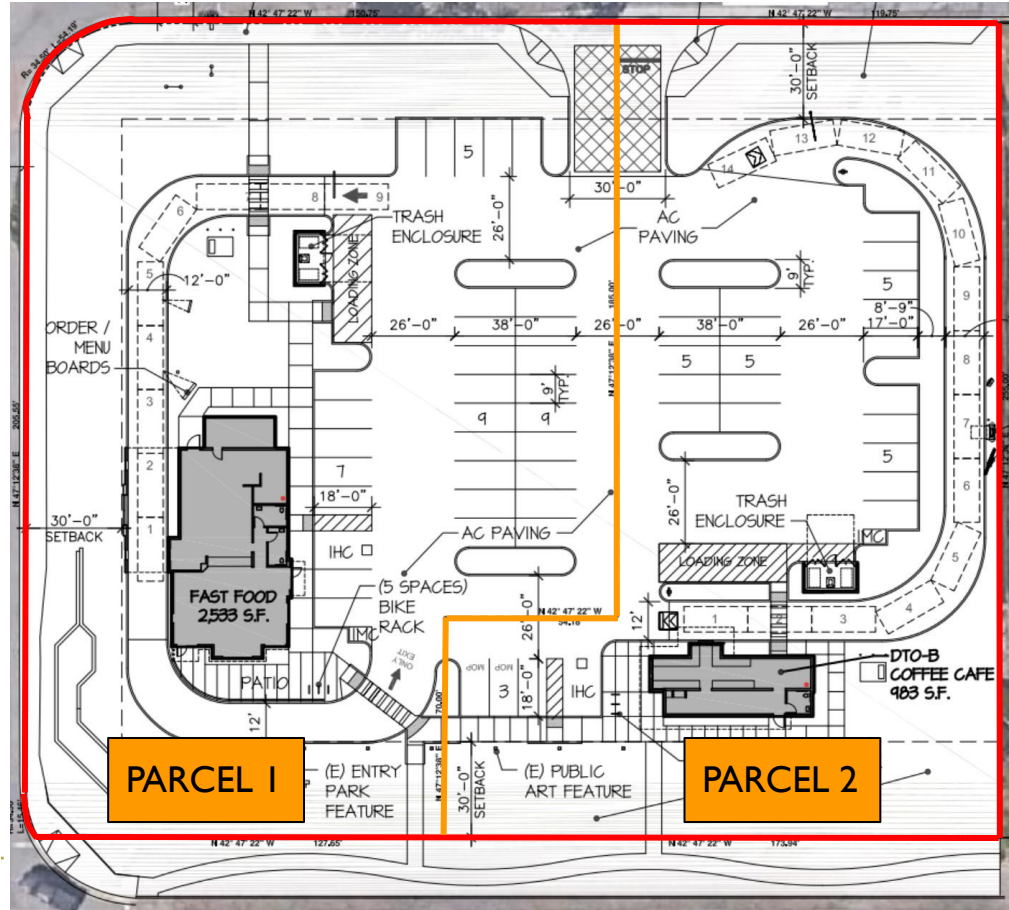
Background - Existing Events Center

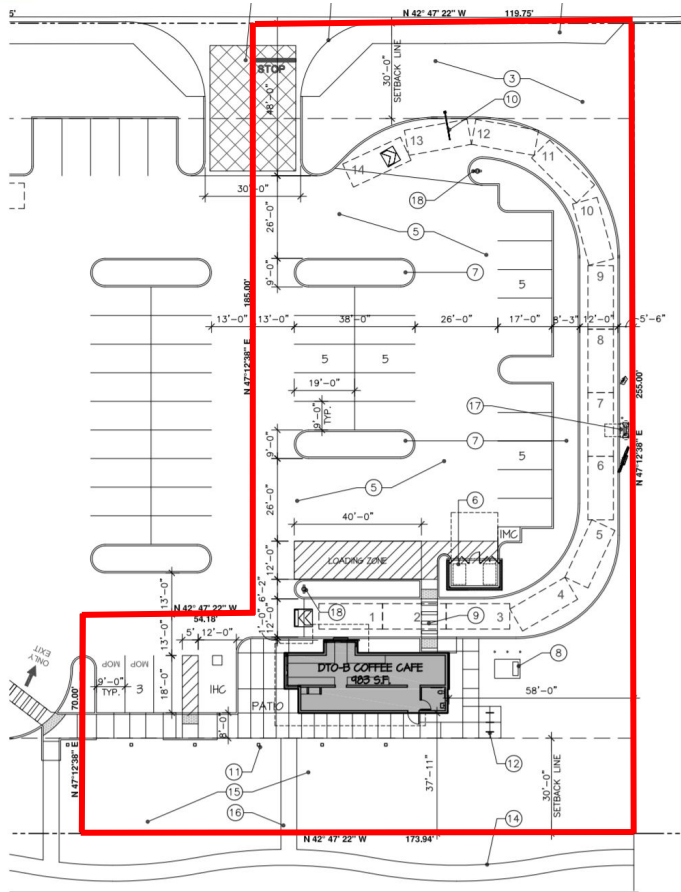
- **December 17, 2017:** Community Development Director granted a Zone Clearance for the existing restaurant and events center.
- **November 14, 2018:** Planning Commission granted a Special Use Permit for the sale of alcohol within the existing restaurant and events center.
- **February 1, 2021:** Applicant submitted a conceptual plan for a Pre-Development Advisory Committee review of the proposed development.

Proposed Site Plan (Parcel Map)

Proposed Parcel Map:

Creates two lots
Reciprocal Access and Parking



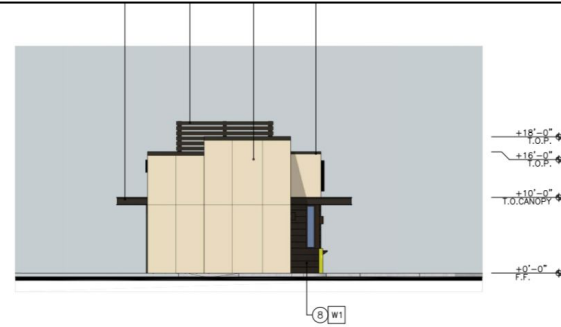


Starbucks Elevations - Rendered



NORTH ELEVATION

SCALE 1/8" = 1'-0"



EAST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

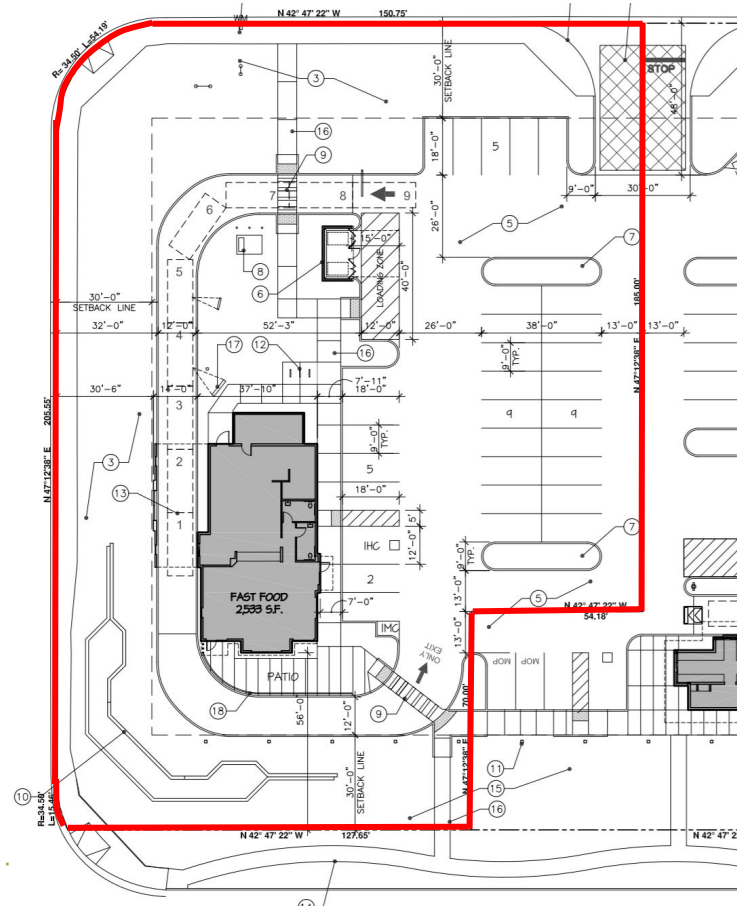
SCALE 1/8" = 1'-0"



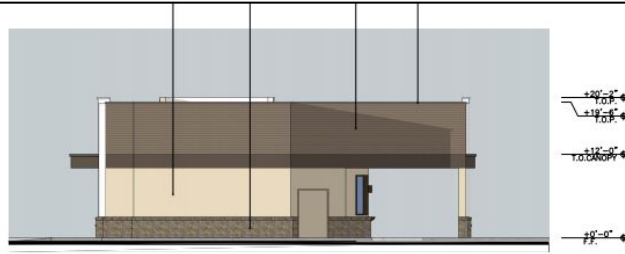
WEST ELEVATION

SCALE 1/8" = 1'-0"

Proposed Site Plan - Fast Food Restaurant

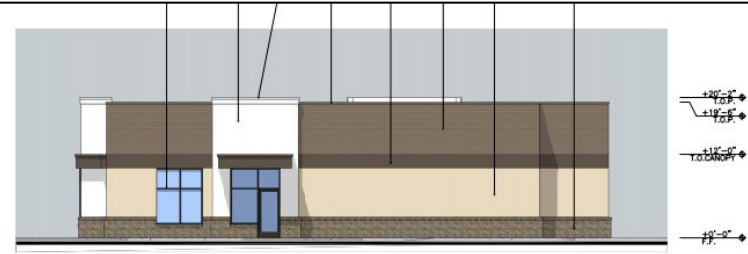
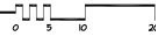


Fast Food Restaurant Elevations - Rendered



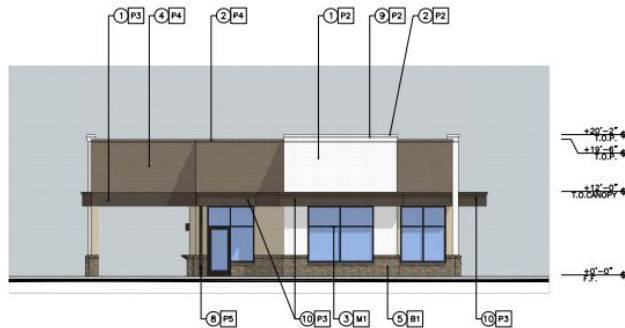
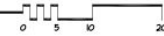
NORTH ELEVATION

SCALE 1/8" = 1'-0"



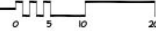
EAST ELEVATION

SCALE 1/8" = 1'-0"



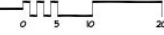
SOUTH ELEVATION

SCALE 1/8" = 1'-0"



WEST ELEVATION

SCALE 1/8" = 1'-0"



Policy & Code Consistency

Project found to be consistent with:

- General Plan
 - CD-1.2 (Infill); CD-9.2 (Commercial Redevelopment); ICS-8.1 & 8.5 (Pedestrian Connections & Orientation)
- C-2-PD Development Standards & Parking
- Channel Islands Business Center Guidelines

Environmental Review

- In accordance with Section 15332 (Infill 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 includes:
 - a. Subdivision of the project area to create two lots.
 - b. Redevelopment of a existing commercial center to allow for two drive-through restaurants.
 - c. The overall proposed development site is located on a 3.67-acre site which is surrounded by urban uses.
 - d. The Project site will be adequately served by all required utilities and public services.
 - e. The Project site has no value as habitat for endangered, rare or threatened species.
 - f. The Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- No substantial evidence the project will have a significant effect on environment.
- A Notice of Exemption will be filed.

Select Recommended Conditions of Approval

- The Project's permit are granted for 36 months (PM COA #10; SUP COAs #3)
- Reciprocal access and parking agreement required (PM COA #12 & 13; SUP COAs #48/49, 72/73, 131 & 136)
- Vacation of existing easements (PM COA #25, 26)
- Public right-of-way improvements required (SUP COA #73, 156-159)
- Channel Islands Business Center required screening (SUP COA #71/72)
- Drive-through speaker box shall use automatic volume control (SUP COA #36/37)
- Requires the applicant implement a Transportation Demand Management Plan (TDMP) and allows for re-evaluation by the City (SUP COA #37/38/39)
- Master Sign Program required (SUP COA #49/50)
- Developer shall pay Development Impact Fees (COA #86)

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 regarding the project.

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 15332 (Infill Development); and
- b) Adopt Resolution 2022-XX recommending the City Council approve Planning and Zoning Permit No. 21-300-04 (Parcel Map), subject to certain findings and conditions; and
- c) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-500-06 (Special Use Permit), subject to certain findings and conditions; and
- d) Adopt Resolution 2022-XX approving Planning and Zoning Permit No. 21-500-07 (Special Use Permit), subject to certain findings and conditions.



Questions