

F.1

PZ 17-500-11

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission

FROM: Joe Pearson II, Planning Manager
Michael Rocque, Senior Contract Planner

DATE: February 2, 2023

SUBJECT: **Project Name: 2420 Oxnard Boulevard U-Haul Project;** Planning and Zoning Permit No., 17-500-11 (Special Use Permit); 2420 N. Oxnard Boulevard; APNs: 142-0-010-345 and 142-0-021-010

At the meeting of November 17, 2022, the Planning Commission received staff's presentation for the proposed renovation and conversion for a U Haul Self-Storage (Project) that required approval of Planning and Zoning (PZ) Permit No. 17-500-11 (Special Use Permit). In the deliberation that followed, Planning Commissioners raised a few issues, and asked specific questions.

Subsequently, the Planning Commission voted to continue the item to the Planning Commission's meeting of December 15, 2022, however due to not having the required information available prior to the meeting, the item was continued to January 5, 2023.

At the meeting on January 5, 2023, the Planning Commission received and reviewed all of the requested additional information from the project applicant and staff. This included the revised proposed fiscal impact and tax projections presented by the applicant and the added project condition that the project provide a solar energy system as part of the project scope, which has been added as Condition No. 45 in Resolution No. 2023-XX (Attachment A).

As a continued agenda item, no additional mailed or published public notices were required. The on-site hearing notice signs were updated to indicate both the January 5, 2023, and February 2, 2023, continued hearings.

As a continued public hearing, the Planning Commission will first need to reopen the public hearing, accept public comment on the item and then may proceed with deliberation on the matter.

For the convenience of the Planning Commission and interested parties, staff has pulled forward our recommendation:

Recommendation: That the Planning Commission

a) Adopt Resolution No. 2023-XX recommending that the City Council adopt a

Mitigated Negative Declaration (MND) 22-04 and Mitigation Monitoring Reporting Program (MMRP)

- b) Adopt Resolution 2023-XX recommending that the City Council Approve Planning and Zoning Permit No. 17-500-11 (Special Use Permit), based on the findings presented and attached conditions of approval.

Additionally, the required Measure M pre-recorded presentation video has not been changed, and it can be viewed online at this address: <https://youtu.be/xOx4F8ULdPQ>

ATTACHMENTS:

- A. January 5, 2023 Planning Commission Staff Report
- B. Draft Planning Commission Resolution Recommending Adoption of Mitigated Negative Declaration (MND) 22-04
- C. Draft Planning Commission Resolution Recommending Approval of PZ No. 17-500-11

A

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission

FROM: Joe Pearson II, Planning Manager
Michael Rocque, Senior Contract Planner

DATE: January 5, 2023

SUBJECT: **Project Name: 2420 Oxnard Boulevard U-Haul Project;** Planning and Zoning Permit No., 17-500-11 (Special Use Permit); 2420 N. Oxnard Boulevard; APNs: 142-0-010-345 and 142-0-021-010

At the meeting of November 17, 2022, the Planning Commission received staff's presentation for the proposed renovation and conversion for a U Haul Self-Storage (Project) that required approval of Planning and Zoning (PZ) Permit No. 17-500-11 (Special Use Permit). In the deliberation that followed, Planning Commissioners raised a few issues, and asked specific questions.

Subsequently, the Planning Commission voted to continue the item to the Planning Commission's meeting of December 15, 2022, however due to not having the required information available prior to the meeting, the item was continued to January 5, 2023. As a continued agenda item, no additional mailed or published public notices were required. The on-site hearing notice signs were updated to indicate the January 5, 2023, continued hearing.

As a continued public hearing, the Planning Commission will first need to reopen the public hearing, accept public comment on the item and then may proceed with deliberation on the matter. The applicant has provided an updated site plan (Attachment A) showing the potential solar panel locations that will be added to the RV storage areas. There are no other changes to the Project's proposed site and civil plans or building designs and elevations distributed for the November 17, 2022 Planning Commission meeting.

The Planning Commissioners' questions and requests are posed below and grouped by topic. Responses and/or references to attachments are provided by City staff, as noted.

1. Provide additional information on the proposed fiscal impact and tax projections for the project presented by the applicant at the November 17, 2022, hearing.

The applicant team has provided an updated fiscal and estimated tax projection revenue report for the City (Attachment B). Per the applicant the attached report provides tax revenues from comparable locations and facilities within the California region in order to provide tax revenue projections for the City. Based on the report provided, the applicant

claims that the total estimated yearly tax within two years upon project completion will be \$248,599.72 (including property tax assessment). While the tax rate was revised to the correct rate of 3.00% for Oxnard, the estimated taxes have been reduced from the tax estimate of \$399,982.31 presented at the November 17, 2022 hearing, which was based on a 1.5% rate.

2. The project provides a solar energy system as part of the project scope and to include solar specific project conditions.

The applicant has provided an updated site plan (Attachment A) showing the potential solar panel locations that will be added to the RV storage areas. The Commission also requested that Staff work with applicable City Departments to include solar project conditions that clarify the maximum production and use of solar for the project site. Staff conferred with the City Building and Safety Division and is proposing Condition No. 45 to ensure that all solar energy systems installed will be compliant and ensure the highest maximum production for the project site.

Proposed Condition #45

A solar photovoltaic (PV) system shall be installed, which complies with the California Energy Code and shall have a total area no less than 15 percent of the total roof area of the building, including any canopy areas, and covered RV parking area, subject to compliance with Southern California Edison Requirements. Southern California Edison, as the local electric service provider, shall be consulted to ensure that PV system sizing will comply with the Energy Design Rating (EDR) targets.

For the convenience of the Planning Commission and interested parties, this memo includes the staff report and associated attachments prepared for the Planning Commission's public hearing on November 17, 2022. The staff report and other attachments have not changed.

For the convenience of the Planning Commission and interested parties, staff has pulled forward our recommendation:

Recommendation: That the Planning Commission

- a) Provide direction to City staff regarding the appropriateness of the proposed project and adequateness of the Final IS-MND and direct staff to return with a resolution providing an approval recommendation or a denial recommendation to City Council; and
- b) Continue the meeting to a date certain.

Additionally, the required Measure M pre-recorded presentation video has not been changed, and it can be viewed online at this address: <https://youtu.be/xOx4F8ULdPQ>

ATTACHMENTS:

- A. Updated Site Plan (Solar Panel Locations)

- B. U-Haul Updated Tax Projections
- C. Revised Recommended Project Conditions
- D. November 17, 2022, Staff Report and associated attachments.

U-HAUL
MOVING & STORAGE
NORTH OXNARD
2420 N OXNARD BLVD



U-Move (EQUIPMENT RENTAL)



Whether you're tackling your first move or the tenth, U-Haul has the Right Equipment at the Lowest Cost for whatever your moving needs are. U-Haul has the largest selection of new trucks/Trailers specifically designed for your upcoming household move.

** North Oxnard Store Comes with 0.33 Acres of parking lot which can easily handle up to 65 trucks and trailers to serve the customers in City of Oxnard and Ventura County.

Income / Yearly

	U-Haul of Canyon Country, CA [0.4 Acres of Parking space] Year of 2021-2022	U-Haul of Northridge, CA [0.2 Acres of Parking space] Year of 2021-2022	U-Haul Of Oxnard, CA [0.33 Acres of parking space] Projected in next 2years
U-Move	\$3,536,730	\$3,009,095	\$3,298,431.00

- Canyon Country & Northridge has similar lot size and population draw

Tax Estimate / Yearly

California State 6.00%	\$197,905.86
Ventura County 0.25%	\$8,246.08
Oxnard City 3.00%	\$98,952.93

U-Box (PORTABLE STORAGE)



The best part about using U-Box® containers for a move or as a **portable storage** solution is you have the flexibility and control to plan the perfect move. You can ship to your new home or store until you know where you're going. We give you the opportunity to plan each step of the process to ensure it works best for you. City to City Moving® containers will give you the flexibility and convenience you need for your next move.

Income / Yearly

	U-Haul of Panorama city, CA [Room of 1800 portable storage] Year of 2021-2022	U-Haul of Hayward, ca [Room of 2500 portable Storage] Year of 2021-2022	U-Haul Of Oxnard, CA Projected in next 2years [Can hold up to 1100 portable storage]
Portable Storage rental income	\$1,513,684.80	\$2,511,114.00	\$3,013,336.80
Portable Storage Local Delivery income	\$226,686.00	\$412,036.80	\$494,444.16
Total	\$1,740,370.80	\$2,923,150.80	\$3,507,780.96

- Panorama City & Hayward have similar number of boxes per store, Oxnard location will have less competition.

Tax Estimate / Yearly

California State 6.00%	\$210,466.86
Ventura County 0.25%	\$8,769.45
Oxnard City 3.00%	\$105,233.43

SAFE PRODUCTS (RENTER'S INSURANCE)



We can't predict accidents, but we can plan for them. One of the most commonly reported accidents in the rental truck industry is a rock cracking the windshield. With Safemove®, Safemove Plus®, Safetow®, Safestor®, you can rest easy knowing that you will be protected from financial responsibility should you find yourself in an unfortunate situation.

Income / Yearly

	U-Haul of Santa Monica, CA Year of 2021-2022	U-Haul of Northridge, CA Year of 2021-2022	U-Haul Of Oxnard, CA Projected in next 2years
Safe Products	\$437,343.60	\$337,222.80	\$524,812.32

Tax Estimate / Yearly

California State 6.00%	\$31,488.74
Ventura County 0.25%	\$1,312.03
Oxnard City 3.00%	\$15,744.37

BOXES & MOVING SUPPLIES



Our boxes & moving supplies are ideal for moving, shipping, protecting furniture, large valuables from nicks, scratches and other damage while moving to a new home or to storage

**Best Quality with compatible price in the market. One stops shopping.

Income / Yearly

	U-Haul of Agoura Hills, CA Year of 2021-2022	U-Haul of Belmont, CA Year of 2021-2022	U-Haul Of Oxnard, CA Projected in next 2years
Boxes & Moving Supplies	\$346,365.60	\$281,425.20	\$337,710.24

Tax Estimate / Yearly

California State 6.00%	\$20,262.61
Ventura County 0.25%	\$844.28
Oxnard City 3.00%	\$10,131.31

TRAILER HITCH & ACCESSORIES



Trailer Hitches

Install a trailer hitch on your car, truck or SUV to enable your vehicle's towing capabilities.

U-Haul is North America's #1 hitch installer. All trailer hitches sold and installed at a U-Haul Moving Center® come with the option of a lifetime warranty plan guaranteed to replace your hitch with no limitation for any damage, including collision, corrosion, accidental overload, jackknifing and vehicle theft. A wiring service plan is also available. This covers repair and replacement of any damage to your wiring setup for up to two years.

** Lowest installation rate with best part price in United States. No one can compete with U-Haul's Hitch and installation.

Income / Yearly

	U-Haul of Northridge, CA Year of 2021-2022	U-Haul of Dublin, CA Year of 2021-2022	U-Haul Of Oxnard, CA Projected in next 2years
Trailer Hitch & Accessories	\$274,800.00	\$349,640.40	\$419,568.48

Tax Estimate / Yearly

California State 6.00%	\$25,174.11
Ventura County 0.25%	\$1,048.92
Oxnard City 3.00%	\$12,587.05

U-BOX TRAILER (PORTABLE STORAGE SELF DELIVERY)



Whether you need portable storage to store your belongings or move them, U-Box® can help. If you can't wait for us to deliver the U-Box container to you, you can use our customer-designed U-Box trailer. Take the U-Box container on our new trailer and you can get started on your packing right away. Return the trailer and the U-Box container when you're ready and we'll store it or ship it to your new destination. U-Box has a solution for all your moving and storage needs.

Income / Yearly

	U-Haul of Panorama city, CA Year of 2021-2022	U-Haul of Hayward, CA Year of 2021-2022	U-Haul Of Oxnard, CA Projected in next 2years
Trailer Rent	\$112,816.80	\$165,295.20	\$198,354.24

- Panorama City & Hayward has similar number of box store.

Tax Estimate / Yearly

California State 6.00%	\$11,901.25
Ventura County 0.25%	\$495.89
Oxnard City 3.00%	\$5,950.63

PROPERTY TAX (2022-2023)

2022-23 VENTURA COUNTY SECURED TAX STATEMENT

STEVEN HINTZ, TREASURER-TAX COLLECTOR
800 South Victoria Avenue, Ventura, CA 93009-1290
www.venturapropertytax.org
(805) 654-3744

OWNER OF RECORD JANUARY 1, 2022

Not available online pursuant to CA GC6254.21

SITUS/LOCATION
2420 N OXNARD BL OXNARD

CURRENT OWNER

Not available online pursuant to CA GC6254.21

PHONE	SERVICE AGENCY	RATE PER \$100	AMOUNT
805 654 3181	PROP 13 MAXIMUM 1% TAX	1.000000	36,776.35
805 383 1982	EL SCH BD RIO #3	0.022900	842.17
805 383 1982	EL SCH BD RIO	0.013600	500.16
805 383 1982	EL SCH BD RIO #2	0.021200	779.66
805 383 1982	HI SCH BOND OXNARD	0.004400	161.82
805 383 1982	HI SCH BOND OXNARD #2	0.012400	456.02
805 383 1982	HI SCH BOND OXNARD #3	0.031700	1,165.81
805 383 1982	VTA COMM COLLEGE BD	0.014200	522.23
866 807 6864	METROPOLITAN WTR	0.003500	128.71
805 385 7475	CITY OXNARD DIST #1	0.029095	1,070.01
	GENERAL TAX TOTAL		42,402.94

PHONE	SPECIAL ASSESSMENT	DIST/ZONE	AMOUNT
866 807 6864	CALLEGUAS MWD	08-24	18.50
866 807 6864	METRO WTR DIS STANDBY	08-22	35.44
805 654 2816	VECTOR CONTROL	03-01	58.32
805 672 2108	VCWPD ZN2 OX WP NPDES	14-26	161.16
805 672 2108	VCWPD ZN2 OXNARD NPDES	14-42	418.40
805 672 2108	VCWPD ZN2FLD CTRLMAINT	14-05	1,134.72
800 676 7516	OXNARD BLVD/101HWY CFD	16-11	7,476.40
	SPECIAL ASSESSMENTS TOTAL:		9,302.94

ASSESSOR INFORMATION (805) 654-2181	PROPERTY VALUE
LAND/MINERALS	
IMPROVEMENTS	
PERS. PROP.	0
TOTALS	3,677,635
LESS: HOMEOWNER'S EXEMP.	0
OTHER EXEMPTION	0
NET TOTAL	3,677,635

TAX RATE AREA	PARCEL/I.D. NUMBER	STMT NO.	MAIL CODE	1ST INSTALLMENT	2ND INSTALLMENT	TOTAL
03311	142-0-021-010	1471490		\$25,852.94 PAY BY: 12/12/2022	\$25,852.94 PAY BY: 04/10/2023	\$51,705.88

SECURED TAX PAYMENT

Return Stub with Payment

TAX PLUS PENALTY: 2420 N OXNARD BL OXNARD
\$28,468.23

If paid after:
4/10/23

2022-23 PAY THIS AMOUNT:



DUE Feb 1, 2023
DELINQUENT AFTER
Apr 10, 2023

\$25,852.94

2nd installment cannot be paid until
after payment of the 1st installment

2nd

Pay Online at: www.venturapropertytax.org

Make check payable to:

VC TAX COLLECTOR

Please put Assessor's Parcel # on check

ASSESSOR'S PARCEL#	STATEMENT #	MAIL CODE
142-0-021-010	1471490	

11471490204102300002585294000028468231420021010000001

SECURED TAX PAYMENT

Return Stub with Payment

TAX PLUS PENALTY: 2420 N OXNARD BL OXNARD
\$28,438.23

If paid after:
12/12/22

2022-23 PAY THIS AMOUNT:



DUE Nov 1, 2022
DELINQUENT AFTER
Dec 12, 2022

\$25,852.94

2022-23 VENTURA COUNTY SECURED TAX STATEMENT

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OWNER OF RECORD JANUARY 1, 2022

Not available online pursuant to CA GC6254.21

SITUS/LOCATION
2420 N OXNARD BL OXNARD

CURRENT OWNER

Not available online pursuant to CA GC6254.21

PHONE	SERVICE AGENCY	RATE PER \$100	AMOUNT
805 654 3181	PROP 13 MAXIMUM 1% TAX	1.000000	53,654.24
805 383 1982	EL SCH BD RIO #3	0.022900	1,228.68
805 383 1982	EL SCH BD RIO	0.013600	729.69
805 383 1982	EL SCH BD RIO #2	0.021200	1,137.47
805 383 1982	HI SCH BOND OXNARD	0.004400	236.08
805 383 1982	HI SCH BOND OXNARD #2	0.012400	665.32
805 383 1982	HI SCH BOND OXNARD #3	0.031700	1,700.84
805 383 1982	VTA COMM COLLEGE BD	0.014200	761.89
866 807 6864	METROPOLITAN WTR	0.003500	187.79
805 385 7475	CITY OXNARD DIST #1	0.029095	1,561.06
	GENERAL TAX TOTAL		61,863.06

PHONE	SPECIAL ASSESSMENT	DIST/ZONE	AMOUNT
866 807 6864	CALLEGUAS MWD	08-24	29.20
866 807 6864	METRO WTR DIS STANDBY	08-22	55.94
805 654 2816	VECTOR CONTROL	03-01	79.82
805 672 2108	VCWPD ZN2 OX WP NPDES	14-26	254.38
805 672 2108	VCWPD ZN2 OXNARD NPDES	14-42	660.38
805 672 2108	VCWPD ZN2FLD CTRLMAINT	14-05	1,791.00
800 676 7516	OXNARD BLVD/101HWY CFD	16-11	11,799.42
	SPECIAL ASSESSMENTS TOTAL:		14,670.14

ASSESSOR INFORMATION (805) 654-2181	PROPERTY VALUE
LAND/MINERALS	
IMPROVEMENTS	
PERS. PROP.	0
TOTALS	5,365,424
LESS: HOMEOWNER'S EXEMP.	0
OTHER EXEMPTION	0
NET TOTAL	5,365,424

TAX RATE AREA	PARCEL/I.D. NUMBER	STMT NO.	MAIL CODE	1ST INSTALLMENT	2ND INSTALLMENT	TOTAL
03313	142-0-010-345	1471570		\$38,266.60 PAY BY: 12/12/2022	\$38,266.60 PAY BY: 04/10/2023	\$76,533.20

SECURED TAX PAYMENT

Return Stub with Payment

TAX PLUS PENALTY: 2420 N OXNARD BL OXNARD
\$42,123.26

If paid after:
4/10/23



2022-23 PAY THIS AMOUNT:

DUE Feb 1, 2023
DELINQUENT AFTER \$38,266.60
Apr 10, 2023

2nd installment cannot be paid until
after payment of the 1st installment

2nd

Pay Online at: www.venturapropertytax.org

Make check payable to:

VC TAX COLLECTOR

Please put Assessor's Parcel # on check

ASSESSOR'S PARCEL#	STATEMENT #	MAIL CODE
142-0-010-345	1471570	

01471570204102300003826660000042123261420010345000008

CONCLUSION

Yearly approximately tax revenue opportunities for local & State Government in 2years.

	California State 6.00%	Ventura County 0.25%	Oxnard city 3.00%
U-Move (Truck Rental)	\$197,905.86	\$8,246.08	\$98,952.93
U-Box (Portable Storage)	\$210,466.86	\$8,769.45	\$105,233.43
Safe Products (Damage waiver)	\$31,488.74	\$1,312.03	\$15,744.37
Boxes & Moving Supplies	\$20,262.61	\$844.28	\$10,131.31
Trailer Hitch Installation & Accessories	\$25,174.11	\$1,048.92	\$12,587.05
U-Box Trailer (Self-delivery)	\$11,901.25	\$495.89	\$5,950.63
Property Tax (2019-2020)		\$128,239.08 ++	
Total Yearly Tax Forecast in 2 years	\$497,199.43	\$20,716.64 (Property Tax <u>Not</u> Included)	\$248,599.72 (Property Tax Included)

++ Current Assessment value is \$9.04M year of 2022. However, once we completed the construction with city's permission, we are estimating the value will increase to \$24M and we are expecting the property tax will increase to : **\$360,000**

-Entire buildings are complied with the building code/fire code as per city request.

-Entire parking space will be re-pave with landscapes.

-Entire warehouse will be renovated.

-Entire exterior will be renovated.

Attachment G

U-Haul Moving and Storage

Draft Recommended Project Conditions

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 _____, (“the plans”) on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, G-5).
6. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process (CA, G-6).
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail (CA, G-7).
8. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, G-8).
9. Developer shall provide off-street parking for the project as detailed in the Parking Study Demand (dated January 19, 2022), including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9).
10. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, G-10).
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

16. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
18. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
19. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
22. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)
23. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
24. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)

25. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that “all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California”. (PK, PK-24)
26. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled “Tree Tabulation Chart”. The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist’s Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist’s economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City’s minimum tree size of 24” box. Where the value of the trees cannot be accommodated onsite, as determined by the City, the City may approve an alternative method for replacing the value of the removed trees. (PK)

LANDSCAPE SPECIAL CONDITIONS

27. Site perimeter fencing shall be bordered on both the interior and exterior sides with defensive landscaping. Defensive landscape elements adjacent to fencing shall be maintained in an uninterrupted hedge shape with a minimum height of 18-inches and a maximum height of 36-inches throughout the life of the project.
28. Landscape plan shall be revised to incorporate the installation and maintenance of landscaping in the adjacent parkway between the northern driveway and the northern edge of the property. Final landscape plan shall be subject to approval by the Public Works and Community Development Departments.
29. Landscaping shall be maintained in conformance with approved project plans for the life of the project.

PLANNING DIVISION SPECIAL CONDITIONS

30. Prior to issuance of building permits, the Developer shall use architectural coatings with VOC contents of 25 g/L or less. (MND, AQ-1)
31. Per VCAPCD Guidelines, because project construction emissions would exceed 25 pounds per day for NOX, the following measures shall be implemented:
 - a. Minimize equipment idling time.
 - b. Maintain equipment engines in good condition and in proper tune as per manufacturers’ specifications.
 - c. Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time.
 - d. Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, if feasible.
 - e. In addition, per recent VCAPCD guidance on other projects, project construction shall use Tier 3 or above construction equipment for all off-road diesel equipment

that has greater than 50 horsepower. A copy of each unit's certified tier specification shall be provided at the time of mobilization of each applicable unit of equipment. (MND AQ-2)

32. Prior to construction activities carried out from February 1 to August 31, Nesting bird surveys shall be conducted by a qualified biologist prior to any construction activities during bird breeding season from February 1 through August 31. If no nesting birds are detected during these surveys, then construction-related activities may proceed. Active nests in and adjacent to the construction zone shall be avoided and provided a minimum buffer as determined by the qualified biologist (CDFW recommends a 300-foot-wide nest avoidance buffer or 500 feet for all active raptor nests) prior to the commencement of construction. Construction activities within the buffer must be conducted at the discretion of the qualified biologist. (MND BIO-1)
33. Prior to issuance of grading permits, the Developer shall note on the plans for review and approval by the City Engineer that if historic, cultural or paleontological resources are encountered during site grading or other site work, all such work shall be halted immediately within 50 feet of discovery and the developer shall immediately notify the Planning Division of the discovery. In such case, the developer shall be required, at its own expense, to retain the services of a qualified archaeologist (or paleontologist, if it is a fossil discovery) for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist or paleontologist shall be required to submit to the Planning Division, for review and approval, a report of the findings and method of curation or protection of the resources. Further grading or site work within 50 feet of discovery shall not be allowed until the preceding work has occurred. (MND-CR-1)
34. 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.
35. 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)
36. 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)
37. 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.
38. 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)

39. 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).
40. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
41. 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.
42. 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)
43. 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.
44. Developers or Operators shall not park, store, or stage rental trucks or trailers outside of designated "Equipment Staging Area" or "Dispatch Vehicle Parking" area as identified on the project plans.
45. A solar photovoltaic (PV) system shall be installed, which complies with the California Energy Code and shall have a total area no less than 15 percent of the total roof area of the building, including any canopy areas, and covered RV parking area, subject to compliance with Southern California Edison Requirements. California Edison, as the local electric service provider, shall be consulted to ensure that PV system sizing will comply with the Energy Design Rating (EDR) targets.

PLANNING DIVISION STANDARD CONDITIONS

46. 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)
47. 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)
48. 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)

49. 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*)
50. 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*)
51. 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*)
52. 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*)
53. 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*)
54. 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*).
55. 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*)
56. 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*)

57. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
58. 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)
59. 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)
60. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).
61. 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)
62. 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)
63. 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)
64. 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)

GOLD COAST TRANSIT CONDITIONS

65. Developer shall install a Gold Coast Transit bus stop adjacent to the slip/merge to the north of the driveway, unless waived by the City Traffic Engineer. The stop shall have a minimum of 30 feet of standard width sidewalk with an additional 8' x 30' pad to the north of the driveway. 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

66. 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.
67. 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.
68. All exterior lighting shall operate from dusk to dawn.
69. All exterior LED lighting shall be of a similar nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
70. 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.
71. 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.
72. Port Cocheres/carports shall be illuminated between 7 and 15 foot-candles. Under canopy lighting instruments shall be installed on the ceiling of the canopy in-line with the spaces between RV parking spaces.

73. During the first year of operations after the issuance of the Certificate of Occupancy, a roving security patrol service shall monitor the site during the hours the business is closed. Monitoring shall include a tour check in system approved by the Police Department as part of the business' Security Plan to ensure that outdoor storage is monitored while defensive plantings are maturing.
74. The outdoor vehicle storage area shall be fully enclosed by a fencing system approved jointly by the Police Department and Community Development Department. Vehicular gates shall be controlled by "Click-To-Enter" technology to provide 24-hour access to first responders.

Security Camera Systems – Businesses

75. 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 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

Alarms

76. 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.

Signs

77. 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)

78. Signs shall be posted around the site stating: "Trespassing Forbidden By Law Violators will be subject to arrest pursuant to 602 PC".
79. Signs shall be posed around the site stating: "This Property Is Monitored By A Security Alarm and Camera System"
- 80.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

81. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)
82. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)
83. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)
84. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an 1. approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
85. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
86. 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)
87. 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)
88. 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)

89. 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)
90. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
91. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no map, then at the time of public improvement plan approval. (DS-17)
92. 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)
93. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If the Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
94. 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)
95. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
96. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
97. 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)

98. "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)
99. 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)
100. 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)
101. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
102. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
103. 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)
104. 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)
105. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)
106. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
107. 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)
108. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
 109. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
 110. 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)
 111. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)
 112. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)
 113. 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)
 114. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
 115. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
 116. 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)
 117. 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)
 118. 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)
 119. 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)

120. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)
121. 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)
122. 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)
123. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs"). Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)
124. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit.

The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

125. The Developer shall prepare a dedicated engineering site plan depicting property lines, right-of-way, and existing and proposed easements. (DS)
126. Developer shall reconstruct the two existing driveway approaches to City Standard Plate 116. Each new driveway shall have a 5-foot pedestrian path of travel behind the driveway apron that meets Americans with Disabilities Act (ADA) standards. (DS)
127. If the pedestrian path of travel at the driveway apron is constructed beyond the existing public right-of-way, Developer shall grant to the City a sidewalk easement for the full width of the pedestrian path. (DS).
128. ADA compliant path of travel around the exterior of the building, (except for crosswalks), shall be elevated and separated from the vehicular traffic area. (DS)
129. ADA and Electric Vehicle (EV) parking spaces not affecting sidewalks shall be 18-feet deep minimum without wheel stops with 1-foot vehicle overhang. Alternatively, these parking spaces can be 19-feet deep with wheel stops placed at the 17-foot mark. (DS)
130. Standard parking stalls shall be 19-feet deep or 17-feet with a 2-foot overhang. Where the 17-foot deep parking stall depth is used, the entire parking stall shall be kept clear from all obstructions, including landscape curbing. (DS)
131. Developer shall construct a minimum 7-foot wide sidewalk at 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-feet wide. (DS)
132. The project is a redevelopment project on an existing commercial site with more than 1 acre. Developer shall design the stormwater facilities to meet the stormwater requirements of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) redevelopment project. (DS)
133. During the engineering plan check, the Developer shall conduct at least one (1) percolation test within the general footprint of the proposed infiltration facility to validate the infiltration rate used in the sizing calculations. The infiltration test shall account for the Reduction Factor from the Los Angeles County "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. (DS)
134. Developer's Geotechnical Engineer shall perform percolation tests on the exposed bottom of all infiltration chambers immediately prior to facility construction and provide the City with an opinion that the exposed soil layer is suitable for the proposed infiltration facility

based on the review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be clearly noted on the improvement plans. The report shall be reviewed and approved by the Project Civil Engineer. (DS)

135. The site drainage shall be designed to maintain the pre-existing drainage pattern. No alteration of drainage pattern is allowed unless approved by the City Engineer. (DS)
136. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") to treat all stormwater runoff from this site that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with the requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures. The location of the trash device is subject to the approval of the City Engineer. (DS)
137. In accordance with City Code, Developer shall provide separate services and water meters for commercial and irrigation. (DS)
138. Developer shall construct a loop water system by extending the existing City water main on North Oxnard Boulevard to the second driveway entrance at Orchard Place. The design is subject to review and approval of the City Engineer and the Fire Department. Before permit issuance, Developer shall dedicate a 15-foot water easement meeting City standards to the City. (DS)
139. Developer shall obtain written approval from the Environmental Resources Division to reuse the existing indoor trash enclosure. If the Environmental Resources Division does not approve, the 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 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 new 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)
140. If a new trash enclosure is constructed, Developer shall construct the floor and the loading/service pad of the trash enclosure to be substantially level (2% max slope). The loading/service pad shall be reinforced concrete and extend a minimum distance of 15-feet from the face of the trash enclosure for the width of the enclosure. (DS)
141. At plan check, a new fire flow test involving two flowing hydrants out of the 2.5-inch nozzles is required. Using the approved fire flow data, Developer shall prepare a fire flow model and demonstrate that new fire hydrants will be able to deliver the required fire flow and pressure to meet the Fire Department requirements. (DS)

142. Developer shall verify that the existing sewer lateral is adequate to serve the proposed project. At a minimum a sewer technical memo shall be submitted to the City Engineer for

TRAFFIC DIVISION CONDITIONS

143. Developer shall install a traffic signal system at the intersection of Orchard Place and North Oxnard Boulevard prior to building occupancy. Developer shall also prepare and submit signage and pavement markings plans for review. These plans shall include signs and markings onsite and offsite. (TR)
144. Developer shall construct a pedestrian path of travel that is ADA-compliant between the project site and the west side of North Oxnard Boulevard at the intersection of North Oxnard Boulevard and Orchard Place. The design of the pedestrian path shall include crosswalks and ADA curb ramps. (TR)
145. Developer shall install the proposed bike rack close to the main entrance door of the proposed development. Developer shall be responsible for the perpetual upkeep of the proposed bike racks for the project. Final location shall be approved by the City Traffic Engineer. (TR)

ENVIRONMENTAL RESOURCES DIVISION

146. A Construction and Demolition Waste Management Plan (ERDC-1) must be submitted to the Environmental Resources Division for review and approval prior to issuance of a building permit establishing a goal that at least 65% of the waste generated on the project will be diverted from the landfill.
147. After completion of construction and prior to a certificate of occupancy being issued, a Construction and Demolition Waste Management Report (ERDC-2) must be submitted that demonstrates that at least 65% of the waste generated on the project has been diverted from the landfill. This Report must also include legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities.
148. An Occupancy Plan must be submitted to the Environmental Resources Division prior to issuance of a certificate of occupancy. The Plan must clearly state how all three waste streams will comply with all applicable state laws, including AB 939, AB 341, AB 1826, and SB 1383, and any subsequent legislation adopted in the future, will be managed on site in perpetuity.
149. Any/all organic waste that is generated must be diverted from landfill disposal, as material of this type is not allowed in a trash dumpster. If landscaping is performed by an entity other than the City of Oxnard (i.e. self-haul or third party private hauler), the landscape service providers must be informed, in writing, of this condition and the property management must complete and submit an Alternative Services Certification annually.
150. Any new or renovated waste enclosures must be sized so that they can accommodate all three waste streams and meet minimum safety and operational requirements, including vehicle path of travel, employee access, and prevention of illegal dumping and/or vandalism. Use the City's approved Standard Plates, but modify dimensions accordingly.

151. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
152. 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.

FIRE DEPARTMENT CONDITIONS

153. 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)
154. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, F-2)
155. Before the City issues building permits, 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)
156. 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)
157. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
158. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
159. At all times during construction, 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)
160. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
161. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)
162. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)

163. The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, F-11)
164. 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)
165. 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)
166. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F15)
167. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

FIRE DEPARTMENT SPECIAL CONDITIONS

168. 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.
169. All landscape on project property will coordinate with the fire protection features, to prevent access problems to fire protection features.
170. Fire hydrants shall be operational and accessible at all times. No parking, storage or staging of equipment/supplies shall be located within 15 feet on either side of fire hydrants. Prior to final inspection, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire Department standards.
171. Class I standpipe is required in each stairwell and reach 150' of travel throughout the building.
172. 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.
173. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department.
174. Gurney size elevators will be required.
175. All overhangs over 4 feet are required to be sprinklered.

176. Verify height of parapet. Not to be over 40 inches, unless approved by the Fire Department.
177. FDC is required to be within 50-feet of the fire hydrant and not across drive isles.
178. Vegetation clearance from structure(s) required prior to construction.
179. A minimum 20-foot clear width and 13 foot, 6 inch (13'-6") clear height emergency access shall be maintained free of obstructions at all times within the development once construction starts.
180. Developer 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.



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Joe Pearson II, Planning Manager
Michael Rocque, Senior Contract Planner

DATE: November 17, 2022

SUBJECT: **Project Name: 2420 Oxnard Boulevard U-Haul Project;** Planning and Zoning Permit No., 17-500-11 (Special Use Permit); 2420 N. Oxnard Boulevard; APNs: 142-0-010-345 and 142-0-021-010

- 1) Recommendation:** That the Planning Commission (“**Commission**”):
 - a)** Provide direction to City staff regarding the appropriateness of the proposed project and adequateness of the Final IS-MND and direct staff to return with a resolution providing an approval recommendation or a denial recommendation to City Council; and
 - b)** Continue the meeting to a date certain.
- 2) Project Description and Applicant:** The applicant requests a Special Use Permit (SUP) to allow for the proposed uses and allow the renovation and conversion of an existing one-story (34 feet in height) 152,542 square foot warehouse into a three story (no change in height), 203,213 square-foot mini-warehouse/self-storage space, including a U-Box storage warehouse of 34,537 square feet and 3,050 square feet of retail space on an 8.86-acre site. As part of the SUP request, the applicant is requesting the U-Haul store would also serve as a rental office for U-Haul trucks and equipment stored on site. The parking area on the north end of the lot would provide 46 covered recreational vehicle (RV) parking storage spaces. The height of the building would not be modified, and the structure would be renovated through a reconfiguring of the interior space, construction of a new roof, and refurbishing of the building façade. The project is proposed to be completed in two phases, which is further described in the Project Analysis section below.

Mini-warehouse/self-storage, truck rentals, and recreational vehicle storage are not currently listed as allowed uses within the C-2 zone. In accordance with Section 16-135 of the Oxnard City Code (OCC), “No other uses shall be permitted in the C-2 zone without the approval of the city council”. Therefore, the SUP includes a request to allow for these uses in the C-2 zone district and within the Commercial General Plan land use designation. The Planning Commissions recommendation will be presented to the City Council for a final decision. The Project site is located at 2420 N. Oxnard Boulevard (APNs: 142-0-010-345, and 142-0-021-010). For purposes of this staff report, the foregoing project description shall be referred to as the “Project.” Filed by David Randi, 2420 N Oxnard Blvd, Oxnard, CA 93036

(the “Applicant”) on behalf of Amerco Real Estate Co., 2727 N. Central Avenue, 5-N, Phoenix, Arizona 85004 (the “Property Owner”).

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

- 3) Existing & Surrounding Land Uses:** The Project site is currently developed with a vacant 152,542 square foot structure, except for 2,291 square feet used as a U-Haul store and offices for the retail sales of boxes and other moving supplies, which was approved under Minor Modification Permit (PZ 17-140-02). The site also contains a large asphalt parking lot to the north end of the project site which is not currently utilized. The Project site is bordered by the Southern Pacific Railroad tracks on the north and east sides, which separate the project from adjacent commercial land uses. 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)	Warehouse and Showroom
North	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Southern Pacific Railroad tracks; grocery store and retail
South	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	West Vineyard Avenue; Mixed commercial and retail and auto repair
East	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Esplanade Drive; Southern Pacific Railroad tracks, grocery store and retail
West	Residential Medium High (RMH)	High Rise Residential, Planned Development (R-4-PD)	Oxnard Boulevard; Southbank Residential Neighborhood and Casitas Apartment Homes

4) Background Information:

Project Site Background

On September 1, 1970, the City Council adopted Resolution No. 5202 and approved Planned Development Permit (PD) No. 139 to permit the construction of a 155,000 square-foot Levitz furniture warehouse and retail showroom on the subject property. Levitz vacated the property in 2005, and the unoccupied structure fell into a state of disrepair.

Following preliminary concept discussions with the City, the property was acquired by U-Haul in 2016. On January 23, 2017, U-Haul applied for a Minor Modification (PZ 17-140-02) to allow the establishment of a retail use within 2,291 square feet portion of the building, restore non-conforming landscaping and lighting conditions on-site, and enhance the building architecture. On January 16, 2018, the City approved the Minor Modification. The Minor Modification did not include any of the uses being requested as part of this Project. The minor modification was separated into two phases, pursuant to Condition of Approval #16 as stated below:

“In an effort to prevent the installation of improvements on the northerly portion of the property that would conflict with those proposed as part of Special Use Permit No. 17-500-11, the Applicant may defer the installation of the improvements within the area labeled as “Phase II” on the approved minor modification plans for a period not to exceed one-year following final inspection of the building permits for the minor modification. While the building permit plans should include the improvements proposed in this area as described in the minor modification, the Applicant will be granted a Temporary Certificate of Occupancy for a term of one year following final inspection to provide additional time to obtain approval of Special Use Permit No. 17-500-11 and revise the proposed development within this area.”

On August 21, 2017, the subject application Special Use Permit No. 17-500-11 was formally submitted for processing and review. Between September 2017 and February 2022, multiple project completeness reviews were conducted, and project revisions were submitted, and four Development Advisory Committee (DAC) meetings were held. The prior version of the project was originally preparing to go to a public hearing in 2019, following the completion of the original initial study, however, subsequent to that the changes were made by the applicant team, which included the addition of a third story of self storage. These changes triggered the need for associated changes to the required studies, and additional review by the DAC members. The formal resubmittal of the revised project was made on October 15, 2020. Following completion of the DAC reviews of the revised project, a new initial study was prepared and circulated for public review, as further detail below.

Background on Mini-warehouse/Self-storage Uses in the City

In 1975, the City Council passed Resolution 6446, which established development standards for mini-warehouses. This resolution stated that "Mini-warehouses may locate in C-M (Commercial - Manufacturing) and M-1 (Light Industrial), M-L (Limited Industrial) Zones."

In 2009, the City Council passed Ordinance 2807, which removed mini-warehouses as a permitted use in the C-2 zone. As presented in the staff report at that time, the City determined that the general allowance of self-storage facilities was not consistent with purpose and intent of the General Plan for the C-2 zone and the use is not consistent with the other retailing, office and service-related uses permitted or conditionally permitted in the C-2 zone. This change was processed as a "clean-up" action to make the Oxnard City Code language consistent with the mini-warehouse policies adopted by the City Council in 1975 and the General Plan.

- 5) **Environmental Determination:** Pursuant to the California Environmental Quality Act (CEQA) Section 15060, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The Draft MND identified three areas (Biological Resources, Air Quality, and Cultural Resources) where the impacts were determined to be "Less than Significant with Mitigation Incorporated".

The MND was available for public review from August 18, 2022 to September 6, 2022. The City of Oxnard received one comment letter on the MND from Ventura County Air Pollution Control District (VCAPCD). Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

With the inclusion of the mitigations for the areas noted above, the Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA (Attachment C).

6) **Project Analysis:**

- a) **General Discussion:** Pursuant to Section 16-271 of the OCC, "A special use permit shall be required for approval of any new development, enlargement or rebuilding of a structure or new use, license or certificate of compliance in any P-D zone." As noted above, mini-warehouse/self-storage, truck rentals, and recreational vehicle storage are not currently listed as allowed uses within the C-2 zone. A Recreation Vehicle Park is currently allowed, subject to a SUP, however it excludes storage "*Recreational vehicle park not including vehicle storage or trailers over 30 feet in length*". As such, the applicant is requesting these uses be allowed, in accordance with Section 16-135 OCC, "No other uses shall be permitted in the C-2 zone without the approval of the city council". Therefore, the SUP includes a request to allow for these uses in the C-2 zone

district and within the Commercial General Plan land use designation. As the City Council must approve the proposed uses, the Planning Commission's action on the proposed SUP is a recommendation to the City Council, who is the final decision maker.

In order to recommend approval of the proposed Project the Planning Commission must find that the Project, as designed and conditioned meets the following Special Use Permit findings:

- 1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.*
- 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.*
- 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).*
- 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.*
- 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 stated earlier in the staff report the project would be completed in two phases. Phase I of the project would include revising the existing interior layout of the warehouse for storage of up to 1,119 U-Boxes (shown on plans as existing warehouse area) and converting the existing retail showroom into 611 individual self-storage units (shown on plans as Phase IB). Exterior improvements and parking lot improvements would be completed in this phase as required for the operation of the warehouse and storage components.

Phase II would consist of renovating the existing warehouse into three interior stories of self-storage space, with a small additional retail element. The three stories would include 203,213 square feet of floor area with 1,263 storage units. The northwest corner of the first floor would be converted to 3,050 square feet of retail space for U-Haul. The remainder of the exterior building façade and parking lot improvements would be

completed during Phase II. The northern part of the parking lot would be fenced in and converted to RV storage with covered parking for approximately 46 RVs.

Table 2
 Project Building Floor Area

USE	BUILDING AREA
Self-Storage-First Floor	112,212 SF
Self-Storage-Second Floor	41,551 SF
Self-Storage-Third Floor	49,450 SF
Warehouse	34,537 SF
Retail	5,341 SF (2, 291 SF approved under Minor Mod PZ17-140-02)
Total	243,091 SF

- 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. The proposed Project includes a mix of retail and industrial uses, including Warehousing, mini-warehouse/self-storage, RV storage, and truck rentals along the arterial Oxnard Boulevard.

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed Project. Attachment E, identifies the policies which are directly or indirectly applicable to the proposed Project which must be considered in determining the project's consistency with the 2030 General Plan.

- 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 would generally conform to the applicable C-2 development standards outlined in the Oxnard City Code for the General Commercial land use as shown in Attachment E.
- d) **Site Design, Circulation, and Parking:** The 8.86-acre site is located on the northeast corner of Oxnard Boulevard and Vineyard Avenue. The proposed Project is an adaptive reuse of the existing warehouse and showroom and would not involve any new expansion of the existing building footprint and would maintain the current overall building height of 34 feet. The applicant proposes to convert the existing parking lot at the north end of the site into a new RV and moving truck rental storage/equipment area. The applicant is also proposing to build new carports/canopies measuring 14 feet in height within the

converted parking lot area to accommodate RV parking and storage. The remainder of the parking area would be for customer parking and equipment staging area and would be enclosed and secured by a decorative wrought iron sliding security gate.

Project Circulation

The project site has two access points from Oxnard Boulevard via an existing driveway at the south end of the site and an existing driveway towards the north end of the site. In addition to the improved onsite circulation, the Project would be conditioned to install a Gold Coast Transit bus stop adjacent to the slip/merge to the north of the driveway. The stop shall have a minimum of 30 feet of standard width sidewalk with an additional 8' x 30' pad to the north of the driveway. The bus stop provides an option for future changes to the existing bus routes. Additionally, a new traffic signal is required to be installed at the intersection of Orchard Place and North Oxnard Boulevard as indicated in the Traffic Engineer Review below.

On-Site Parking

A parking demand study (Attachment D) was completed to evaluate and determine the appropriate amount of required parking for the project. Currently the OCC does not stipulate parking requirements for mini-warehouse/storage use. The study reviewed the parking requirements based on the following:

1. The OCC for the applicable retail and warehouse land uses
2. The ITE parking generation manual, 4th Edition for the mini-warehouse land use

The table below provides the required amount of parking based on the applicable zone required parking and the parking demand study.

Table 3
 Parking Requirements

USE	SIZE	ZONING REQUIREMENT	REQUIRED PARKING
Retail, general merchandising which is not located in a shopping center	5,341 SF	1:300 SF	18 spaces
Warehousing	<u>34,537 SF</u> 20,000 SF 14,537 SF	1:1000 SF for first 20,000 SF devoted to warehousing, plus the required parking devoted to other uses; 1:2000 SF for the second 20,000 SF;	<u>27 spaces</u> 20 7

		1:4000 SF for floor area in excess of 40,000 SF	
Mini-Warehouse	201,796 SF	(ITE Parking Generation)	18 spaces
Total Required Parking:			63 spaces

The project site includes a total of 94 parking spaces with the following space designations:

- 13 employee spaces
- 67 customer spaces
- 2 motorcycle spaces
- 12 loading spaces.

Currently, a parking easement exists between the U-Haul site and the adjacent parcel to the south (Marseilles Property, 2368 N. Oxnard Boulevard), which allows 18 spaces on the U-Haul site to be used by the Marseilles property. For purposes of meeting City parking code requirements, these shared spaces cannot be counted towards the U-Haul site total parking supply. In addition to the parking easement space reduction, Staff determined that one of the two motorcycle spaces and 7 of the 12 loading spaces may be counted towards the total parking count. The proposed parking summary is provided in the following table:

Table 4
 Proposed Parking Summary

PARKING SPACE DESIGNATION	TOTAL SPACES PROVIDED	TOTAL SPACES ALLOWED TO MEET OCC REQUIREMENTS
Employee	13	62
Customer	67	
Motorcycle	2	1
Loading	12	7

Total	94	70
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As shown in Table 6 above, with the parking supply reductions applied, the proposed site would provide a total of 70 spaces for exclusive use for U-Haul. The total exceeds the City's minimum requirement of 63 spaces for the site as described above in Table 5.

Bicycle Parking

The Project is required to provide bicycle parking pursuant to OCC § 16-623. The Project is providing five bicycle parking spaces located at the southwest corner of the site near the retail entrance.

Traffic Engineer Review

The City Traffic Engineer has reviewed the project plans and has recommended the following special conditions be added to the project:

- *Developer shall install a traffic signal system at the intersection of Orchard Place and North Oxnard Boulevard prior to building occupancy. Developer shall also prepare and submit signage and pavement markings plans for review. These plans shall include signs and markings onsite and offsite. (TR)*
- *Developer shall construct a pedestrian path of travel that is ADA-compliant between the project site and the west side of North Oxnard Boulevard at the intersection of North Oxnard Boulevard and Orchard Place. The design of the pedestrian path shall include crosswalks and ADA curb ramps. (TR)*
- *Developer shall install the proposed bike rack close to the main entrance door of the proposed development. Developer shall be responsible for the perpetual upkeep of the proposed bike racks for the project. Final location shall be approved by the City Traffic Engineer. (TR)*

The City finds that the proposed project, as conditioned, and in the context of the documentation provided and reviewed demonstrate that there is sufficient on-site parking and loading facilities.

- e) **Building Design:** The proposed development would involve renovating the existing structure, including an updated façade. The modifications to the façade would implement neutral paint colors, minimal advertising per OCC (Chapter 16, Article IX), and a variety of materials to help create varied visual character. The front of the building visible from Oxnard Boulevard, as shown in the west elevation of the project plans (Sheet A-203-Attachment B), would consist primarily of light stone colored and ribbed metal paneling, broken up by orange panels, mimicking garage doors on the single-story section of the building. The two-story portion of the existing building would utilize off-white as

the primary color, with accents of beige ribbed paneling on the building corners, and in three equally spaced divisions along the west elevation, to break up the building's visual massing. The building façade would also include wall mounted metal landscape trellises on the single-story portions of the west and east elevations and windows at the corners of the warehouses where retail spaces would exist. The proposed modifications would not contrast significantly with the visual character of the surrounding structures.

The adjacent structure to the south of the proposed project site has a stone block outer wall construction with painted metal paneling near the roof. The beige colors proposed for the Project would be similar to the adjacent structure, and the metal paneling accents would have a shared theme. The structures further to south, also have a similar color scheme, with a beige colored stone exterior with light brown accents.

- f) Landscaping:** The Project includes new landscaping throughout the project site in two phases. Phase I landscaping was installed under the minor modification (PZ 17-140-02) and included replacing 20,153 square feet of the existing perimeter landscaping with new trees, shrubs, and ground cover. Phase II landscaping would include 14,637 square feet of new interior parking lot landscaping at the north end of the site, new tree canopies to be planted along the south end of the site and new landscaping at the rear site adjacent to the railroad tracks. Additional, landscape modification will be made to the initial Phase I landscaping to improve the screening of the storage area. This is an important improvement as Oxnard Blvd is a designated scenic corridor which requires a landscaped buffer of at least 30 feet, and functions as a primary entry way into the core of the City. The existing parking lot and interior access road is located within this 30-foot area and is considered to be a "legal nonconforming" existing condition. Additional landscaping is proposed to be installed, along the northern portion of the project sign, including in the adjacent right of way, as conditioned. 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.
- 7) Development Advisory Committee:** On October 6, 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 will be included in the final project conditions.
- 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.

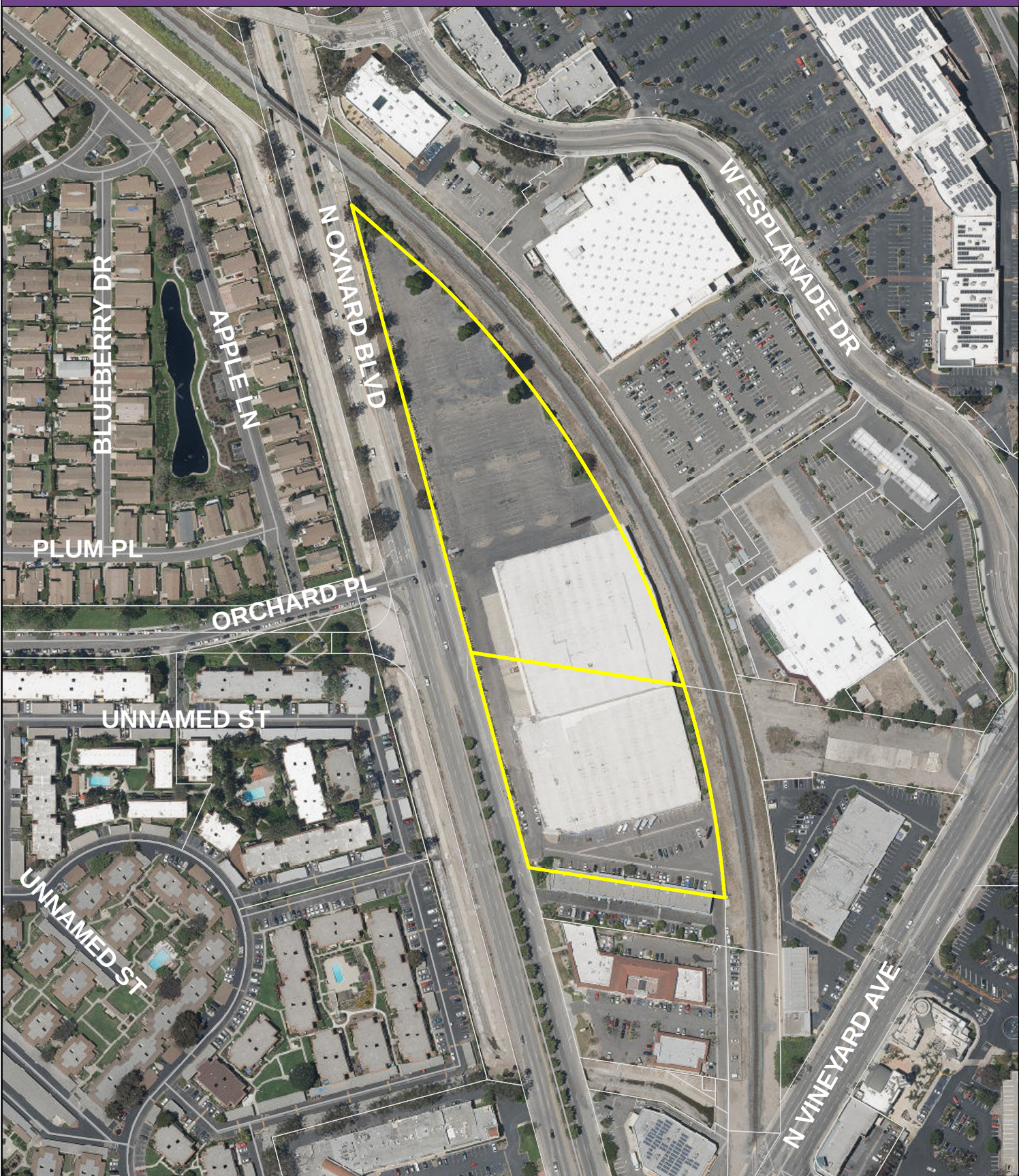
- 9) Appeal Procedure:** The requested actions are recommendations to the City Council. As the Planning Commission does not take formal action, but recommends an action to the City Council, an Appeal procedure is not necessary. All aspects of this Project shall not become effective unless and until the City Council approves the Special Use Permit.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Final IS-MND (October 2022)
- D. Parking Demand Summary
- E. Applicable General Plan Policies
- F. Zoning Compliance Table
- G. Recommended Project Conditions
- H. Staff Presentation

ATTACHMENT “A”

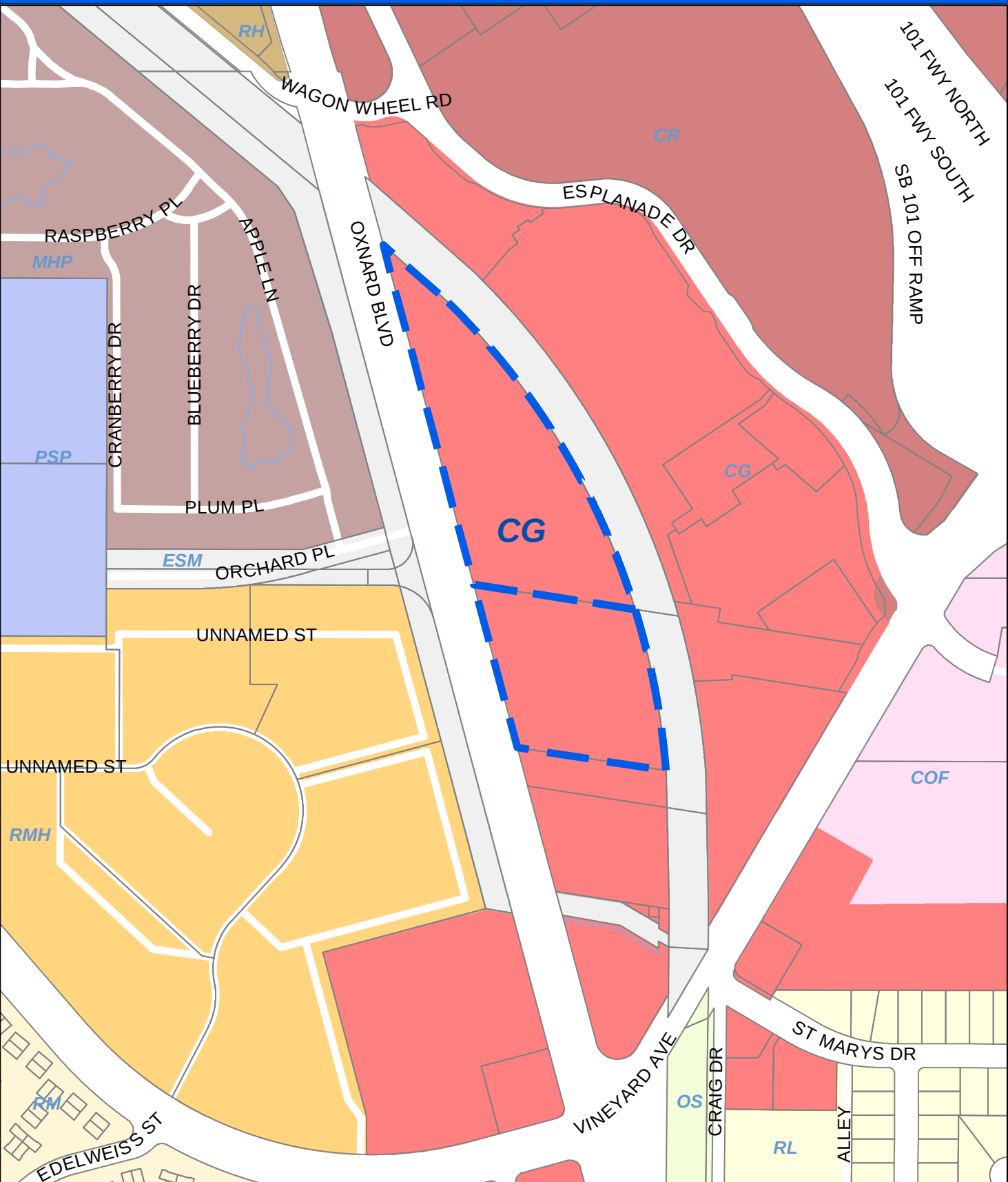
Maps (Vicinity, General Plan, Zoning)



Vicinity Map

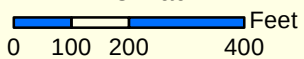


2030 General Plan Land Use Map



Oxnard Planning
November 3, 2022

PZ 17-500-11
Location: 2420 N Oxnard Blvd
APN: 11420010345, 1420021010
U-Haul

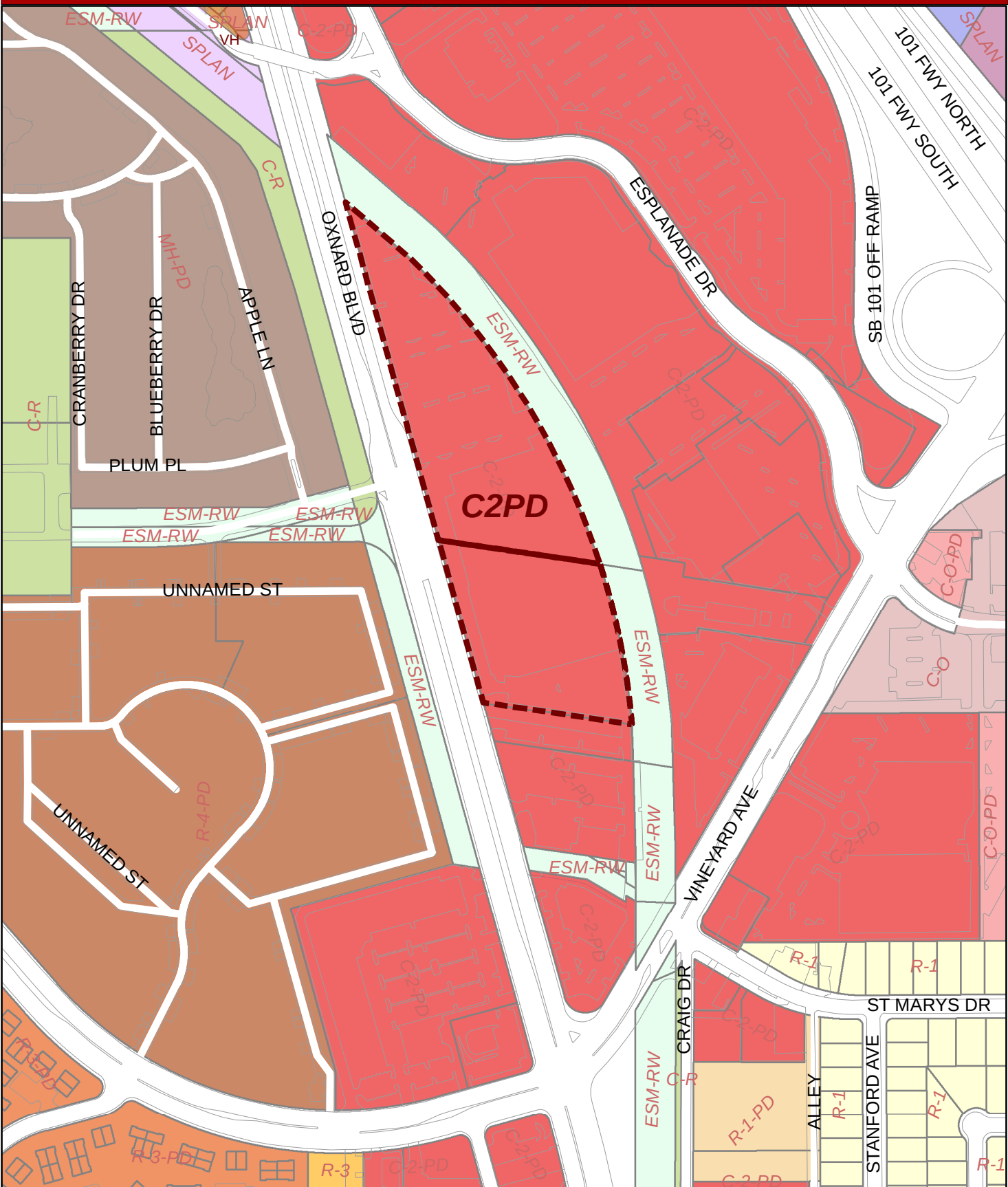


2030 General Plan Land Use Map



1:4,000

Zoning/Specific Plan Map



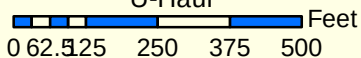
Oxnard Planning

November 3, 2022

PZ 17-500-11

Location: 2420 N Oxnard Blvd
APN: 11420010345, 1420021010

U-Haul



Zoning/Specific Plan Map



1:4,000

ATTACHMENT “B”

Reduced Project Plans

U-HAUL OF N. OXNARD

U-HAUL MOVING AND STORAGE OF NORTH OXNARD 2420 N. OXNARD BLVD. - OXNARD, CA, 93036

AMERCO REAL ESTATE COMPANY
2727 NORTH CENTRAL AVENUE
PHOENIX, AZ 85004

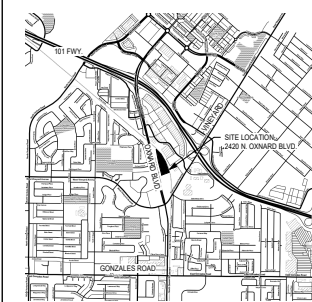
SCOPE OF WORK:

CONVERT EXISTING RETAIL BUILDING TO SELF-STORAGE, POD STORAGE, AND MOVING SUPPLY. INTERIOR OF EXISTING BUILDING WILL BE CONVERTED TO CONTAIN (2) ADDITIONAL FLOORS OF SELF STORAGE, APPROXIMATELY 200,000 TOTAL SQUARE FEET OF SELF-STORAGE. INTERIOR OF EXISTING BUILDING WILL ALSO CONTAIN APPROXIMATELY 18,000 SF OF POD WAREHOUSE STORAGE AND 3,000 SQUARE FEET OF RETAIL SPACE. EXTERIOR OF BUILDING TO RECEIVE ARCHITECTURAL ENHANCEMENTS, NEW PAINT, FINISHES AND PANELS. THE EXISTING BUILDING SHELL TO REMAIN LARGELY INTACT. NEW LANDSCAPE TO BE PLANTED IN AREAS THAT HAVE NOT BEEN UPDATED. PART OF THE EXISTING PARKING TO BE CONVERTED TO RV STORAGE AND MOVING TRUCK RENTAL STORAGE.

PROPERTY AND PROJECT INFO

ADDRESS: 2420 N OXNARD BLVD. OXNARD, CALIFORNIA, 93036	LEGAL DESCRIPTION: SEE ALTA SURVEY
ASSESSOR'S PARCEL NUMBER: 142-0-010-345 & 142-0-021-010	TOTAL LAND AREA: 386,143 S.F. / 8.865 ACRES
EXISTING LAND USE: USE: ZONE DESIGNATION: C-2PDH	USE: EXISTING - FORMER FURNITURE WAREHOUSE, SHOWROOM AND DISTRIBUTION (VACANT FOR APPROXIMATELY 15 YEARS)
APPROVALS REQUIRED: ZONE CLEARANCE BAS PERMITS	PERMITTED USES: RETAIL M (MERCANTILE) EQUIPMENT STORAGE WAREHOUSING & STORAGE FACILITIES S-1
	SUB: AUTOMOBILE & TRUCK SHARING SELF-STORAGE STORAGE FACILITIES S-1
SETBACKS (PRINCIPAL STRUCTURES): FRONT LOT LINE: 5 FT. SIDE LOT LINE: 5 FT. REAR LOT LINE: 15 FT. HEIGHT LIMIT: 35 FT. 30'-0"	WHEN GENERAL COMMERCIAL ABUTS ANOTHER COMMERCIAL ZONED LOT FOR STRUCTURES TALLER THAN 16' 10 FT. FOR PROPERTY ABUTTING PUBLIC ALLEYS

VICINITY MAP



PROJECT DESCRIPTION

ASSESSOR PARCEL NO.: PARCEL 1: 142-0-010-345 PARCEL 2: 142-0-021-010		CITY OF OXNARD - BUILDING AND SAFETY CITY OF OXNARD - PLANNING DEPARTMENT		
CODE ENFORCEMENT JURISDICTION: ZONING JURISDICTION:		CITY OF OXNARD - BUILDING AND SAFETY CITY OF OXNARD - PLANNING DEPARTMENT		
CODE	TITLE	EDITION	LOCAL	AMENDMENT
Administrative	Bldg. Struct. Admin Code	2019		
Building	California Bldg. Code	2019		
Access Compliance	California Bldg. Code	2019		
Mechanical	California Mech. Code	2019		
Electrical	California Electrical Code	2019		
Plumbing	California Plumbing Code	2019		
Fire Prevention	California Fire Code	2019	YES	
	State Fire Marshal Regs.	2017		
	NFPA 72	2015		
	California Building Code	2019		
	California Green Building Code	2019		
Zoning Code	COUNTY CITY Zoning Ordinance			
AREAS:	SIZE	LOAD FACTOR	OCCUPANTS	TYPE
WAREHOUSE	34,537 S.F.	600 / S.F.	49	M
RESTROOMS/BREAKROOM	335 S.F.	30 / S.F.	12	M
STORAGE	202,700 S.F.	300 / S.F.	676	M
OTHER: STAIRS/UTILITY	1,158 S.F.	30 / S.F.	179	M
MERCANTILE	1,341 S.F.			
S.F. TOTAL	1,160 S.F.		00	
EXT WIDTH REQUIRED:	36'			
NO. OF EXITS REQ'D:				
NO. OF EXITS PROVIDED:	4			

PHASING PLAN

PERCENTAGE OF LAND COVERAGE (386,143 S.F.):	
BUILDING	152,542 S.F. 39.5%
PAVING	194,454 S.F. 50.3%
LANDSCAPE AREAS	38,633 S.F. 10.0%
PARKING / USE AND TYPE:	
TOTAL STANDARD PARKING STALLS:	
RETAIL 5,341 S.F.	= 18 SPACES REQUIRED PER PARKING STUDY
WAREHOUSE 34,537 S.F.	= 27 SPACES REQUIRED PER PARKING STUDY
SELF STORAGE 201,706 S.F.	= 18 SPACES REQUIRED PER PARKING STUDY
TOTAL STANDARD PARKING STALLS	= REQUIRED - 42 STALLS PROVIDED - 70 STALLS (INCLUDES 5 ACCESSIBLE & 13 EMPLOYEE)
TOTAL LOADING STALLS	= 12 STALLS
TOTAL MOTORCYCLE STALLS	= 2 STALLS
BICYCLE PARKING	= 5 SPACES

PHASING PLAN

PHASE I	2,291 S.F. RETAIL
LANDSCAPE & SITE IMPROVEMENTS	
BUILDING FACADE	
PHASE I B	64,696 S.F. SELF STORAGE
34,537 S.F. WAREHOUSE TO REMAIN	
PHASE II	47,044 S.F. SELF STORAGE FIRST FLOOR
41,591 S.F. SELF STORAGE SECOND FLOOR	
49,450 S.F. SELF STORAGE THIRD FLOOR	
422 S.F. UTILITY/MARKETLEV	
3,050 S.F. MERCANTILE	

SHEET INDEX

GENERAL	
GS-01	COVER SHEET
CIVIL	
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C2	CIVIL GRADING PLAN
C3	CIVIL UTILITY PLAN
C4	CIVIL PLAN UTILITY
C5	HYDROLOGY PLAN
ARCHITECTURAL	
A-100	PROPOSED SITE PLAN
A-101	SECURITY PLAN
A-102	FLOOR PLANS
A-103	ACCESSIBLE PATH OF TRAVEL
A-104	TRASH ENCLOSURE
A-201	EXTERIOR ELEVATIONS
A-202	EXTERIOR ELEVATIONS
A-203	COLORING ELEVATIONS
A-204	PHOTOMETRIC PLAN
A-301	BUILDING SECTIONS
LANDSCAPE	
SHEET 1	CONCEPTUAL LANDSCAPE PLAN
SHEET 2	CONCEPTUAL LANDSCAPE PLAN
SURVEY	
ALTA	SURVEY

GENERAL NOTES

- NFPA 13 FIRE SPRINKLER SYSTEM IS REQUIRED FOR THE BUILDING.
- NFPA 72 FIRE ALARM IS REQUIRED FOR THE BUILDING.
- PROJECT SHALL COMPLY WITH THE OXNARD FIRE DEPARTMENT FIRE PROTECTION GUIDE REQUIREMENTS.
- WET STANDING SYSTEM REQUIRED IN ALL STAIRWELLS WITH CONNECTIONS AT EACH FLOOR.
- FIRE ACCESS ROAD SHALL BE A MINIMUM OF 26 FEET WIDE PAVED SURFACE.
- TRASH ENCLOSURE SHALL BE OF NON-COMBUSTIBLE CONSTRUCTION AND MEET CLEARANCE REQUIREMENTS.
- ELEVATORS SHALL BE CARRY SIZE.
- SITE MUST MEET STORMWATER PERMIT DEVELOPMENT REQUIREMENTS AND THE STATEWIDE TRASH AMENDMENTS.
- SEWERER SHALL PROVIDE SHORT TERM BICYCLE PARKING STALLS. RACKS SHALL BE LOCATED CLOSE TO A MAIN BUILDING ENTRANCE IN A LIGHTED, HIGH VISIBILITY AREA PROTECTED FROM THE ELEMENTS.
- OUTDOOR LIGHTING SHALL COMPLY WITH TITLE 24, PART 6, PF THE CALIFORNIA CODE OF REGULATIONS. CALIFORNIA'S ENERGY EFFICIENCY STANDARDS FOR RESIDENTIAL AND NONRESIDENTIAL BUILDINGS AND THE PROVISIONS OF OXNARD CITY CODE 16-301.
- PEDESTRIAN GATES ARE REQUIRED TO HAVE KNOX BOX KEY VALVES.
- CLOCK-TO-ENTER REQUIRED FOR FIRST RESPONDER ACCESS TO ALL SEMI-PUBLIC AREAS.
- PURSUANT TO THE CITY'S FIBER MASTER PLAN, THE DEVELOPER WILL BE REQUIRED TO PROVIDE PLANS FOR AND INCLUDE A CONNECTION TO 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.

PROJECT DIRECTORY

OWNER:
Amerco Real Estate Company
Attention: David Rand
2420 N. Oxnard Blvd.
Oxnard, CA 93036
Phone: 805-488-4310
Email: david_rand@arad.com

ARCHITECT:
Lauterbach & Associates Architects
Everett Scofield
302 Montgomery Avenue
Oxnard, California, 93036
Phone: 805-688-2812
Fax: 805-688-4310
E-Mail: everett.scofield@la-arch.com

LANDSCAPE:
Stella Landscape Architecture
Steve Stella
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Corona, California, 92709
Phone: 951-733-1124
E-mail: stella@stella.net

CIVIL:
CDE Design Associates, Inc.
Randy Chapman P.E.
711 E. Daily Dr. Suite 107
Coram, California, 92009
Phone: 805-738-5434
E-mail: randy@cdedesignassociates.com

COVER SHEET

PLANNING REVIEW
U-HAUL
2420 N. OXNARD BLVD. OXNARD, CA 93036

Print Date: 12/10/22 10:52:56 AM
Proj. No.: 20-205054

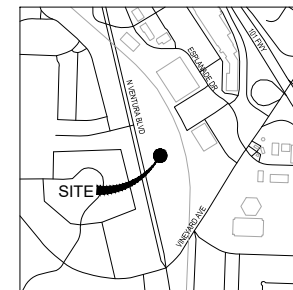
G-001

MARK S. PETTY, AIA
LAUTERBACH & ASSOCIATES
ARCHITECTS, INC.
David C. Stevenson, Architect - Dana Scott, Architect - Mark S. Petty, Architect
300 NORTH GARDEN AVENUE, OXNARD, CALIFORNIA 93036 / TEL: 805-688-2812 / FAX: 805-688-4310 / WWW.LA-ARCH.COM

U-HAUL OF OXNARD
2420 N. OXNARD BLVD. OXNARD, CALIFORNIA 93036

APN: 142-0-010-345 & 142-0-021-010

VICINITY MAP



GRADING CONSTRUCTION NOTES / LEGEND

- | | | |
|--|---|---|
| | 1 | CONSTRUCT 6" CURB TYPE A16 PER CITY OF OXNARD STANDARD PLATE NO. 111. |
| | 2 | CONSTRUCT 6" CURB AND GUTTER TYPE A24 PER CITY OF OXNARD STANDARD PLATE NO. 111. |
| | 3 | CONSTRUCT P.C.C. SIDEWALK, MIN. 4" THICK PER CITY OF OXNARD STANDARD PLATE NO. 112 & 113. |
| | 4 | CONSTRUCT A.C. PAVEMENT, 5" ASPHALT CONCRETE OVER 6" CLASS 1 BASE. |
| | 5 | PROPOSED LANDSCAPE. |
| | 6 | EXISTING CATCH BASIN. |

GRADING NOTES

1. ADA HANDICAPPED, PARKING SIGNS, AND PARKING STRIPING ARE PER ARCHITECTURAL PLANS AND ARE SHOWN HEREON FOR REFERENCE ONLY.
2. CLEARING AND GRUBBING OF THE SITE SHOULD CONSIST OF THE REMOVAL OF ASPHALT, CONCRETE SLAB, VEGETATION SUCH AS BRUSH, GRASS, WOOD, STUMPS, TREES, ROOTS OF TREES AND OTHERS, DEBRIS SUCH AS NATURAL, WATERSIDE LOGS, AND OTHERS. AREAS TO BE GRADED, CLEARING AND GRUBBING SHOULD EXTEND TO THE OUTSIDE OF ALL PROPOSED EXISTING AND FUTURE AREAS.
3. ALL GRADING SLOPES SHALL BE PLANTED AND SPRINGEDED.
4. STANDARD 12" HIGH BARRIERS REQUIRED AT TOP OF ALL GRADED SLOPES.
5. NO FILL TO BE PLACED UNTIL THE CITY GRADING INSPECTOR HAS INSPECTED AND APPROVED THE BOTTOM OF EXCAVATION.
6. MAINPAVE FILL SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTED OF 90% MAX, 90% DRY DENSITY WITHIN 4" BELOW FINISH GRADE AND 90% OF MAX DRY DENSITY DEEPER THAN 4" BELOW FINISH GRADE. UNLESS A LOWER RELATIVE COMPACTION NOT LESS THAN 90% OF MAX DRY DENSITY IS JUSTIFIED BY THE SOIL ENGINEER.
7. TEMPORARY EROSION CONTROL, TO BE INSTALLED BETWEEN OCTOBER 1 AND APRIL 15, OBTAIN GRADING INSPECTORS AND DEPARTMENT OF PUBLIC WORKS APPROVAL OF PROPOSED PROCEDURES.
8. FINISHED GRADE NOT TO EXCEED A FOUR INCH VERTICAL DROP WITHIN TWO FEET OF A ADA ACCESSIBLE PATH.

ABBREVIATIONS

BPF	BLOWOFF PREVENTION DEVICE	FF	FINISHED FLOOR
BO	BLOWOFF	FG	FINISHED GRADE
BOW	BOTTOM OF WALL (AT GROUND)	FS	FINISHED SURFACE
BW	BACK OF WALK	GB	GRADE BREAK
BLDG	BUILDING	HP	HIGH POINT
CB	CATCH-BASIN	IV	INVERT ELEVATION
CN	CLEANOUT	LP	LOW POINT
CONC	CONCRETE	MM	MANHOLE
CP	CORRODATED METAL PIPE	PC	POST INDICATOR VALVE
DR	DOOR	PCC	POINT OF CONNECTION
DS	DOWN SLOPE	R	RIDGE
ESMT	EXISTING GRADE	RM	RM ELEVATION
EG	EXISTING GRADE	RD	ROAD DRIVE
FC	FACE OF CURB	TC	TOP OF CURB
FF	FINISHED FLOOR	TW	TOP OF WALL
FDC	FIRE DEPARTMENT CONNECTION	TE	TRASH ENCLOSURE
FI	FIRE HYDRANT	WT	WATER METER
FL	FL FLOOR LINE	WV	WATER VALVE

BENCHMARK

COUNTY OF VENTURA BENCHMARK 194: 2.5 MILES NORTH ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD, AT CONCRETE BRIDGE 405.25 OVER U.S. HIGHWAY 101 ALTERNATE, IN THE TOP OF THE SOUTHWEST END OF THE NORTHWEST ABUTMENT, 7.0 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THAN THE TOP RAIL.

ELEVATION= 78.77 FEET (NAVD88)

BASIS OF BEARINGS: THE CENTER LINE OF LOT OXNARD BOULEVARD AS SHOWN ON PARCEL MAP P.M. 70-8, RECORDS OF THE COUNTY OF VENTURA SAID BEARING BEING NORTH 14°24'52" WEST.

LEGEND

NEW	EXISTING	
		ASPHALT BARRIER
		BLOCK RETAINING WALL
		BULL LINE
		CONCRETE CURB
		CONCRETE CURB CUT
		CONCRETE CURB & GUTTER
		CONTOUR LINE
		DRAINWAY
		EDGE OF PAVEMENT
		FENCE LINE
		GRADE BREAK
		LOT LINE
		NEIGE LINE
		SANITARY SEWER
		SEWALS
		STORM DRAIN & CATCH BASIN
		TRACT BOUNDARY
		WATER LINE AND WATER METER

PREPARED BY:

CCE DESIGN ASSOCIATES, INC.
711 E. Daily Drive • Ste 107 • Camarillo, CA 93010
445 S Figueroa Street • Ste 3100 • Los Angeles, CA 90071
805.738.5434 • www.ccedesignassociates.com

RANDY CHAPMAN, P.E.
R.C.E. No. 69614

DATE _____



REVISIONS

WORK	DATE	DESCRIPTION	BY	 Development Services Department GRADING PLAN
REVIEWED BY: _____				ACCEPTED BY: _____ CITY ENGINEER _____ S.C.E. _____ DATE _____
SHEET DRAWING NUMBER _____				SCALE: HORIZ. 1"=30' VERT. 1"=30'
DATE _____				SHEET NO. 1 of 4 DRAWN BY: _____ CHECKED BY: _____ DRAWING NUMBER _____
_____				XX-XXXX

CIVIL GRADING PLAN

APN: 142-0-010-345 & 142-0-021-010

VICINITY MAP



GRADING CONSTRUCTION NOTES / LEGEND

1. CONSTRUCT 6" CURB TYPE A1-4 PER CITY OF OXNARD STANDARD PLATE NO. 111.
2. CONSTRUCT 6" CURB AND GUTTER TYPE A2-6 PER CITY OF OXNARD STANDARD PLATE NO. 111.
3. CONSTRUCT P.C.C. SIDEWALK, MIN. 4" THICK PER CITY OF OXNARD STANDARD PLATE NO. 112 & 113.
4. CONSTRUCT A.C. PAVEMENT, 5" ASPHALT CONCRETE OVER 8" CLASS II BASE.
5. PROPOSED LANDSCAPE.
6. EXISTING CATCH BASIN.

GRADING NOTES

1. ADA HANDRAILS, PARKING SIGNS, AND PARKING STRIPING ARE PER ARCHITECTURAL PLANS AND ARE SHOWN HEREON FOR REFERENCE ONLY.
2. CLEARING AND GRUBBING OF THE SITE SHOULD CONSIST OF THE REMOVAL OF ASPHALT, CONCRETE SLAB, VEGETATION SUCH AS BRUSH, GRASS, WOOD, STUMPS, TREES, ROOTS OF TREES AND OTHERWISE DELETERIOUS NATURAL MATERIALS FROM THE AREAS TO BE GRADED. CLEARING AND GRUBBING SHOULD EXTEND TO THE OUTSIDE OF ALL PROPOSED EXCAVATION AND FILL AREAS.
3. ALL GRADING SLOPES SHALL BE PLANTED AND SPRINKLERED.
4. STANDARD 12" HIGH BERM IS REQUIRED AT TOP OF ALL GRADED SLOPES.
5. NO FILL TO BE PLACED, UNTIL THE CITY GRADING INSPECTOR HAS INSPECTED AND APPROVED THE BOTTOM EXCAVATION.
6. MAN-MADE FILL SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 90% MAX. DRY DENSITY WITHIN 40" BELOW FINISH GRADE AND 90% OF MAX. DRY DENSITY DEEPER THAN 40" BELOW FINISH GRADE, UNLESS A LOWER RELATIVE COMPACTION IS LESS THAN 90% OF MAX. DRY DENSITY IS AUTHORIZED BY THE SOILS ENGINEER.
7. TEMPORARY EROSION CONTROL TO BE INSTALLED BETWEEN OCTOBER 1 AND APRIL 15. OBTAIN GRADING INSPECTORS AND DEPARTMENT OF PUBLIC WORKS APPROVAL OF PROPOSED PROCEDURES.
8. FINISHED GRADE NOT TO EXCEED A FOUR INCH VERTICAL DROP WITHIN TWO FEET OF ADA ACCESSIBLE PATH.

ABBREVIATIONS

BFP	BACKFLOW PREVENTION DEVICE	FF	FINISHED FLOOR
BO	BLOWOFF	FG	FINISHED GRADE
BOW	BOTTOM OF WALL (AT GROUND)	FS	FINISHED SURFACE
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BLDG	BUILDING	HP	HIGH POINT
CB	CATCH BASIN	INV	INVERT ELEVATION
CO	CLEANOUT	LP	LOW POINT
CONC	CONCRETE	MH	MANHOLE
CMP	CORRUGATED METAL PIPE	PIV	POST INDICATOR VALVE
DR	DOOR	POC	POINT OF CONNECTION
DS	DOWN SPOUT	POSE	POST
ESMT	EASEMENT	R	RIM ELEVATION
EG	EXISTING GRADE	RD	ROOF DRAIN
FC	FACE OF CURB	TC	TOP OF CURB
FF	FINISHED FLOOR	TW	TOP OF WALL
FOC	FIRE DEPARTMENT CONNECTION	TE	TRASH ENCLOSURE
FM	FIRE HYDRANT	WM	WATER METER
FL	FLOW LINE	WV	WATER VALVE



BENCHMARK

COUNTY OF VENTURA BENCHMARK 194: 2.5 MILES NORTH ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD. AT CONCRETE BRIDGE 405.25 OVER U.S. HIGHWAY 101 ALTERNATE. IN THE TOP OF THE SOUTHWEST END OF THE NORTHWEST ABUTMENT. 7.5 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THAN THE TOP RAIL.

ELEVATION: 76.77 FEET (NAVD83)

BASE OF BEARINGS: THE CENTER LINE OF LOT OXNARD BOULEVARD AS SHOWN ON PARCEL MAP P.M. 794, RECORDS OF THE COUNTY OF VENTURA SAID BEARING BEING NORTH 14°24'52" WEST.

LEGEND

NEW	EXISTING

PREPARED BY:



CCE DESIGN ASSOCIATES, INC.
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445 S Figueroa Street • Ste 3100 • Los Angeles, CA 90071
805.738.5434 • www.ccedesignassociates.com

RANDY CHAPMAN, P.E.
R.C.E. No. 59514

DATE



REVISIONS

NO.	DATE	DESCRIPTION	BY

DESIGN GRADING NUMBER: _____

NO. 69614
EXP. 6/30/22

REVISIONS: _____

DATE: _____

CHECKED BY: _____

DATE: _____

DEVELOPMENT SERVICES DEPARTMENT

GRADING PLAN

ACCEPTED BY: CITY ENGINEER, R.C.E. DATE: _____

SHEET NO. 2 OF 4

XX-XXXX

CIVIL GRADING PLAN

APN: 142-0-010-345 & 142-0-021-010

VICINITY MAP



UTILITY CONSTRUCTION KEYNOTES / LEGEND

- W —
1. INSTALL 6" WATER LINE.
 2. INSTALL IRRIGATION BACKFLOW DEVICE AND METER PER CITY OF OXNARD STD. PLATE NO. 385.
 3. INSTALL FIRE HYDRANT PER CITY OF OXNARD STD. PLATE NO. 300. MAKE AND MODEL JONES #054 212.

UTILITY NOTES

1. BACKFILLING AND COMPACTION FOR ALL TRENCHES SHALL BE INSPECTED AND APPROVED BY THE GEOTECHNICAL ENGINEER.
2. CONTRACTOR TO VERIFY ALL EXISTING INVERT ELEVATIONS FOR STORM DRAIN AND SANITARY SEWER CONSTRUCTION PRIOR TO ANY SITE WORK. ALL WORK FOR STORM DRAIN AND SANITARY SEWER INSTALLATION SHALL BEGIN AT THE DOWNSTREAM CONNECTION POINT. THIS WILL ALLOW FOR ANY NECESSARY ADJUSTMENTS TO BE MADE PRIOR TO THE INSTALLATION OF THE ENTIRE LINE. IF THE CONTRACTOR FAILS TO BEGIN AT THE DOWNSTREAM CONNECTION POINT AND WORKS UPSTREAM, HE SHALL PROCEED AT HIS OWN RISK AND BE RESPONSIBLE FOR ANY ADJUSTMENTS NECESSARY.
3. ALL WORK ON-SITE AND IN THE PUBLIC RIGHT OF WAY, SHALL CONFORM TO CITY STANDARDS AND REQUIREMENTS. NOTE THE REQUIREMENT OF ADDITIONAL PERMITS TO BE OBTAINED BY THE CITY PRIOR TO ANY WORK BEING DONE IN THE RIGHT-OF-WAY.
4. GENERAL CONTRACTOR SHALL COORDINATE ALL UNDERGROUND UTILITIES. PROVIDE 6" MINIMUM BETWEEN PIPES CROSSING ELECTRICAL LINES HORIZONTALLY AND 12" MINIMUM BETWEEN PARALLEL PIPES CROSSING ELECTRICAL LINES.
5. FOR UTILITY MATERIALS AND TYPES, SEE CITY STANDARDS AND / OR THE PROJECT SPECIFICATIONS.
6. WATER LINES SHALL BE 12" MINIMUM ABOVE SANITARY SEWER LINE AT ALL CROSSINGS.
7. MINIMUM COVER FOR WATER LINES IS 3.0 FEET.
8. WATER LINES SHOWN HEREON FOR REFERENCE. SEE PLUMBING PLANS FOR CONSTRUCTION DETAILS.
9. ROOF FILTERS SHOULD EXTEND AND CONNECT DOWN TO ORCHARD PLACE (AN EASEMENT WILL BE REQUIRED) OR DOWN ALONG OXNARD BLVD.

ABBREVIATIONS

BFP	BACKFLOW PREVENTION DEVICE	FF	FINISHED FLOOR
BO	BLOWOFF	FG	FINISHED GRADE
BOW	BOTTOM OF WALL (AT GROUND)	FS	FINISHED SURFACE
BN	BACK OF WALK	GB	GRADE BREAK
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CB	CATCH BASIN	IN	INVERT ELEVATION
CO	CLEANOUT	LP	LOW POINT
CONC	CONCRETE	MH	MANHOLE
CMP	CORRUGATED METAL PIPE	PIV	POST INDICATOR VALVE
DR	DOOR	POC	POINT OF CONNECTION
DS	DOWN SPOUT	R	RISE
ESMT	EASEMENT	RMI	RMI ELEVATION
EG	EXISTING GRADE	RD	ROOF DRAIN
FC	FACE OF CURB	TC	TOP OF CURB
FF	FINISHED FLOOR	TW	TOP OF WALL
FOC	FIRE DEPARTMENT CONNECTION	TE	TRASH ENCLOSURE
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BENCHMARK

COUNTY OF VENTURA BENCHMARK 194: 2.5 MILES NORTH ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD. AT CONCRETE BRIDGE 405.25 OVER U.S. HIGHWAY 101 ALTERNATE. IN THE TOP OF THE SOUTHWEST END OF THE NORTHWEST ABUTMENT, 7.5 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THAN THE TOP RAIL.
ELEVATION= 78.77 FEET (NAVODM)
BASIS OF BEARINGS: THE CENTER LINE OF LOT OXNARD BOULEVARD AS SHOWN ON PARCEL MAP P.M. 794, RECORDS OF THE COUNTY OF VENTURA SAID BEARING BEING NORTH 14°24'52" WEST.

LEGEND

NEW	EXISTING

PREPARED BY:

CCE DESIGN ASSOCIATES, INC.
711 E. Daily Drive • Ste 107 • Camarillo, CA 93010
445 S Figueroa Street • Ste 3100 • Los Angeles, CA 90071
805.738.5434 • www.ccedesignassociates.com

RANDY CHAPMAN, P.E.
R.C.E. No. 69614

DATE



REVISIONS

NO.	DATE	DESCRIPTION	BY

OXNARD Development Services Department

UTILITY PLAN

ACCEPTED BY: CITY ENGINEER R.C.E. DATE

DESIGN NUMBER

REVIEWED BY: DATE

SCALE: HORIZ. 1"=40' VERT. 1"=4'

SHEET NO. 3 OF 4

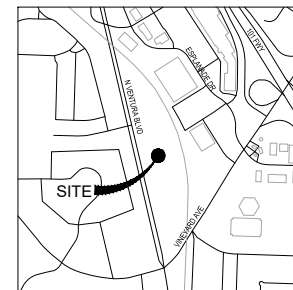
CHECKED BY: DATE

DATE

XX-XXXX

APN: 142-0-010-345 & 142-0-021-010

VICINITY MAP



UTILITY CONSTRUCTION KEYNOTES / LEGEND

- W —
1. INSTALL 8" WATER LINE.
 2. INSTALL IRRIGATION BACKFLOW DEVICE AND METER PER CITY OF OXNARD STD. PLATE NO. 309.
 3. INSTALL FIRE HYDRANT PER CITY OF OXNARD STD. PLATE NO. 300. MAKE AND MODEL JONES #406421/2.

UTILITY NOTES

1. BACKFILLING AND COMPACTION FOR ALL TRENCHES SHALL BE INSPECTED AND APPROVED BY THE GEOTECHNICAL ENGINEER.
2. CONTRACTOR TO VERIFY ALL EXISTING/NEW ELEVATIONS FOR STORM DRAIN AND SANITARY SEWER CONSTRUCTION PRIOR TO ANY SITE WORK. ALL WORK FOR STORM DRAIN AND SANITARY SEWER INSTALLATION SHALL BEGIN AT THE DOWNSTREAM END OF THE TRENCH. THE MINIMUM COVER SHALL BE MAINTAINED AND SHALL BE MADE PRIOR TO THE INSTALLATION OF THE ENTIRE LINE. IF THE CONTRACTOR Fails TO BEGIN AT THE DOWNSTREAM CONNECTION POINT AND WORSE UPSTREAM HE SHALL PROCEED AT HIS OWN RISK AND BE RESPONSIBLE FOR ANY ADJUSTMENTS NECESSARY.
3. ALL WORK ON-SITE AND IN THE PUBLIC RIGHT OF WAY, SHALL CONFORM TO CITY STANDARDS AND REQUIREMENTS. NOTE: THE REQUIREMENT OF ADDITIONAL PROTECTIVE BEDS, OBTAINED BY THE CITY PRIOR TO ANY WORK BEING DONE IN THE PUBLIC-OF-WAY.
4. GENERAL: CONTRACTOR SHALL COORDINATE ALL UNDERGROUND UTILITIES. PROVIDE 6" MINIMUM BETWEEN PIPES CROSSING ELECTRICAL LINES HORIZONTALLY AND 12" MINIMUM BETWEEN PARALLEL PIPES CROSSING ELECTRICAL LINES.
5. FOR UTILITY MATERIALS AND PIPES, SEE CITY STANDARDS AND / OR THE PROJECT SPECIFICATIONS.
6. WATER LINES SHALL BE 12" MINIMUM ABOVE SANITARY SEWER LINE AT ALL CROSSINGS.
7. MINIMUM COVER FOR WATER LINES IS 3.0 FEET.
8. WATER LINES SHOWN HEREIN FOR CONNECTION, SEE PLUMBING PLANS FOR CONSTRUCTION DETAILS.
9. POWER FILTERS SHOULD EXTEND AND CONNECT DOWN TO ORCHARD PLACE (AN ASSESSMENT WILL BE REQUIRED) OR DOWN TO BURNING BULL.

ABBREVIATIONS

BFP	BLOWFLOW PREVENTION DEVICE	FF	FINISHED FLOOR
BOW	BOTTOM OF WALL (AT GROUND)	FG	FINISHED SURFACE
BW	BACK OF WALK	GB	GRADE BREAK
CB	CATCH BASIN	HP	HIGH POINT
CD	BLIND	INV	INVERT ELEVATION
CONC	CONCRETE	LP	LOW POINT
CMP	COMBINATION METAL PIPE	MAN	MANHOLE
DR	DOOR	PC	POST INDICATOR VAIL
DS	DOWN SLOUT	PC	POINT OF CONNECTION
ESMT	EMERGENCY	R	RIDGE
ESMT	EXISTING GROUND	RN	RN ELEVATION
EG	EXISTING GRADE	RD	ROAD DRAIN
FC	FACE OF CURB	TC	TOP OF CURB
FF	FINISHED FLOOR	TW	TOP OF WALL
FDC	FIRE DETECTION CONNECTION	TE	TRASH ENCLOSURE
FH	FIRE HYDRANT	WATER	WATER METER
FL	FLINE LINE	WV	WATER VALVE

PREPARED BY:

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CE 711 E. Daily Drive • Ste 107 • Camarillo, CA 93010
445 S Figueroa Street • Ste 3100 • Los Angeles, CA 90071
805.738.5434 • www.ceedesignassociates.com

RANDY CHAPMAN, P.E.
R.C.E. No. 69614

DATE _____

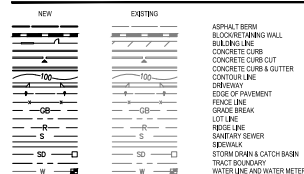


REVISIONS						Development Services Department	
NO.	DATE	DESCRIPTION	BY	ACCEPTED BY: _____ DATE: _____ CITY ENGINEER SUE		UTILITY PLAN	
				SHEET DRAWING NUMBER		SHEET NO. <u>4</u> OF <u>4</u>	
REVIEWED BY:				SCALE: HORIZ. 1"=30' VERT. 1"=30'		DRAWN BY: JC	NUMBER XX-XXXX
	DATE						

MATCHLINE - SEE SHEET 1

BENCHMARK

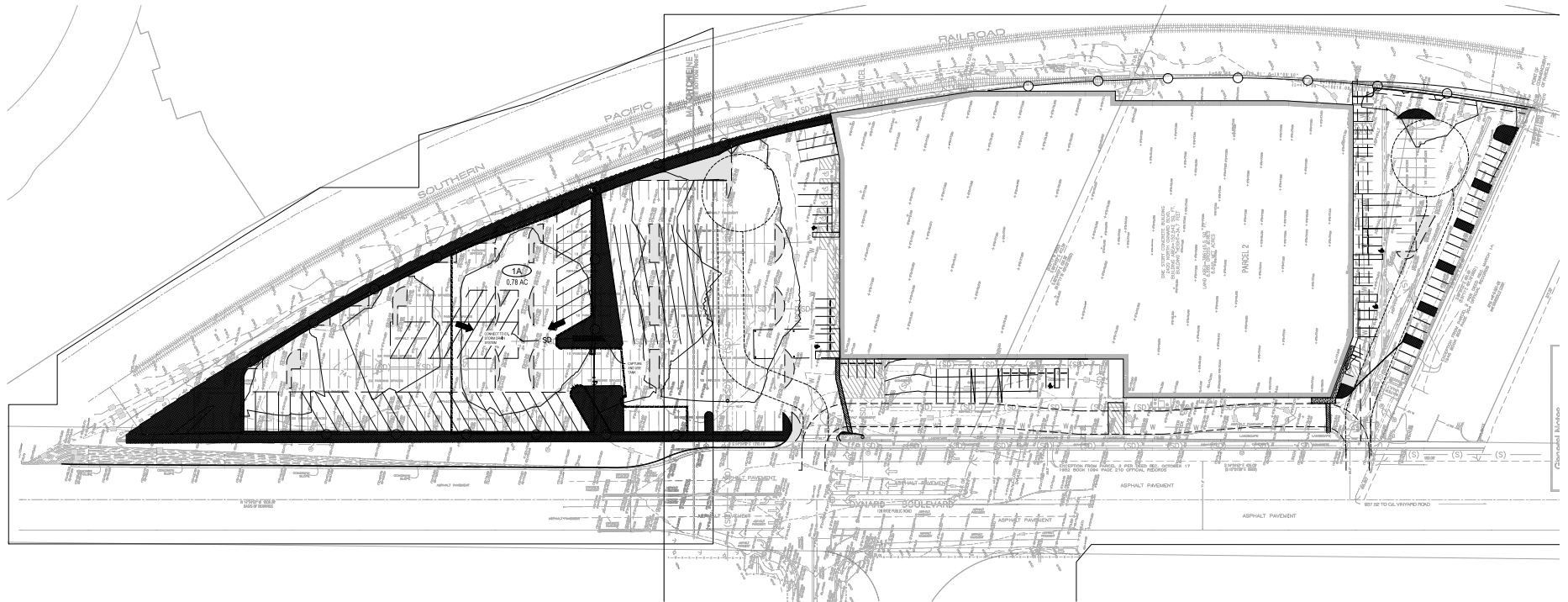
LEGEND



COUNTY OF VENTURA BENCHMARK 194: 2.5 MILES NORTH ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD, AT CONCRETE BRIDGE 405.25 OVER U.S. HIGHWAY 101 ALTERNATE, IN THE TOP OF THE SOUTHWEST END OF THE NORTHWEST ABUTMENT, 7.0 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THAN THE TOP RAIL.

ELEVATION= 78.77 FEET (NAVD88)

BASIS OF BEARINGS: THE CENTER LINE OF LOT OXNARD BOULEVARD AS SHOWN ON PARCEL MAP P.M. 70-8, RECORDS OF THE COUNTY OF VENTURA SAID BEARING BEING NORTH 14°24'52" WEST.



HYDROLOGY AND HYDRAULICS NOTES AND LEGEND

- 1A
1424 S
- HYDROLOGY TRIBUTARY AREA IDENTIFICATION
- AREA OF TRIBUTARY AREA
- TRIBUTARY AREA BOUNDARY
- PATH OF EMERGENCY OVERFLOW
- CAPTURE AND USE SYSTEM
- SD STORM DRAIN LINE

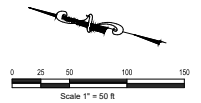
HYDROLOGY SUMMARY TABLE

Area	Area (sf)	Area (ac)	Cumulative Area (ac)	Q(50) (cfs)	Cumulative Q(50) (cfs)	Q(10) (cfs)	Cumulative Q(10) (cfs)
1A	29295	0.67	0.67	2.82	2.82	1.68	1.68
Onsite							
Total			0.67		2.82		1.68
Offsite							
Total			0.00		0.00		0.00
Total			0.67		2.82		1.68

From Post-Developed Cook's Method Hydrology, Q(50)=4.20 cfs/ac & Q(10)=2.5 cfs/ac

STORMWATER QUALITY SUMMARY

System	Area (ac)	SDQV Required (cfs)	Volume Provided (cf)	SDQV (cfs)
Capture and Use System	0.67	568	609	-
Pre-Treatment	0.67	-	-	0.33



NOTICE TO CONTRACTORS
CONTRACTOR TO NOTIFY USA (UNDERGROUND SERVICE ALERT) AT 811 A MINIMUM OF 48 HOURS BEFORE BEGINNING UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION OF UNDERGROUND UTILITIES



Know what's below.
Call before you dig.

PREPARED BY:

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RANDY CHAPMAN, P.E.
R.C.E. No. 69614

DATE



REVISIONS

NO.	DATE	DESCRIPTION	BY

ACCEPTED BY: CITY ENGINEER R.C.E. DATE

DESIGN DRAWING NUMBER

REVIEWED BY: DATE

OXNARD
Development Services Department

HYDROLOGY MAP

ACCEPTED BY: CITY ENGINEER R.C.E. DATE

DESIGN DRAWING NUMBER

REVIEWED BY: DATE

DESIGN NUMBER XX-XXXX

- GENERAL NOTES**
1. ALL ELECTRIC GATES TO HAVE A CLICK-ENTER AND INOX KEY SWITCH.
 2. ALL FIRE HYDRANTS TO BE UPGRADED TO JONES 800A, 400X1 1/2". EXISTING POLE SIGNS TO BE REMOVED. NEW SIGNS TO BE UNDER SEPARATE PERMIT.
 3. A CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT PLAN (CDMP) MUST BE SUBMITTED TO THE ENVIRONMENTAL RESOURCES DIVISION FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE CDMP SHALL PROVIDE THAT AT LEAST 80% OF THE WASTE GENERATED ON THE PROJECT BE DIVERTED FROM THE LANDFILL.
 4. AFTER COMPLETION OF CONSTRUCTION AND PRIOR TO A CERTIFICATE OF OCCUPANCY BEING ISSUED, A CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT REPORT (CDMP) MUST BE PROVIDED. PROVIDE LEGIBLE COPIES OF WEIGHT TICKETS, RECEIPTS, OR INVOICES FOR MATERIALS SENT TO DISPOSAL OR REUSE/RECYCLING FACILITIES.
 5. AN OCCUPANCY PLAN ("OCCUPANCY PLAN") MUST BE SUBMITTED TO THE ENVIRONMENTAL RESOURCES DIVISION PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE OCCUPANCY PLAN MUST CLEARLY STATE HOW RECYCLABLE AND ORGANIC MATERIAL, INCLUDING FOOD WASTE, WILL BE MANAGED ON SITE TO BE IN COMPLIANCE WITH APPLICABLE STATE LAWS (AS 899 AB 341, AB 1628, SB 1385). HOW PROPERTY MANAGEMENT STAFF WILL PARTICIPATE IN THE PROGRAM. HOW RESIDENTS WILL BE EDUCATED ABOUT THE PROGRAM AND ENCOURAGED TO PARTICIPATE. THE OCCUPANCY PLAN MUST INCLUDE WHAT SERVICE PROVIDER(S) WILL MANAGE/TRANSPORT MATERIALS TO APPROPRIATE FACILITIES.
 6. LOCATION IS REQUIRED TO ADHERE TO APPLICABLE SOLID WASTE MANAGEMENT ORDINANCES, INCLUDING FUTURE ORDINANCE CREATION AND/OR REVISIONS.
 7. ANY LANDSCAPING MAINTENANCE RESULTING IN ORGANIC MATERIAL NEEDING DISPOSAL, IF PERFORMED IN-HOUSE OR VIA A 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.

- EASEMENT KEY:**
- 1 EASEMENT FOR INGRESS/EGRESS FOR ROADWAY TRAFFIC AND FIRE ACCESS
 - 2 EASEMENT FOR PIPELINES AND STORM DRAIN PURPOSES
 - 3 EASEMENTS FOR TELEPHONE FOR CONDUITS, MAN HOLES, PEDESTALS, ETC.
 - 4 EASEMENT FOR ELECTRICAL
- KEY**
- PAVEMENT MATERIAL KEY:**
- CONCRETE
 - ASPHALT
 - LANDSCAPE
 - DECORATIVE WROUGHT IRON FENCE (SEE DTL. 1 & 4/A-4)
 - STORM DRAIN INLETS
 - SITE LIGHTING

LANDSCAPE

LANDSCAPE PERIPHERY	24,627 SF
LANDSCAPE INTERIOR	14,006 SF
TOTAL	38,633 SF

1 SITE PLAN
1" = 50'-0"

2 SITE ELEVATION
1" = 50'-0"

PROPOSED SITE PLAN

PLANNING REVIEW
U-HAUL
2420 N. OXNARD BLVD. OXNARD, CA 93035

Print Date: 12/1/2022 10:12:33 AM
Proj. No.: 20-205054

A-100

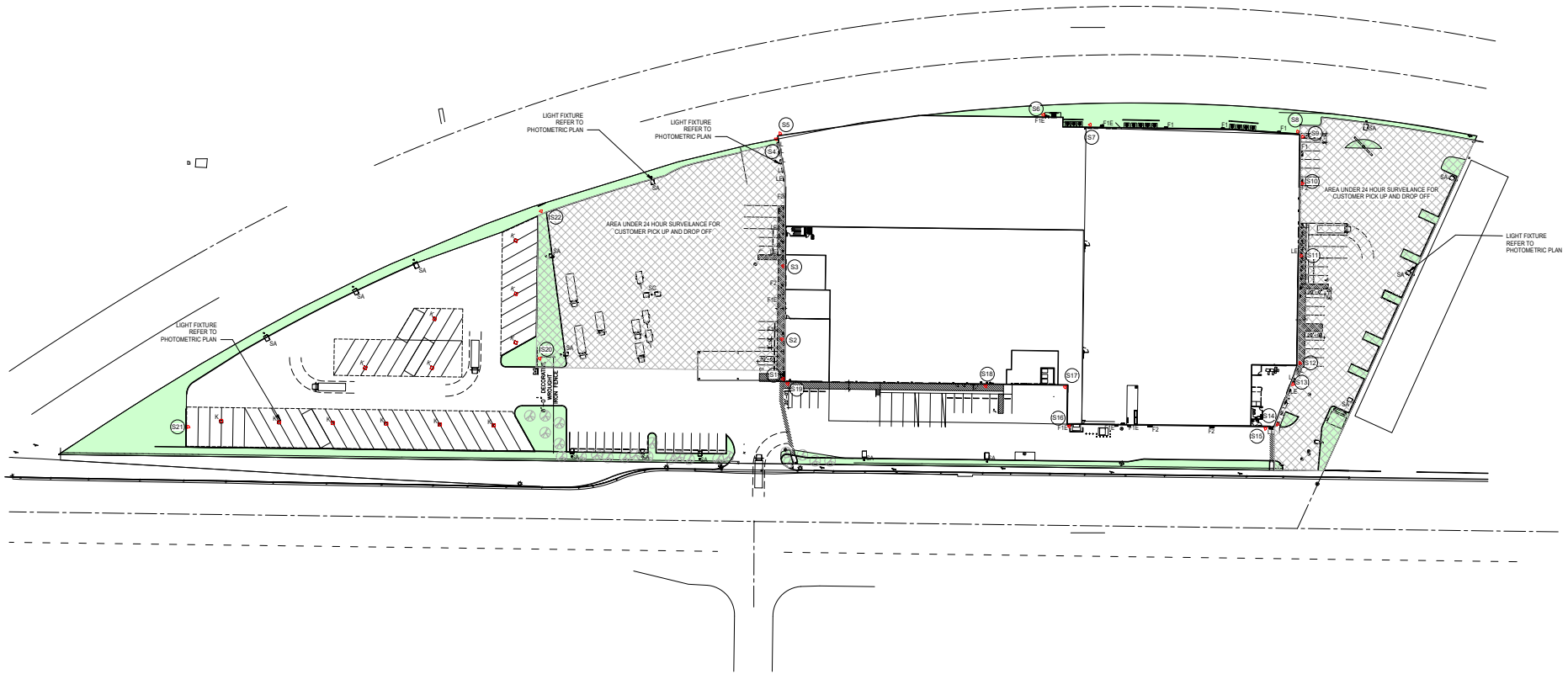
LAUTERBACH & ASSOCIATES
ARCHITECTS, INC.
David C. Lauterbach, Architect • Nina Scott, Architect
300 BENTLEY AVENUE, OXNARD, CALIFORNIA 93035 | TEL: 805.464.1610 | WWW.LA-ARCH.COM

U-HAUL OF OXNARD
2420 N. OXNARD BLVD. OXNARD, CALIFORNIA 93035

SECURITY CAMERAS - SITE PERIMETER	
CAMERA NAME	PURPOSE
S1 PERIMETER	PEDESTRIAN ENTRANCE
S1	PEDESTRIAN ENTRANCE
S2	PEDESTRIAN ENTRANCE
S3	PEDESTRIAN ENTRANCE
S4	NORTH VEHICLE LOADING
S5	GENERAL VIEW
S6	PEDESTRIAN ENTRANCE
S7	PEDESTRIAN ENTRANCE
S8	GENERAL VIEW
S9	GENERAL VIEW
S10	SOUTH VEHICLE LOADING

SECURITY CAMERAS - SITE PERIMETER	
CAMERA NAME	PURPOSE
S11	PEDESTRIAN ENTRANCE
S12	GENERAL VIEW
S13	PEDESTRIAN ENTRANCE
S14	SITE ENTRANCE
S15	PEDESTRIAN ENTRANCE
S16	GENERAL VIEW
S17	GENERAL VIEW
S18	PEDESTRIAN ENTRANCE
S19	SITE ENTRANCE
S20	SECURITY GATE
S21	GENERAL VIEW
S22	PERIMETER VIEW
TOTAL CAMERAS: 22	

- SECURITY PLAN REQUIREMENTS**
1. ALL CAMERAS MONITORING EXTERIOR THRESHOLDS SHALL BE MOUNTED AT 7 FEET ABOVE THE FLOOR TO CAPTURE QUALITY IMAGES OF HEADS AND SHOULDERS.
 2. THRESHOLD CAMERAS SHALL MONITOR ALL PEDESTRIAN ENTRANCES TO THE FACILITY.
 3. CAMERAS NEAR DRIVEWAY ENTRANCES PLACED TO CAPTURE VEHICLES AS THEY ENTER THE PROPERTY. THESE CAMERAS SHALL BE PLACED SO THAT LICENSE PLATE NUMBERS CAN BE READ FROM THE IMAGES.
 4. SITE TO BE SECURED WITH PERIMETER FENCING.
 5. PEDESTRIAN GATES ARE REQUIRED TO HAVE KNOX BOX KEY VAULTS.
 6. CLOCK TO ENTER REQUIRED FOR FIRST RESPONDER ACCESS TO ALL SEMI-PUBLIC AREAS.
 7. FACILITY WILL BE MONITORED 24 HOURS A DAY.
 8. FACILITY WILL ACCOMMODATE 24 HOUR VEHICLE PICK UP AND DROP OFF.



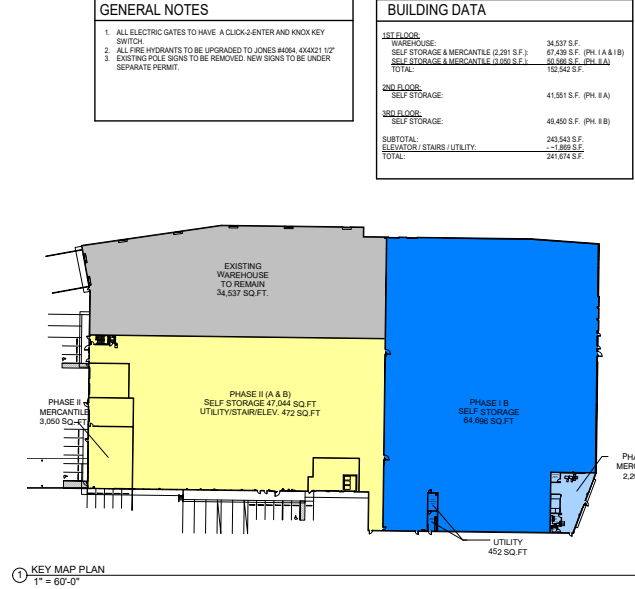
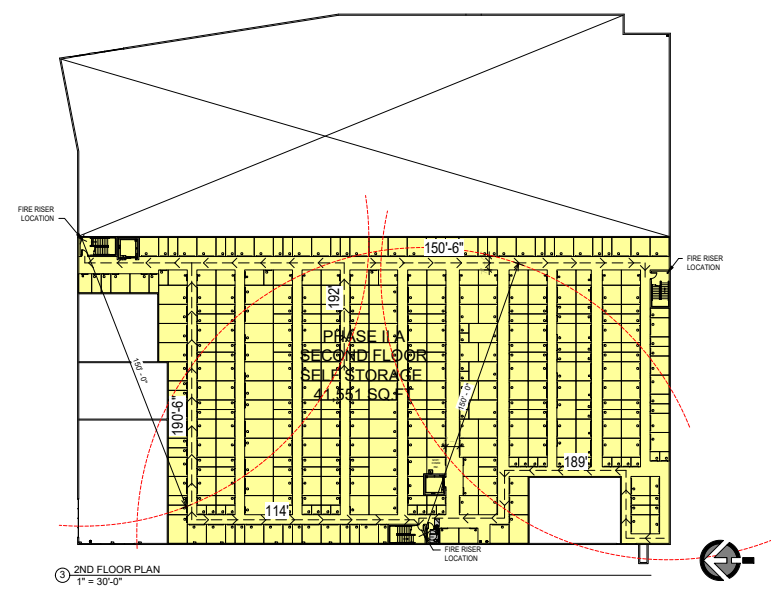
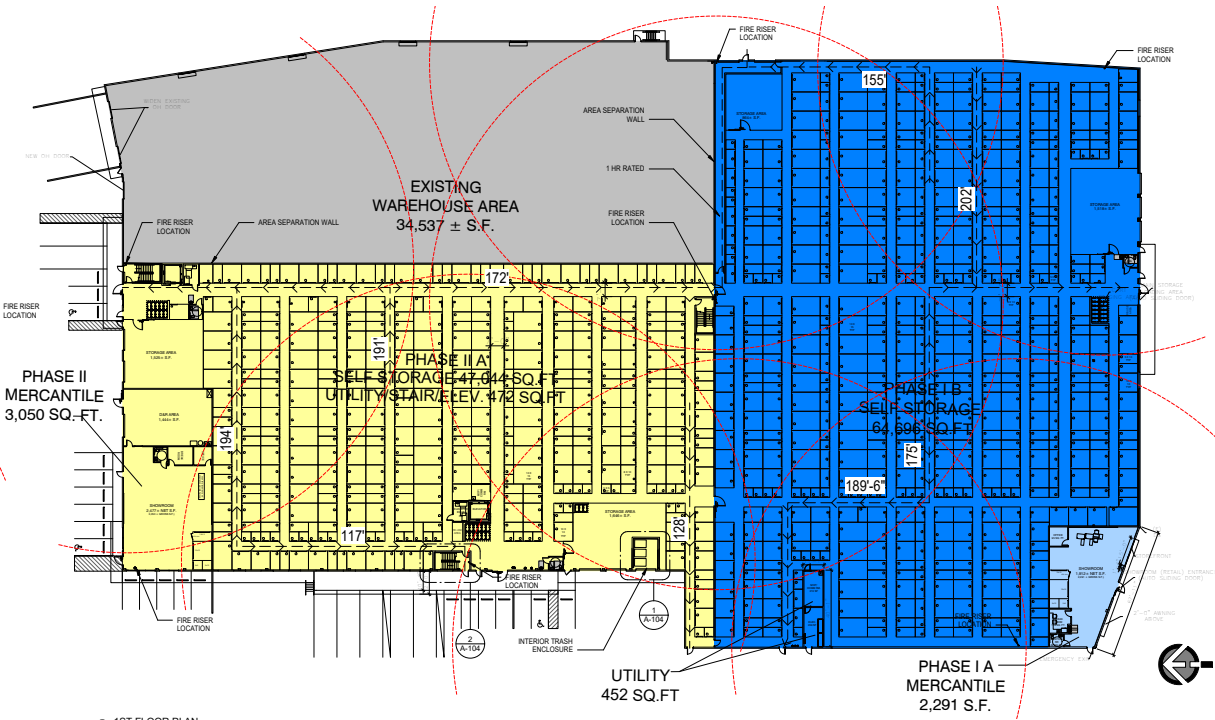
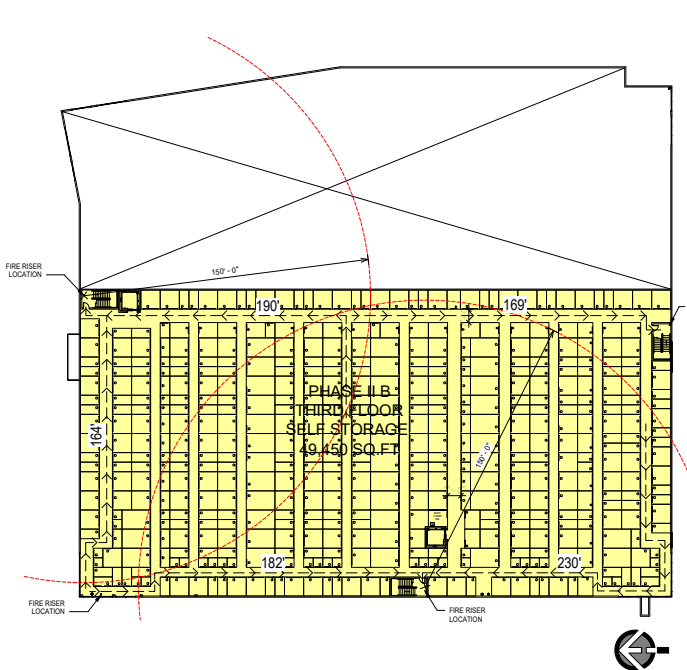
① SITE PLAN
1" = 50'-0"

SECURITY PLAN

PLANNING REVIEW
U-HAUL
3420 N. OXNARD BLVD. OXNARD, CA 93035

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Proj. No.: 20-205054

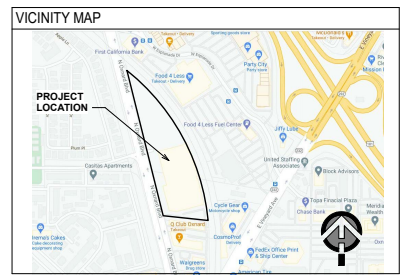
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- GENERAL NOTES**
1. ALL ELECTRIC GATES TO HAVE A CLICK-2-ENTER AND KNOX KEY SWITCH.
 2. ALL FIRE HYDRANTS TO BE UPGRADED TO JONES #406A, 4X6X21 1/2". EXISTING POLE SIGNS TO BE REMOVED. NEW SIGNS TO BE UNDER SEPARATE PERMIT.

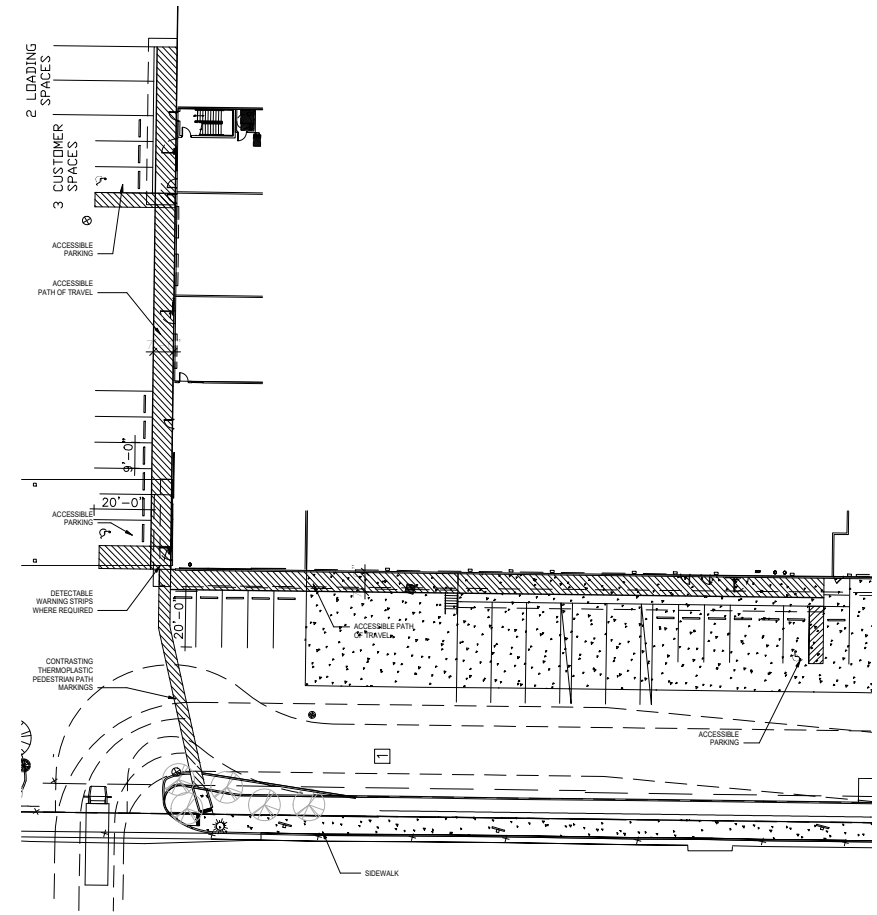
BUILDING DATA

1ST FLOOR:	
WAREHOUSE:	34,537 S.F.
SELF STORAGE & MERCANTILE (2,291 S.F.):	67,439 S.F. (PH. I A & I B)
SELF STORAGE & MERCANTILE (2,291 S.F.):	50,999 S.F. (PH. I A)
TOTAL:	152,942 S.F.
2ND FLOOR:	
SELF STORAGE:	41,561 S.F. (PH. I A)
3RD FLOOR:	
SELF STORAGE:	49,450 S.F. (PH. II B)
SUBTOTAL:	243,943 S.F.
ELEVATOR STAIRS/UTILITY:	1,865 S.F.
TOTAL:	241,674 S.F.



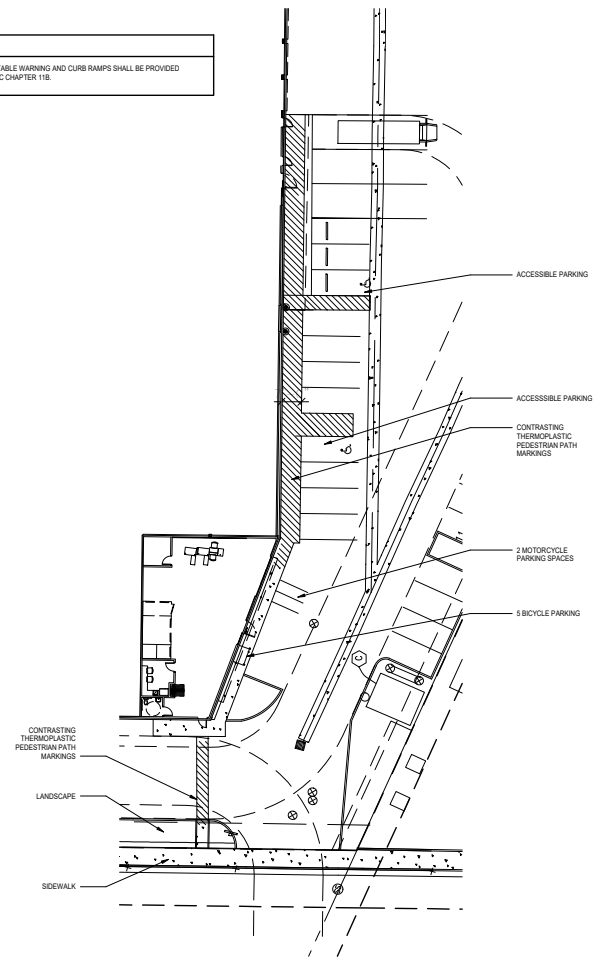
FLOOR PLANS

PLANNING REVIEW
U-HAUL
2420 N. OXNARD BLVD. OXNARD, CA 93035



① PARTIAL SITE PLAN - ACCESSIBLE PATH OF TRAVEL
1" = 20'-0"

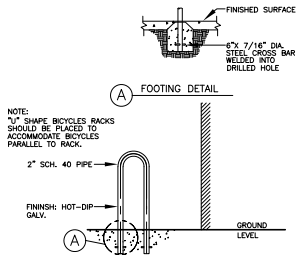
NOTE
1. DETECTABLE WARNING AND CURB RAMPS SHALL BE PROVIDED PER CBC CHAPTER 11B.



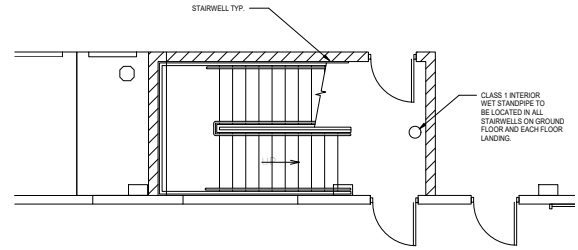
② PARTIAL SITE PLAN - ACCESSIBLE PATH OF TRAVEL
1" = 20'-0"

ACCESSIBLE PATH OF TRAVEL

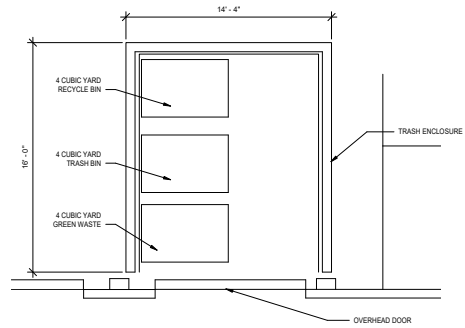
PLANNING REVIEW
U-HAUL
3420 N. ONYARD BLVD. ONYARD, CA 93036



③ BICYCLE RACK DETAIL
NOT TO SCALE



② FIRE RISER IN STAIRWELL (TYP.)
1/4" = 1'-0"



① TRASH ENCLOSURE PLAN
1/4" = 1'-0"

TRASH ENCLOSURE

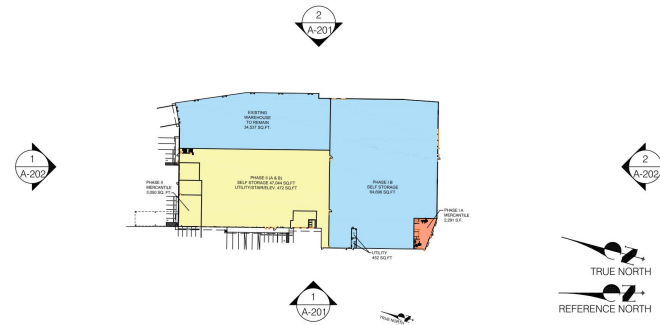
PLANNING REVIEW
U-HAUL
2420 N. OXNARD BLVD. OXNARD, CA 93036

1. NO ROOFTOP EQUIPMENT PROPOSED
2. EXISTING ROOFTOP EQUIPMENT TO BE REMOVED
3. DOWNSPOUTS TO BE PAINTED TO MATCH ADJACENT SURFACE

- (A) COLOR: SHERWIN WILLIAMS 7035 "AESTHETIC WHITE"
- (B) COLOR: SHERWIN WILLIAMS 6108 "LATTE"
- (C) FLAT NICHIHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 7040 "SMOKEHOUSE"
- (D) MBCI METAL RIBBED 7.2 PANEL, COLOR: "LIGHT STONE"
- (E) MBCI METAL RIBBED 7.2 PANEL, COLOR: "ALMOND"
- (F) FLAT NICHIHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 7036 "ACCESSIBLE BEIGE"
- (G) FLAT NICHIHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 6758 "AQUEDUCT"
- (H) FLAT NICHIHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 6214 "UNDERSEAS"
- (J) METAL WALL MOUNTED TRELLIS COLOR: PPG DURANAR XL "GREEN"
- (K) ARCHITECTURAL PANELS COLOR: SHERWIN WILLIAMS "SIERRA SUNSET"
- (L) WAINSCOT - NICHIHA RIBBED PANEL, COLOR: "MOTHER OF PEARL"
- (M) 24GA BREAK METAL WRAP, COLOR: SHERWIN WILLIAMS 6758 "AQUEDUCT"
- (N) 11'-0" x 10'-6" OVERHEAD DOOR - ULTRA-GRAIN CLASSIC WALNUT FINISH
- (P) DOWN SPOUT PAINTED TO MATCH ADJACENT WALL

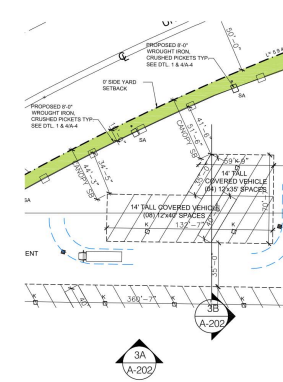
NOTES

KEY



KEY MAP

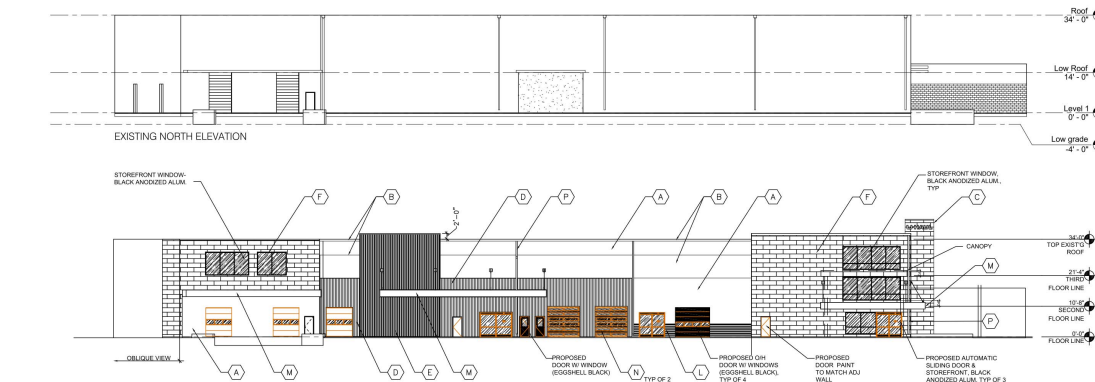
SCALE: NTS



TRUE NORTH
REFERENCE NORTH

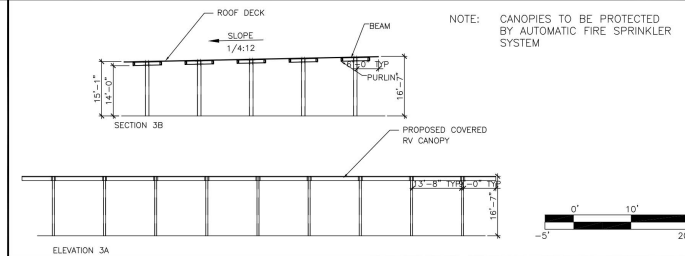
1 PROPOSED NORTH ELEVATION

SCALE: 1"=20'-0"



RV CANOPY KEY MAP

SCALE: NTS

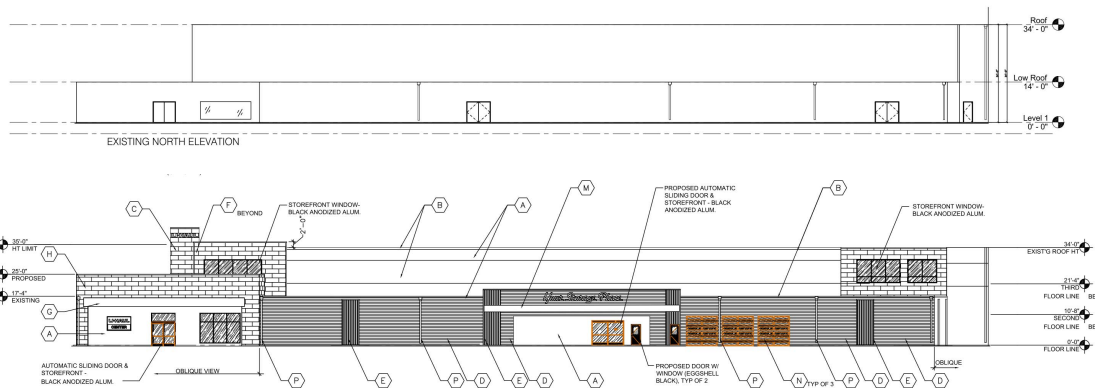


3 PROPOSED RV ELEVATION AND TYPICAL SECTION

SCALE: 1/16"=1'-0"

2 PROPOSED SOUTH ELEVATION

SCALE: 1"=20'-0"

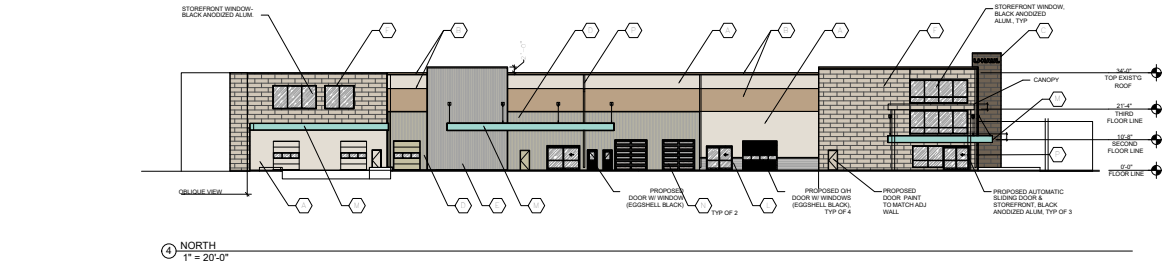


EXTERIOR ELEVATIONS

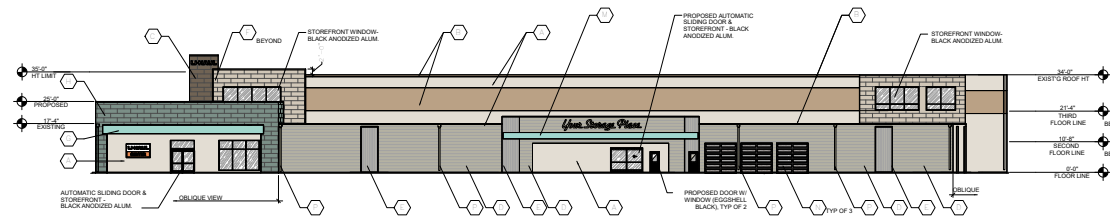
PLANNING REVIEW
U-HAUL
3420 N. OXNARD BLVD. OXNARD, CA 93036

Print Date: 9/22/2021 10:27 PM
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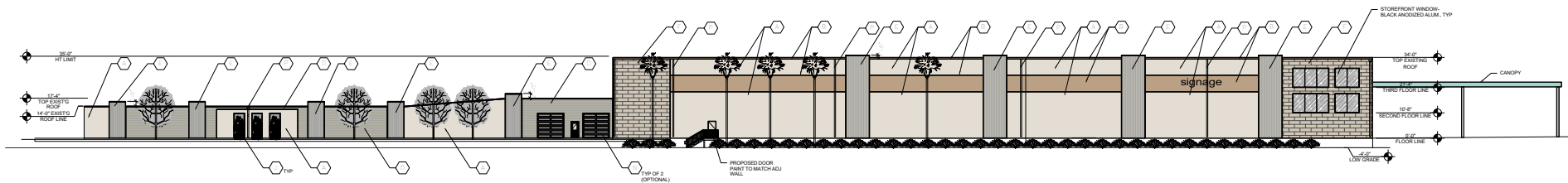
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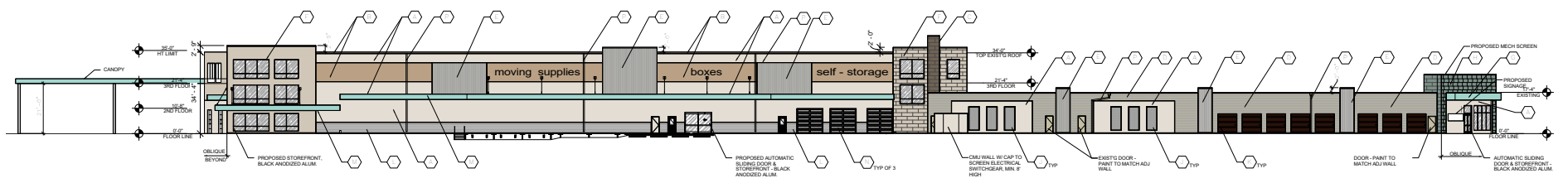
④ NORTH
1" = 20'-0"



③ SOUTH
1" = 20'-0"



② EAST
1" = 20'-0"



① WEST
1" = 20'-0"

KEYNOTES:

- A COLOR: SHERWIN WILLIAMS 7035 "AESTHETIC WHITE"
- B COLOR: SHERWIN WILLIAMS 6109 "LATTE"
- C FLAT NICHHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 7040 "SMOKEHOUSE"
- D MBI METAL RIBBED 7.2 PANEL, COLOR: "LIGHT STONE"
- E MBI METAL RIBBED 7.2 PANEL, COLOR: "ALMOND"
- F FLAT NICHHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 7036 "ACCESSIBLE RIDGE"
- G FLAT NICHHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 6759 "AQUEDUCT"
- H FLAT NICHHA WALL PANELS, "ILLUMINATION PANEL" COLOR: SHERWIN WILLIAMS 6214 "UNDERSIEAS"
- J METAL WALL MOUNTED TRELLIS COLOR: PPG DURANAR XL "GREEN"
- K ARCHITECTURAL PANELS COLOR: SHERWIN WILLIAMS "SIERRA SUNSET"
- L WANSLOT - NICHHA RIBBED PANEL, COLOR: "MOTHER OF PEARL"
- M 24GA BREAK METAL WRAP, COLOR: SHERWIN WILLIAMS 6759 "AQUEDUCT"
- N 11'-0" X 10'-4" OVERHEAD DOOR - ULTRA - GRAY CLASSIC WALNUT FINISH
- P DOWN SPOUT PAINTED TO MATCH ADJACENT WALL

COLORED ELEVATIONS

PLANNING REVIEW
U-HAUL
3420 N. ONWARD BLVD. ONWARD, CA 93736

D-Series Size 2
LED Wall Luminaires

Back Box (BBW)

Specifications

Capable Luminaires

Ordering Information

EXAMPLE: DSX2 LED 100 700 40K TSM MVOLT

D-Series Size 2
LED Area Luminaires

Specifications

Ordering Information

EXAMPLE: DSX2 LED 100 700 40K TSM MVOLT

D-Series
LED Surface Canopy

Specifications

Ordering Information

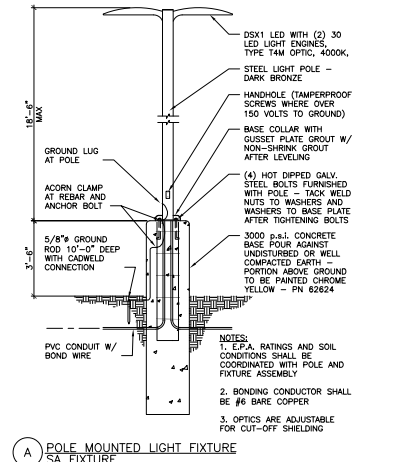
EXAMPLE: DSX2 LED 100 700 40K TSM MVOLT

LITHONIA LIGHTING

FEATURES & SPECIFICATIONS

Ordering Information

EXAMPLE: DSX2 LED 100 700 40K TSM MVOLT



Schedule	Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage	Finish	Mounting
F1			4	Lithonia Lighting	DSXW1 LED 100 700 40K TSM MVOLT	DSXW1 LED WITH (1) 15 LED LIGHT ENGINES, TYPE TSM OPTIC, 4000K, @ 700mA	LED - 4000K COLOR TEMP	1	2757	0.96	26.2	DOBAD FACTORY FINISH - DARK BRONZE	WALL MOUNTED SCORCH
F1E			7	Lithonia Lighting	DSXW1 LED 100 700 40K TSM MVOLT ELBW	DSXW1 LED WITH (1) 15 LED LIGHT ENGINES, TYPE TSM OPTIC, 4000K, @ 700mA	LED - 4000K COLOR TEMP	1	2757	0.96	26.2	DOBAD FACTORY FINISH - DARK BRONZE	WALL MOUNTED SCORCH
F2			6	Lithonia Lighting	DSXW2 LED 300 700 40K TSM MVOLT	DSXW2 LED WITH (1) 15 LED LIGHT ENGINES, 30 LED, 700MA DRIVER, 4000K LED, TYPE A MEDIUM OPTIC	LED - 4000K COLOR TEMP	1	8089	0.95	71	DOBAD FACTORY FINISH - DARK BRONZE	WALL MOUNTED SCORCH
K			12	Lithonia Lighting	DSX2 LED 300 1000 40K TSM MVOLT	DSX2 LED WITH (1) 15 LED LIGHT ENGINES, 30 LED, 700MA DRIVER, 4000K LED, TYPE A MEDIUM OPTIC	LED - 4000K COLOR TEMP	1	11588	0.95	107	FACTORY FINISH FRAME - WHITE	MOUNTED UNDER CANOPY
L			38	Lithonia Lighting	WRT 2 32 A12125 MVOLT SEB105	WRT LOCATION TROFFER 1' X 4'	TWO 32-WATT T8 LINEAR FLUORESCENTS	2	2600	0.65	59	FACTORY FINISH FRAME - WHITE	MOUNTED UNDER CANOPY OR AWNING
LE			12	Lithonia Lighting	WRT 2 32 A12125 MVOLT SEB105 EL14	WRT LOCATION TROFFER 1' X 4'	TWO 32-WATT T8 LINEAR FLUORESCENTS	2	2600	0.65	59	FACTORY FINISH FRAME - WHITE	MOUNTED UNDER CANOPY OR AWNING
SA			16	Lithonia Lighting	DSX2 LED 100 40K TSM MVOLT DOBAD	DSX2 LED P4 40K TSM MVOLT	LED - 4000K COLOR TEMP	1	32883	0.95	270	DOBAD FACTORY FINISH - DARK BRONZE	POLE MOUNTED
SC			1	Lithonia Lighting	DSX2 LED 100 40K TSM MVOLT DOBAD	DSX2 LED P4 40K TSM MVOLT	LED - 4000K COLOR TEMP	1	34437	0.95	340	DOBAD FACTORY FINISH - DARK BRONZE	POLE MOUNTED

Statistics	Description	Symbol	Avg	Max	Min	Max/Min Avg/Min
COVERED PARKING	+	3.7 f.c.	4.9 f.c.	1.3 f.c.	3.8 f.c.	2.8 f.c.
COVERED PARKING	+	4.1 f.c.	5.3 f.c.	2.7 f.c.	2.9 f.c.	1.5 f.c.
COVERED PARKING	+	3.2 f.c.	4.8 f.c.	2.1 f.c.	2.3 f.c.	1.5 f.c.
NORTH WALKWAY	+	1.2 f.c.	2.5 f.c.	0.2 f.c.	12.5 f.c.	6.0 f.c.
PARKING LOT	+	3.3 f.c.	23.3 f.c.	0.3 f.c.	77.7 f.c.	11.9 f.c.

PHOTOMETRIC PLAN
1" = 50'-0"

PHOTOMETRIC PLAN

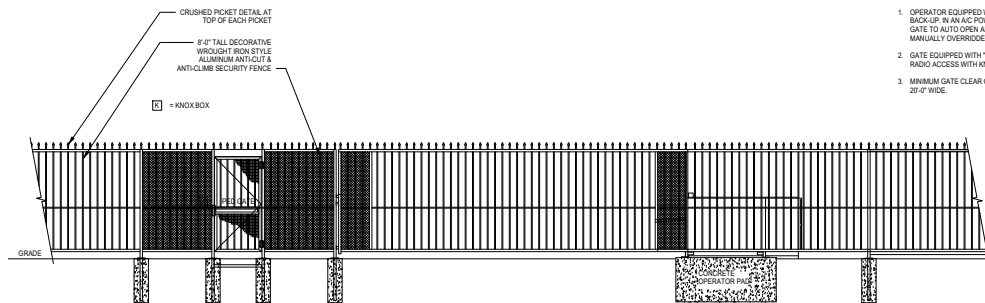
PLANNING REVIEW
U-HAUL

Print Date: 11/10/2022 10:07:34 PM
Proj. No.: 20-00504

A-204

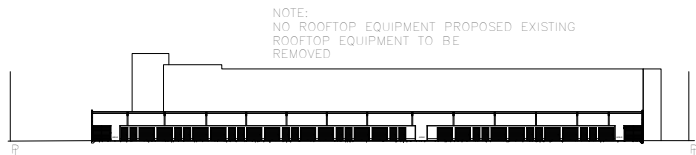
U-HAUL OF OXNARD
2401 N OXNARD BLVD OXNARD CALIFORNIA 93031

LAUTERBACH & ASSOCIATES
ARCHITECTS, INC.
David C. Lauterbach, Architect - Mark S. Pettit, Architect
300 West Broadway Avenue, Oxnard, CA 93030
Tel: 805.324.1000 Fax: 805.324.1001 Email: info@lautebach.com

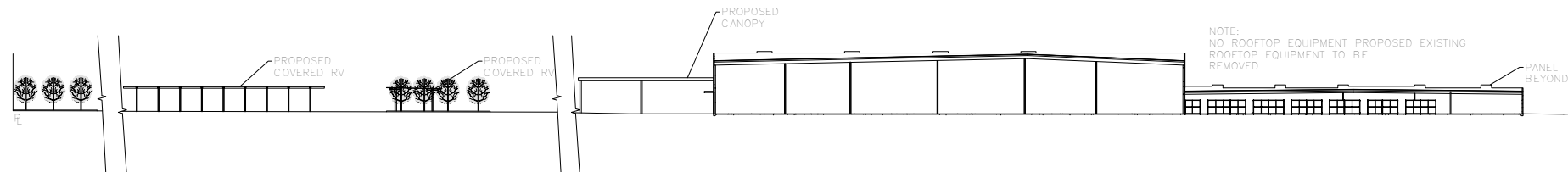


① SLIDING ACCESS CONTROL GATE
1/4" = 1'-0"

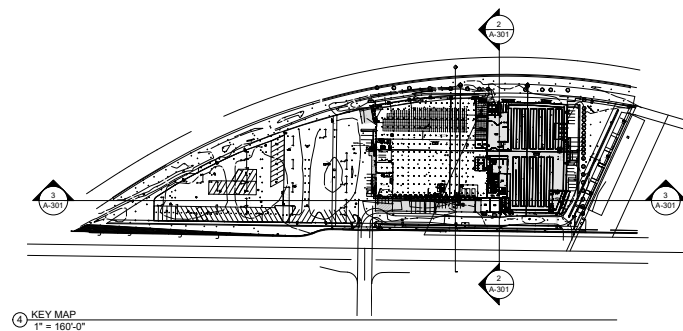
1. OPERATOR EQUIPPED WITH MARINE BATTERY BACK-UP IN AN AC POWER FAILURE EVENT. GATE TO AUTO OPEN AND STAY OPEN UNTIL MANUALLY OVERRIDDEN.
2. GATE EQUIPPED WITH "CLICK-TO-ENTER" RADIO ACCESS WITH KNOX KEY SWITCH.
3. MINIMUM GATE CLEAR OPEN WIDTH SHALL BE 20'-0" WIDE.



② PROPOSED SITE SECTION EAST TO WEST
1/32" = 1'-0"



③ PROPOSED SITE SECTION NORTH TO SOUTH
1/32" = 1'-0"



⑤ ANTI-CUT / ANTI CLIMB FENCING PHOTO
1/4" = 1'-0"

BUILDING SECTIONS

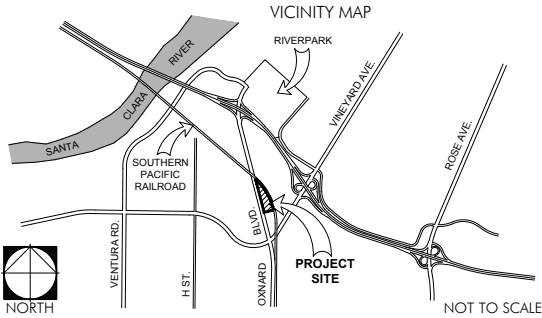
PLANNING REVIEW
U-HAUL
3420 N. OXNARD BLVD. OXNARD, CA 93035

MARK S. PETTY, AIA
LAUTERBACH & ASSOCIATES
ARCHITECTS, INC.
David C. Keesom, Architect • Mark S. Petty, Architect
300 BENTLEY AVENUE, OXNARD, CALIFORNIA 93035 | TEL: 805.461.1000 | WWW.LA-ARCH.COM

U-HAUL OF OXNARD
3420 N. OXNARD BLVD. OXNARD, CALIFORNIA 93035

Print Date: 9/3/2021 9:31:40 AM
Proj. No.: 20-200504

A-301



PLANT SCHEDULE - PHASE II

TREES	BOTANICAL / COMMON NAME	SIZE	WUCOLS	WUCOLS		QTY	REMARKS
	CERCIDIUM X 'DESERT MUSEUM' THORNLESS PALO VERDE	48"BOX		L		1	
	EXISTING TREE TO BE REMOVED	EXISTING				4	
	EXISTING TREE TO REMAIN - PROTECT IN PLACE (ALL OTHER EXISTING TREES TO BE REMOVED)	EXISTING				4	
	KOELREUTERIA BIPINNATA CHINESE FLAME TREE	36"BOX		L		1	
	PITTOSPORUM TENUIFOLIUM 'SILVER SHEEN' SILVER SHEEN TAIWHWH	15 GAL		M		29	
	RHUS LANCEA AFRICAN SUMAC	36"BOX		L		10	
	WASHINGTONIA ROBUSTA MEXICAN FAN PALM	15 BTF		L		4	
SHRUBS	BOTANICAL / COMMON NAME	SIZE	WUCOLS	WUCOLS		QTY	REMARKS
	ALOE STRIATA CORAL ALOE	5 GAL	2' X 2'	L		278	
	CALLISTEMON X 'LITTLE JOHN' DWARF CALLISTEMON	5 GAL	3' X 4'	L		43	
	CARISSA GRANDIFLORA NATAL PLUM	5 GAL	5' X 5'	L		487	
	MUHLBERGIA CAPILLARIS 'LENCA' REGAL MIST PINK MUHLY	1 GAL	3' X 3'	L		215	
	WESTRINGIA FRUTICOSA 'WYNABBIE GEM' WYNABBIE GEM COAST ROSEMARY	5 GAL	5' X 5'	L		21	
GROUND COVERS	BOTANICAL / COMMON NAME	SIZE	WUCOLS	WUCOLS	SPACING	QTY	REMARKS
	BOUGAINVILLEA X 'LA JOLLA' LA JOLLA BOUGAINVILLEA	1 GAL			48" o.c.	9,710 SF	
	LANTANA MONTEVIDENSIS 'NEW GOLD' TRAILING LANTANA	1 GAL	1' X 2'	L	24" o.c.	2,289 SF	



UHAUL RENOVATION PHASE II - OXNARD, CA



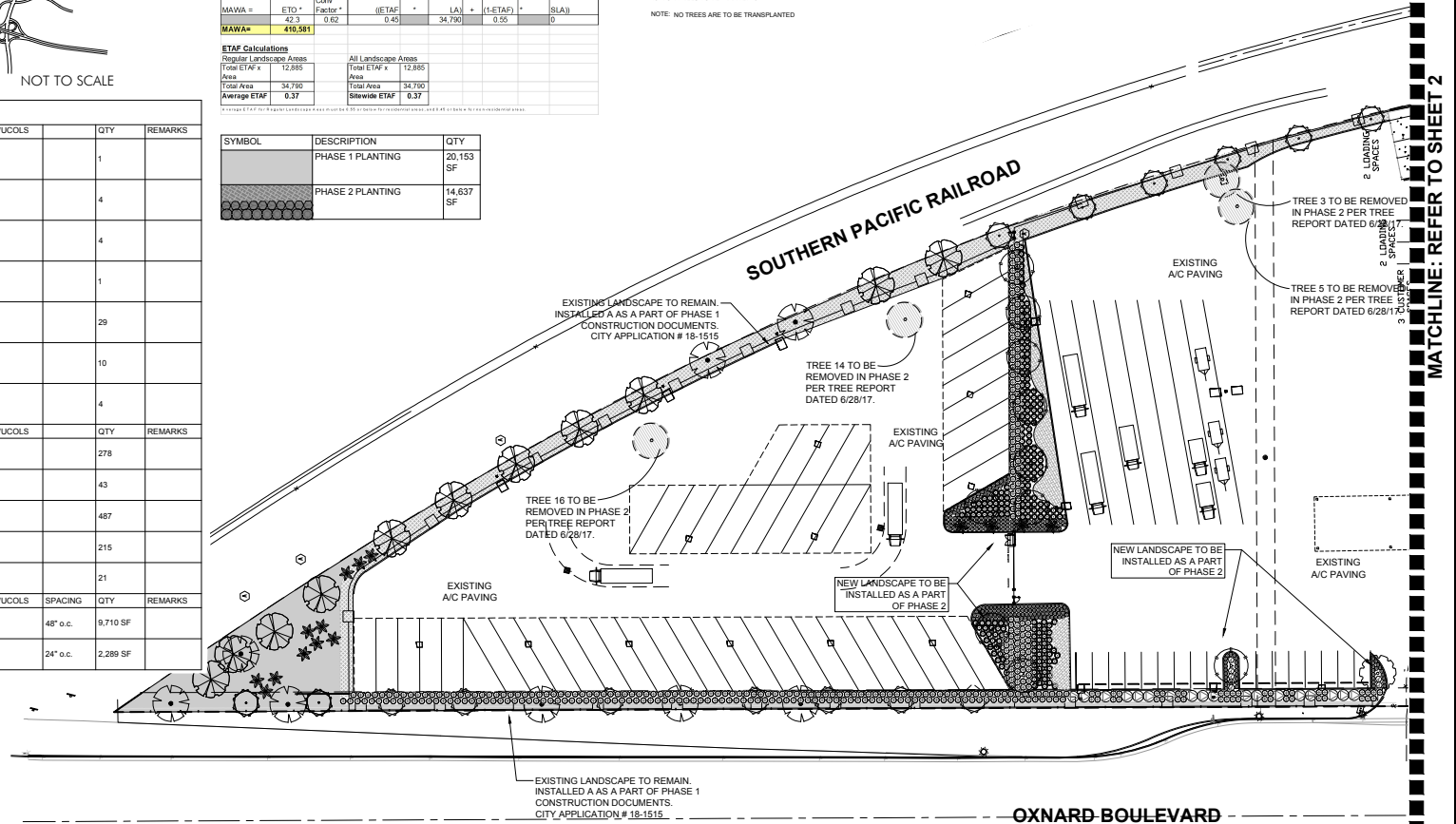
310 NORTH JOY STREET | CORONA, CA 92679
T: 951.737.1124 | F: 951.737.6551

WATER EFFICIENT LANDSCAPE WORKSHEET												
PROJECT: UHAUL RENOVATION PHASE II - OXNARD, CA					DATE:		4/14/2021					
This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.												
Reference Evapotranspiration (ET ₀)					42.3							
Conversion Factor					0.62							
Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PFIE)	Landscape Area (sq. ft.)	ETAF Area	Estimated Total Water Use (ETWU)					
Regular Landscape Areas												
Low water use plantings	0.31	Drip	0.81	0.37	34,790	12,885	337,527					
TOTALS					34,790		12,885	337,527				
Special Landscape Areas												
TOTALS					0		0	0				
					ETWU Total		337,527					
					Maximum Allowed Water Allowance (MAWA)		410,581					
MAWA												
ETAF to MAWA RATIO = 0.82 (12,885 / 15,712.5)												
MAWA =	ET ₀ *	Conv Factor *	(ETAF)	LA *	(1-ETAF) *	SLA						
	42.3	0.62	0.45	34,790	0.55	0						
MAWA =					410,581							
ETAF Calculations												
Regular Landscape Areas					All Landscape Areas							
Total ETAF = 12,885					Total ETAF = 12,885							
Area					Area							
Total Area 34,790					Total Area 34,790							
Average ETAF 0.37					Sitewide ETAF 0.37							
Landscape ETAF Calculations Worksheet												

SYMBOL	DESCRIPTION	QTY
	PHASE 1 PLANTING	20,153 SF
	PHASE 2 PLANTING	14,637 SF

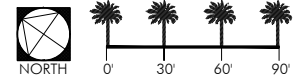
TREE TABULATION CHART (PER AMERCO'S TREE REPORT)					
TREE #	HEALTH	REMOVE IN PH 2	APPRAISED VALUE	REPLACEMENT TREE SIZE	REPLACEMENT VALUE
3	POOR	YES	\$5,611	(8) x 36" BOX	\$ 5,200
5	FAIR	POOR	YES	(1) x 48" BOX	\$ 1,500
14	FAIR	YES	\$5,184	(8) x 36" BOX	\$ 5,200
16	FAIR	YES	\$7,440	(5) x 48" BOX	\$ 7,500
TOTALS			\$19,253	(16) x 36" BOX (8) x 48" BOX (8) 16FTH	\$31,400
LESS \$300 PER TREE - MIN. CITY TREE SIZE					\$ 6,600
GRAND TOTAL					\$24,800

TREES TO BE REMOVED: 4
16' BTH PALMS TO BE PLANTED: 8
36" BOX TREES TO BE PLANTED: 16
48" BOX TREES TO BE PLANTED: 8
NOTE: NO TREES ARE TO BE TRANSPORTED



OXNARD BOULEVARD

SHEET 1



CONCEPTUAL LANDSCAPE PLAN

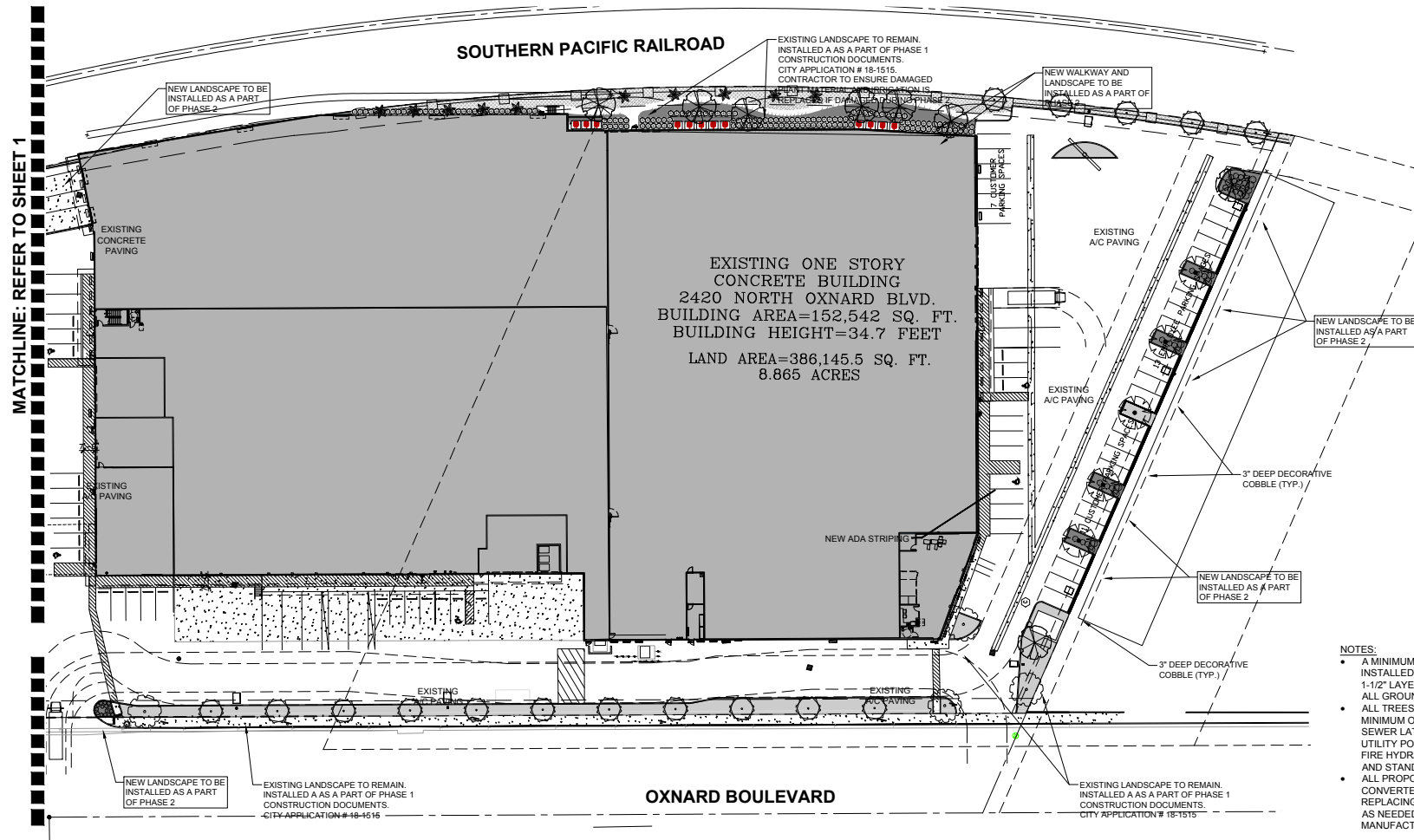
PREPARED FOR AMERCO REAL ESTATE
2727 NORTH CENTRAL AVENUE 9-N PHOENIX, AZ 85004
JANUARY 19, 2022

MATCHLINE: REFER TO SHEET 2

LANDSCAPE CONCEPT:
This landscape will consist of California-Friendly, low and medium water use plant material. All plants have been chosen from the low or medium water use category according to WUCOLS. Plants have been chosen to create a consistent theme across the site utilizing attractive perennials and succulents. Existing trees will be evaluated and will be protected or replaced as necessary. Maintenance and longevity of plant material has been taken into consideration. High water use turf grass will not be used. Root panels and barriers will be utilized on all trees necessary, consistent with all standards and specifications. A 3" layer of bark mulch will be used in all landscape areas. All landscape areas will conform to the current City of Oxnard Landscape Guidelines and comply with all applicable Parks Landscape Standards and Water Conserving Landscape Ordinances.

IRRIGATION CONCEPT:
The irrigation design will incorporate the latest in smart irrigation technologies. All new landscape areas will include high efficiency, low water use methods. All planters will use drip line with an irrigation efficiency of .81 (per MWELD). A smart, weather based irrigation controller with a rain shut off device will also be incorporated. Bark mulch will be used to retain moisture and reduce evaporation and an irrigation schedule will be provided to program the controller. Two irrigation schedules shall be prepared, one for plant establishment and one for after plant establishment. All new irrigation systems will comply with all current City of Oxnard Landscape Guidelines including Ordinance No. 2822.

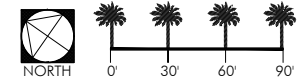
SYMBOL	DESCRIPTION	QTY
	PHASE 1 PLANTING	20,153 SF
	PHASE 2 PLANTING	14,637 SF



- NOTES:**
- A MINIMUM OF 3" LAYER OF BARK MULCH SHALL BE INSTALLED IN ALL SHRUB AREAS AND A MINIMUM OF 1-1/2" LAYER OF BARK MULCH TO BE INSTALLED IN ALL GROUND COVER AREAS.
 - ALL TREES AND SHRUBS SHALL BE PLACED A MINIMUM OF 5' FROM WATER METER, GAS METER, OR SEWER LATERALS, A MINIMUM OF 10' AWAY FROM UTILITY POLES, AND A MINIMUM OF 8' AWAY FROM FIRE HYDRANTS AND FIRE DEPARTMENT SPRINKLER AND STANDPIPE CONNECTIONS.
 - ALL PROPOSED LANDSCAPE AREAS ARE TO BE CONVERTED TO DRIP IRRIGATION, REMOVING AND REPLACING ALL EXISTING IRRIGATION COMPONENTS AS NEEDED TO INSURE THE SYSTEM RUNS PER MANUFACTURER SPECIFICATIONS.

UHAUL RENOVATION PHASE II - OXNARD, CA

SHEET 2



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T: 951.737.1124 | F: 951.737.6551

CONCEPTUAL LANDSCAPE PLAN

PREPARED FOR AMERCO REAL ESTATE

2727 NORTH CENTRAL AVENUE 9-N PHOENIX, AZ 85004
JANUARY 19, 2022

ATTACHMENT “C”

Initial Study and Mitigated Negative Declaration (MND No. 22-04)
October 2022

<https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>

ATTACHMENT “D”

Parking Demand Study



CREATIVITY BEYOND ENGINEERING

MEMORANDUM

DATE: January 19, 2022

TO: Joe Pearson II, AICP, City of Oxnard

FR: John Bruggeman, T.E., raSmith

CC: Everett Scofield, AIA, Lauterbach & Associates Architects

RE: U-Haul Oxnard Development
Parking Summary

U-Haul Corporation plans to construct a new storage facility and retail store at 2420 N. Oxnard Boulevard in Oxnard, California. raSmith was retained by Lauterbach & Associates Architects to prepare a parking summary and compare the proposed parking supply to the City's code requirements for the proposed site.

raSmith submitted a parking summary to the City for the proposed site in March 2020, indicating 63 parking spaces were required to meet the City's code requirements. The current site plan (Exhibit 1) reflects the same building square footage and land uses assumed in the March 2020 parking summary, and the required number of parking spaces remains the same. The site includes a total of 94 parking spaces, including the following space designations:

- 13 employee spaces
- 67 customer spaces
- 2 motorcycle spaces
- 12 loading spaces

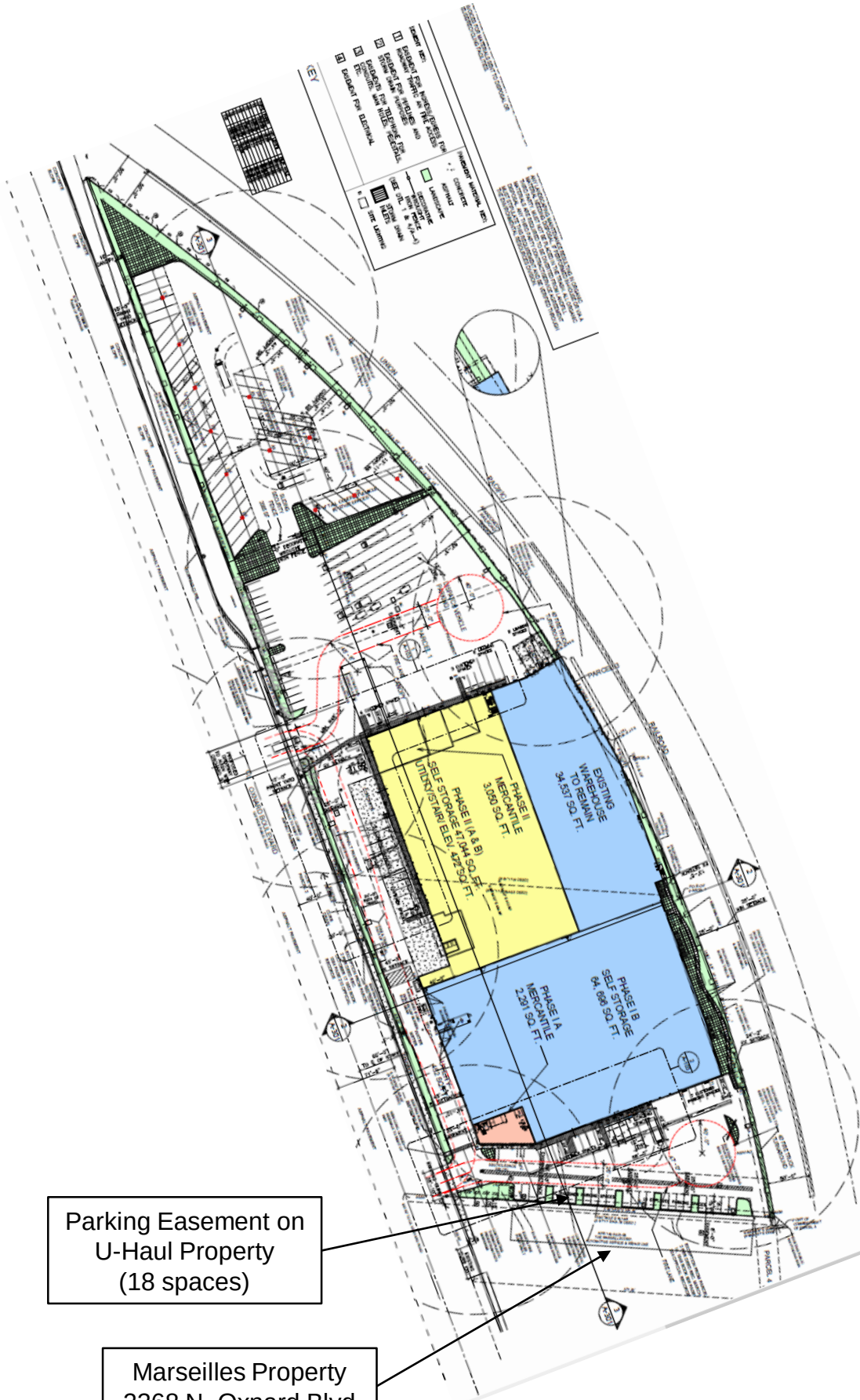
A parking easement exists between the U-Haul site and the adjacent parcel to the south (Marseilles Property, 2368 N. Oxnard Boulevard), which allows for 18 spaces on the U-Haul site to be used by the Marseilles property. For purposes of meeting City parking code requirements, these shared spaces cannot be counted towards the U-Haul site total parking supply.

In addition to the parking easement space reduction, the City indicated they will allow one of the two motorcycle spaces and seven of the twelve loading spaces to be counted towards the total parking supply. A parking summary is provided in Table 1.

**Table 1
Proposed U-Haul Site
Parking Summary**

Parking Space Designation	Total Spaces Provided	Total Spaces Allowed to Meet Code Requirements
Employee	13	62
Customer	67	
Motorcycle	2	1
Loading	12	7
Total	94	70

As shown in Table 1, with the parking supply reductions applied, the proposed site provides a total of 70 spaces for exclusive use of the U-Haul property. This total exceeds the City's minimum parking code requirement of 63 spaces for the site.



Parking Easement on
U-Haul Property
(18 spaces)

Marseilles Property
2368 N. Oxnard Blvd

Site Plan

Exhibit
1

January 2022

ATTACHMENT “E”

Applicable General Plan Policies

Attachment E

U-Haul Moving and Storage

Applicable 2030 General Plan Policies	
Policy CD-1.2	<i>Infill Development, Priority to Mixed Use</i> Promote the efficient use of larger vacant parcels and vacant areas of the City by encouraging infill development, with a priority to mixed uses that reduce vehicle trips and GHG emissions and promote sustainable development goals and objectives.
Policy CD-4.2	<i>Commercial Revitalization and Redevelopment</i> Encourage upgrading, beautification, revitalization, and appropriate reuse of existing commercial areas and shopping centers and, especially within redevelopment project areas, continue to develop and implement programs that link commercial areas with their adjoining neighborhoods and increase overall jobs, sales and property valuation.
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.
Policy CD-9.2	<i>Revitalization and Redevelopment</i> As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.
Policy CD-9.3	<i>Gateway Enhancement</i> Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes to the City.
Policy CD-9.4	<i>View Corridor Preservation</i> Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors.
Policy CD-15.6	<i>Share of Regional Taxable Sales</i> Increase Oxnard's share of tax base and enhance the fiscal health of the City.

Policy CD-16.3	<i>Balanced Economic Base</i> Encourage the development of a balanced mix of residential, retail, commercial, and industrial sectors of the 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.
Policy CD-18.1	<i>Attract New Business</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.
Policy ER-10.1	<i>Promote use of Native and Water Wise Plants</i> Promote the development of a native, drought-tolerant landscape character throughout the City that re-enforces a unified and cohesive landscape character and discourage plants that are invasive or problematic in other ways as determined by the City's landscape architect.
Policy ER-14.10	<i>Consultation with Ventura County Air Pollution Control District</i> Consult with the Ventura County Air Pollution Control District (VCAPCD) during CEQA review for projects that require air quality impact analysis and ensure that the VCAPCD is on the distribution list for all CEQA documents.
Policy ICS-1.2	<i>Development Impacts to Existing Infrastructure</i> Review development proposals for their impacts on infrastructure (i.e., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.

Policy ICS-8.5	<i>Public Sidewalks and Pedestrian Orientation</i> Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private development and public works projects, especially for public sidewalks.
Policy ICS-8.6	<i>Americans with Disability Act (ADA) Handicap Requirements</i> Require installation of ADA compliant handicapped ramp curb-cuts and other ADA access with all new roadway construction and significant reconstruction of existing roadways, parking lots, plazas and pedestrian area, and parks.
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.

ATTACHMENT "F"

Zoning Compliance Table

Attachment F

U-Haul Moving and Storage

Zoning Compliance Table

Zoning Code Consistency-General Commercial (C-2)			
DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height (16-137 & 16-303)	2 stories at 35 ft. Additional stories may be permitted as part of a SUP.	Existing Building-34' Proposed tower exceeds 35' limit	Yes, subject to approval of SUP
Front yard setback (16-139)	10 ft from ultimate property line	Varies 45'-85'	Yes
Side yard setback (16-140)	Zero when abuts another C-2 zoned lot.	>5' on both side yards	Yes
Rear yard setback (16-141)	15 feet for buildings over 16 feet in height	0' at northeast corner 24' at southwest corner	Yes, 0' setback granted under Variance No. 277
Off-street parking: Required (16-622) Rounding (16-620) Motorcycle (16-624) Bicycle (16-623, 16-637) Loading (16-644) Parking Aisle (16-639, Figure 5) [ADA requirements per State Title 24 Accessibility Code] Administrative Relief From Parking Provisions (16-651)	63 Vehicle <u>spaces</u> Bicycle (Five Spaces) = 5 Loading space for Industrial (150,000SF and over = 5 spaces, (12 ft x 40 ft). 16-644(B)(1), "Loading zone requirements may be modified by the planning commission... based on the nature of the use... design characteristics of the project." Aisle Width for 90° parking = 25 ft	69 Vehicle spaces and 1 Motorcycle space 5 bike spaces 12 loading spaces	Yes, with approval of a parking demand study Yes Yes
Parking space sizes & design: Standard (16-636 & 16-638) Motorcycle (16-638) Loading (16-644)	Full Size: 9 ft W x 19 ft L may overhang 2 ft over landscape if planter min. 5 [16-616(C)] Motorcycle: 4 ft W x 7 ft L	Standard Parking = 9 ft x 19 ft min Motorcycle = 4.5 ft x 7 ft	Yes

	Loading: 12 ft W x 40 ft L (unless alternative approval).	Loading Area - 12 ft W x 40 ft L	
Parking Landscaping (16-641): - Along streets/alleys - Along interior PLs (for lots with 20+ spaces) - Parking/vehicle area (16-641) - Landscape fingers (16-641) - Trees (for lots with 20+)	- Min. 10 ft wide landscape strip along city street - Min. 5 ft wide side yard - Landscape island/finger- every 10 spaces with 2 trees, 9 ft W x 20 ft L. - Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. - Min. 1 tree for each 40' property line. ft frontage	<u>Existing Development</u> 9'-10' along the streets (legal nonconforming) Yes Yes. 7.9% of the lot. Yes	Yes
Roof top Equipment	May not protrude above height of parapet	No rooftop equipment proposed.	Yes
Trash Enclosures & Transformers	To be screened at installation	Trash area and transformers are to be screened	Yes
Fence (OCC §16-310)	-Cannot be located in the front yard setback -No chain link fence in front yard -8 feet max. height	8' high decorative wrought iron fence proposed along the rear perimeter	Yes
Lighting (OCC §16-320)	Lighting within physical limits of the area required to be lighted shall not exceed seven footcandles, nor be less than one footcandle at any point.	Lighting would be conditioned to be comply with §16-320	Yes, as conditioned

ATTACHMENT “G”

Recommended Project Conditions

Attachment G

U-Haul Moving and Storage

Draft Recommended Project Conditions

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 _____, (“the plans”) on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)

4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, G-4)
5. By commencing any activity related to the Project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein (CA, G-5).
6. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process (CA, G-6).
7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail (CA, G-7).
8. Applicant shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Applicant shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager (PL, G-8).
9. Developer shall provide off-street parking for the project as detailed in the Parking Study Demand (dated January 19, 2022), including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9).
10. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, G-10).
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)

14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

16. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
18. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
19. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
22. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWELO). (PK, PK-7.1)
23. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
24. At time of submittal to the Building and Engineering Division for plan check, Developer's Landscape Architect or Architect shall provide the City with written confirmation that they have reviewed the civil engineering construction drawings and that the NPDES requirements are not in conflict with meeting the City's landscape requirements. (PK, PK-23)

25. Developer shall include a note on the Landscape Plans submitted to the Building and Engineering Division for a building permit that “all landscaping and irrigation comply with Ordinance No. 2822, which adopted the City of Oxnard Landscape Water Conservation Standards, and applicable water conservation requirements of the State of California”. (PK, PK-24)
26. At the time of Plan Check submittal, the landscape plans shall contain an exhibit titled “Tree Tabulation Chart”. The Tree Tabulation Chart shall contain a listing of all existing trees on site and shall refer to them by number as identified in the Arborist’s Tree Report. The Tree Tabulation Chart shall clearly list all trees to remain, be removed or transplanted. The Chart shall contain the Arborist’s economic appraisal value of each tree(s) removed as well as computations and calculations showing how the value of the removed tree(s) was put back into new tree sizes for the project that are in addition to meeting the City’s minimum tree size of 24” box. Where the value of the trees cannot be accommodated onsite, as determined by the City, the City may approve an alternative method for replacing the value of the removed trees. (PK)

LANDSCAPE SPECIAL CONDITIONS

27. Site perimeter fencing shall be bordered on both the interior and exterior sides with defensive landscaping. Defensive landscape elements adjacent to fencing shall be maintained in an uninterrupted hedge shape with a minimum height of 18-inches and a maximum height of 36-inches throughout the life of the project.
28. Landscape plan shall be revised to incorporate the installation and maintenance of landscaping in the adjacent parkway between the northern driveway and the northern edge of the property. Final landscape plan shall be subject to approval by the Public Works and Community Development Departments.
29. Landscaping shall be maintained in conformance with approved project plans for the life of the project.

PLANNING DIVISION SPECIAL CONDITIONS

30. Prior to issuance of building permits, the Developer shall use architectural coatings with VOC contents of 25 g/L or less. (MND, AQ-1)
31. Per VCAPCD Guidelines, because project construction emissions would exceed 25 pounds per day for NOX, the following measures shall be implemented:
 - a. Minimize equipment idling time.
 - b. Maintain equipment engines in good condition and in proper tune as per manufacturers’ specifications.
 - c. Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time.
 - d. Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, if feasible.
 - e. In addition, per recent VCAPCD guidance on other projects, project construction shall use Tier 3 or above construction equipment for all off-road diesel equipment

that has greater than 50 horsepower. A copy of each unit's certified tier specification shall be provided at the time of mobilization of each applicable unit of equipment. (MND AQ-2)

32. Prior to construction activities carried out from February 1 to August 31, Nesting bird surveys shall be conducted by a qualified biologist prior to any construction activities during bird breeding season from February 1 through August 31. If no nesting birds are detected during these surveys, then construction-related activities may proceed. Active nests in and adjacent to the construction zone shall be avoided and provided a minimum buffer as determined by the qualified biologist (CDFW recommends a 300-foot-wide nest avoidance buffer or 500 feet for all active raptor nests) prior to the commencement of construction. Construction activities within the buffer must be conducted at the discretion of the qualified biologist. (MND BIO-1)
33. Prior to issuance of grading permits, the Developer shall note on the plans for review and approval by the City Engineer that if historic, cultural or paleontological resources are encountered during site grading or other site work, all such work shall be halted immediately within 50 feet of discovery and the developer shall immediately notify the Planning Division of the discovery. In such case, the developer shall be required, at its own expense, to retain the services of a qualified archaeologist (or paleontologist, if it is a fossil discovery) for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist or paleontologist shall be required to submit to the Planning Division, for review and approval, a report of the findings and method of curation or protection of the resources. Further grading or site work within 50 feet of discovery shall not be allowed until the preceding work has occurred. (MND-CR-1)
34. 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.
35. 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)
36. 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)
37. 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.
38. 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)

39. 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).
40. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.
41. 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.
42. 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)
43. 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.
44. Developers or Operators shall not park, store, or stage rental trucks or trailers outside of designated "Equipment Staging Area" or "Dispatch Vehicle Parking" area as identified on the project plans.

PLANNING DIVISION STANDARD CONDITIONS

45. 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)
46. 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)
47. 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)
48. 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)

49. 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)
50. 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)
51. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. Developer shall submit a lighting plan showing standard heights and light materials for design review and approval of the Planning Division Manager. (PL/B, PL-8)
52. In order to minimize light and glare on the project property, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. (PL, PL-9)
53. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).
54. 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)
55. 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)
56. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
57. 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)

58. 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)
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. 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)
61. 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)
62. 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)
63. 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)

GOLD COAST TRANSIT CONDITIONS

64. Developer shall install a Gold Coast Transit bus stop adjacent to the slip/merge to the north of the driveway, unless waived by the City Traffic Engineer. The stop shall have a minimum of 30 feet of standard width sidewalk with an additional 8' x 30' pad to the north of the driveway. 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

65. 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.
66. 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.
67. All exterior lighting shall operate from dusk to dawn.
68. All exterior LED lighting shall be of a similar nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
69. 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.
70. 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.
71. Port Cocheres/carports shall be illuminated between 7 and 15 foot-candles. Under canopy lighting instruments shall be installed on the ceiling of the canopy in-line with the spaces between RV parking spaces.
72. During the first year of operations after the issuance of the Certificate of Occupancy, a roving security patrol service shall monitor the site during the hours the business is closed. Monitoring shall include a tour check in system approved by the Police Department as part of the business' Security Plan to ensure that outdoor storage is monitored while defensive plantings are maturing.
73. The outdoor vehicle storage area shall be fully enclosed by a fencing system approved

jointly by the Police Department and Community Development Department. Vehicular gates shall be controlled by “Click-To-Enter” technology to provide 24-hour access to first responders.

Security Camera Systems – Businesses

74. 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

Alarms

75. 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.

Signs

76. 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)
77. Signs shall be posted around the site stating: “Trespassing Forbidden By Law Violators will be subject to arrest pursuant to 602 PC”.
78. Signs shall be posed around the site stating: “This Property Is Monitored By A Security Alarm and Camera System”
- 79.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

80. 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)
81. 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)
82. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)
83. 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 1. 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)
84. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
85. 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)
86. 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)
87. 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)
88. 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)

89. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)
90. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no map, then at the time of public improvement plan approval. (DS-17)
91. 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)
92. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If the Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
93. 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)
94. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
95. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
96. 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)
97. "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)

98. 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)
99. 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)
100. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
101. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
102. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer. (DS-38)
103. Developer shall install water mains, fire hydrants and water services in conformance with City standard plates, design criteria and specifications as directed by the City Engineer. (DS-41)
104. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)
105. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
106. 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)
107. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
108. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)

109. 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)
110. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)
111. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)
112. 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)
113. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
114. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
115. 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)
116. 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)
117. 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)
118. 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)

119. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)
120. 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)
121. 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)
122. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs"). Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)
123. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit. The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

124. The Developer shall prepare a dedicated engineering site plan depicting property lines, right-of-way, and existing and proposed easements. (DS)

125. Developer shall reconstruct the two existing driveway approaches to City Standard Plate 116. Each new driveway shall have a 5-foot pedestrian path of travel behind the driveway apron that meets Americans with Disabilities Act (ADA) standards. (DS)
126. If the pedestrian path of travel at the driveway apron is constructed beyond the existing public right-of-way, Developer shall grant to the City a sidewalk easement for the full width of the pedestrian path. (DS).
127. ADA compliant path of travel around the exterior of the building, (except for crosswalks), shall be elevated and separated from the vehicular traffic area. (DS)
128. ADA and Electric Vehicle (EV) parking spaces not affecting sidewalks shall be 18-feet deep minimum without wheel stops with 1-foot vehicle overhang. Alternatively, these parking spaces can be 19-feet deep with wheel stops placed at the 17-foot mark. (DS)
129. Standard parking stalls shall be 19-feet deep or 17-feet with a 2-foot overhang. Where the 17-foot deep parking stall depth is used, the entire parking stall shall be kept clear from all obstructions, including landscape curbing. (DS)
130. Developer shall construct a minimum 7-foot wide sidewalk at 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-feet wide. (DS)
131. The project is a redevelopment project on an existing commercial site with more than 1 acre. Developer shall design the stormwater facilities to meet the stormwater requirements of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) redevelopment project. (DS)
132. During the engineering plan check, the Developer shall conduct at least one (1) percolation test within the general footprint of the proposed infiltration facility to validate the infiltration rate used in the sizing calculations. The infiltration test shall account for the Reduction Factor from the Los Angeles County "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. (DS)
133. Developer's Geotechnical Engineer shall perform percolation tests on the exposed bottom of all infiltration chambers immediately prior to facility construction and provide the City with an opinion that the exposed soil layer is suitable for the proposed infiltration facility based on the review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be clearly noted on the improvement plans. The report shall be reviewed and approved by the Project Civil Engineer. (DS)
134. The site drainage shall be designed to maintain the pre-existing drainage pattern. No alteration of drainage pattern is allowed unless approved by the City Engineer. (DS)
135. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide

Trash Amendments (“Amendments”) to treat all stormwater runoff from this site that meets the definition of ‘Priority Land Use’ as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with the requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures. The location of the trash device is subject to the approval of the City Engineer. (DS)

136. In accordance with City Code, Developer shall provide separate services and water meters for commercial and irrigation. (DS)
137. Developer shall construct a loop water system by extending the existing City water main on North Oxnard Boulevard to the second driveway entrance at Orchard Place. The design is subject to review and approval of the City Engineer and the Fire Department. Before permit issuance, Developer shall dedicate a 15-foot water easement meeting City standards to the City. (DS)
138. Developer shall obtain written approval from the Environmental Resources Division to reuse the existing indoor trash enclosure. If the Environmental Resources Division does not approve, the 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 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 new 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)
139. If a new trash enclosure is constructed, Developer shall construct the floor and the loading/service pad of the trash enclosure to be substantially level (2% max slope). The loading/service pad shall be reinforced concrete and extend a minimum distance of 15-feet from the face of the trash enclosure for the width of the enclosure. (DS)
140. At plan check, a new fire flow test involving two flowing hydrants out of the 2.5-inch nozzles is required. Using the approved fire flow data, Developer shall prepare a fire flow model and demonstrate that new fire hydrants will be able to deliver the required fire flow and pressure to meet the Fire Department requirements. (DS)
141. Developer shall verify that the existing sewer lateral is adequate to serve the proposed project. At a minimum a sewer technical memo shall be submitted to the City Engineer for

TRAFFIC DIVISION CONDITIONS

142. Developer shall install a traffic signal system at the intersection of Orchard Place and North Oxnard Boulevard prior to building occupancy. Developer shall also prepare and submit signage and pavement markings plans for review. These plans shall include signs and markings onsite and offsite. (TR)

143. Developer shall construct a pedestrian path of travel that is ADA-compliant between the project site and the west side of North Oxnard Boulevard at the intersection of North Oxnard Boulevard and Orchard Place. The design of the pedestrian path shall include crosswalks and ADA curb ramps. (TR)
144. Developer shall install the proposed bike rack close to the main entrance door of the proposed development. Developer shall be responsible for the perpetual upkeep of the proposed bike racks for the project. Final location shall be approved by the City Traffic Engineer. (TR)

ENVIRONMENTAL RESOURCES DIVISION

145. A Construction and Demolition Waste Management Plan (ERDC-1) must be submitted to the Environmental Resources Division for review and approval prior to issuance of a building permit establishing a goal that at least 65% of the waste generated on the project will be diverted from the landfill.
146. After completion of construction and prior to a certificate of occupancy being issued, a Construction and Demolition Waste Management Report (ERDC-2) must be submitted that demonstrates that at least 65% of the waste generated on the project has been diverted from the landfill. This Report must also include legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities.
147. An Occupancy Plan must be submitted to the Environmental Resources Division prior to issuance of a certificate of occupancy. The Plan must clearly state how all three waste streams will comply with all applicable state laws, including AB 939, AB 341, AB 1826, and SB 1383, and any subsequent legislation adopted in the future, will be managed on site in perpetuity.
148. Any/all organic waste that is generated must be diverted from landfill disposal, as material of this type is not allowed in a trash dumpster. If landscaping is performed by an entity other than the City of Oxnard (i.e. self-haul or third party private hauler), the landscape service providers must be informed, in writing, of this condition and the property management must complete and submit an Alternative Services Certification annually.
149. Any new or renovated waste enclosures must be sized so that they can accommodate all three waste streams and meet minimum safety and operational requirements, including vehicle path of travel, employee access, and prevention of illegal dumping and/or vandalism. Use the City's approved Standard Plates, but modify dimensions accordingly.
150. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
151. 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.

FIRE DEPARTMENT CONDITIONS

152. 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)

153. 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)
154. 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)
155. 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)
156. 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)
157. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
158. 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)
159. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
160. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)
161. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
162. 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)
163. 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)
164. 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)

165. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F15)

166. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

FIRE DEPARTMENT SPECIAL CONDITIONS

167. 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.

168. All landscape on project property will coordinate with the fire protection features, to prevent access problems to fire protection features.

169. Fire hydrants shall be operational and accessible at all times. No parking, storage or staging of equipment/supplies shall be located within 15 feet on either side of fire hydrants. Prior to final inspection, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire Department standards.

170. Class I standpipe is required in each stairwell and reach 150' of travel throughout the building.

171. Fire sprinkler coverage is required for:

- a. Patios, overhangs or any other projections that are 48" or more from the structure.
- b. Open areas beneath stairs that serve a habitable space or when that area is accessible for storage or has mechanical equipment.
- c. The protection of the forced air unit when located in the attic or other areas that are normally inaccessible.

172. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department.

173. Gurney size elevators will be required.

174. All overhangs over 4 feet are required to be sprinklered.

175. Verify height of parapet. Not to be over 40 inches, unless approved by the Fire Department.

176. FDC is required to be within 50-feet of the fire hydrant and not across drive isles.

177. Vegetation clearance from structure(s) required prior to construction.

178. A minimum 20-foot clear width and 13 foot, 6 inch (13'-6") clear height emergency access shall be maintained free of obstructions at all times within the development once construction starts.

179. Developer 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.

ATTACHMENT “H”

Staff Presentation

2420 Oxnard Boulevard U-Haul Project

Planning & Zoning Permit No. 17-500-11

Michael Rocque, Senior Contract Planner
Joe Pearson II, Planning Manager

Planning Commission
November 17, 2022

Project Description

- A request for the following action:
 - PZ 17-500-11 - Special Use Permit
 - Allow for mini-warehouse/self-storage, truck rentals, and recreational vehicle storage uses.
 - Allow the renovation and conversion of an existing one-story (34 feet in height) 152,542 square foot warehouse into a three story (no change in height), 203,213 square-foot mini-warehouse/self-storage space.
 - U-Box Storage warehouse (34,537 square-feet)
 - 3,050 square feet of retail space
 - RV Storage Lot for 46 RVs

Project Description (Cont.)

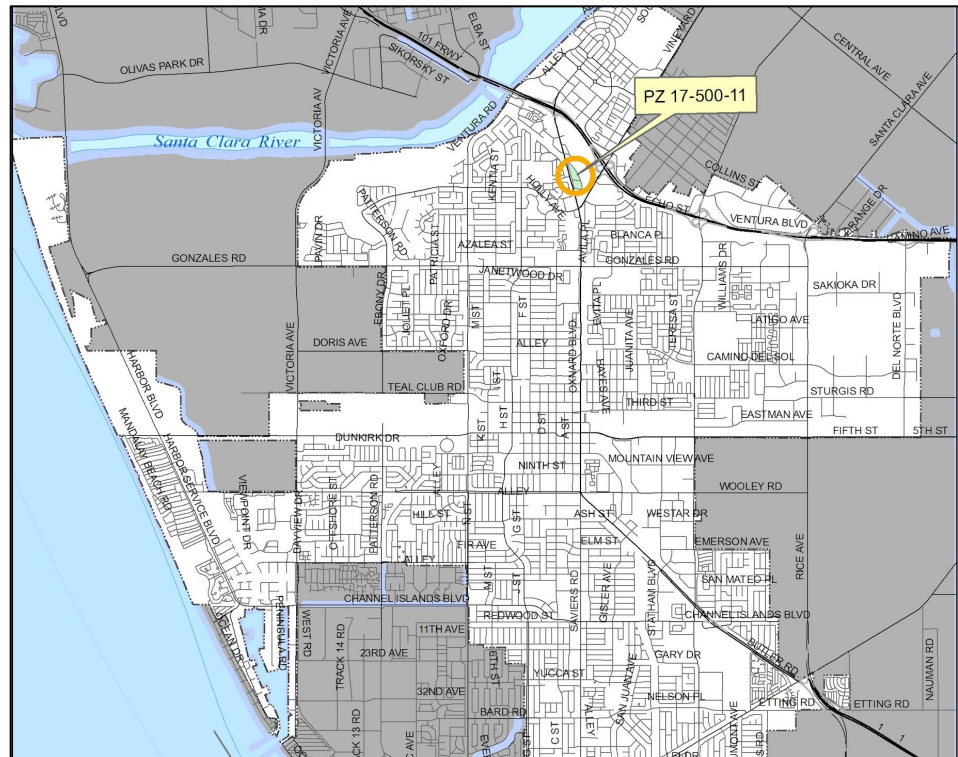
Project Building Floor Area

USE	BUILDING AREA
Self-Storage-First Floor	112,212 SF (Phase II)
Self-Storage-Second Floor	41,551 SF (Phase II)
Self-Storage-Third Floor	49,450 SF (Phase II)
Warehouse	34,537 SF (Phase I)
Retail	5,341 SF (Phase II) (2, 291 SF approved under Minor Mod PZ17-140-02)
Total	243,091 SF

Project Location

Subject Site: 2420 N. Oxnard Boulevard

- Existing Vacant Warehouse
- 2,291 Square foot U-Haul Retail center (approved under Minor Modification PZ17-140-02)



Project Location



Oxnard Blvd (Northbound)

Oxnard Blvd (Southbound)



Project Location

Aerial-View

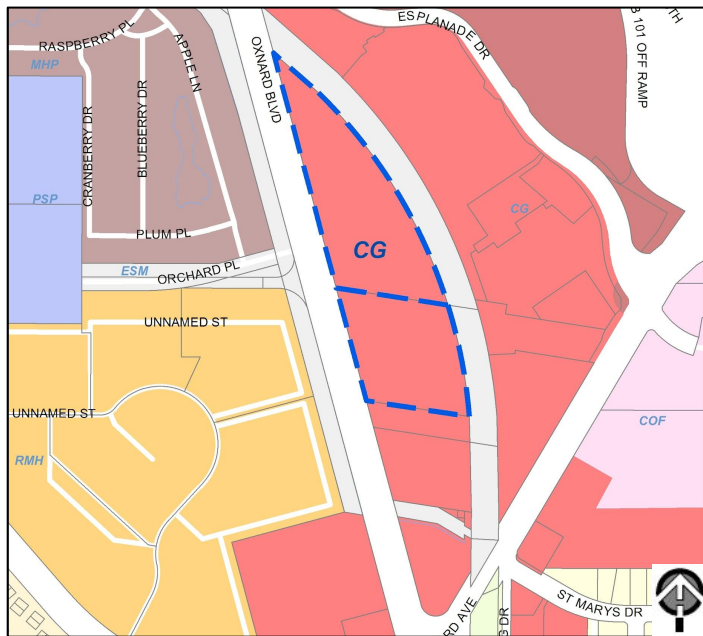


Reference North

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Warehouse and Showroom
North	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Southern Pacific Railroad tracks; grocery store and retail
South	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	West Vineyard Avenue; Mixed commercial and retail and auto repair
East	Commercial General (CG)	General Commercial, Planned Development (C-2-PD)	Esplanade Drive; Southern Pacific Railroad tracks, grocery store and retail
West	Residential Medium High (RMH)	High Rise Residential, Planned Development (R-4-PD)	Oxnard Boulevard; Southbank Residential Neighborhood and Casitas Apartment Homes

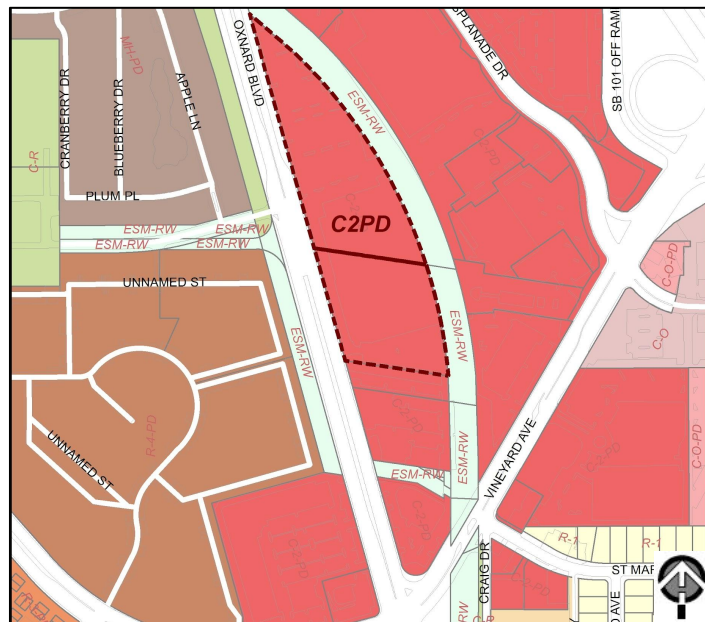
General Plan & Zoning Maps

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



General Commercial - Planned Development
(C-2-PD)

Background - Existing Center

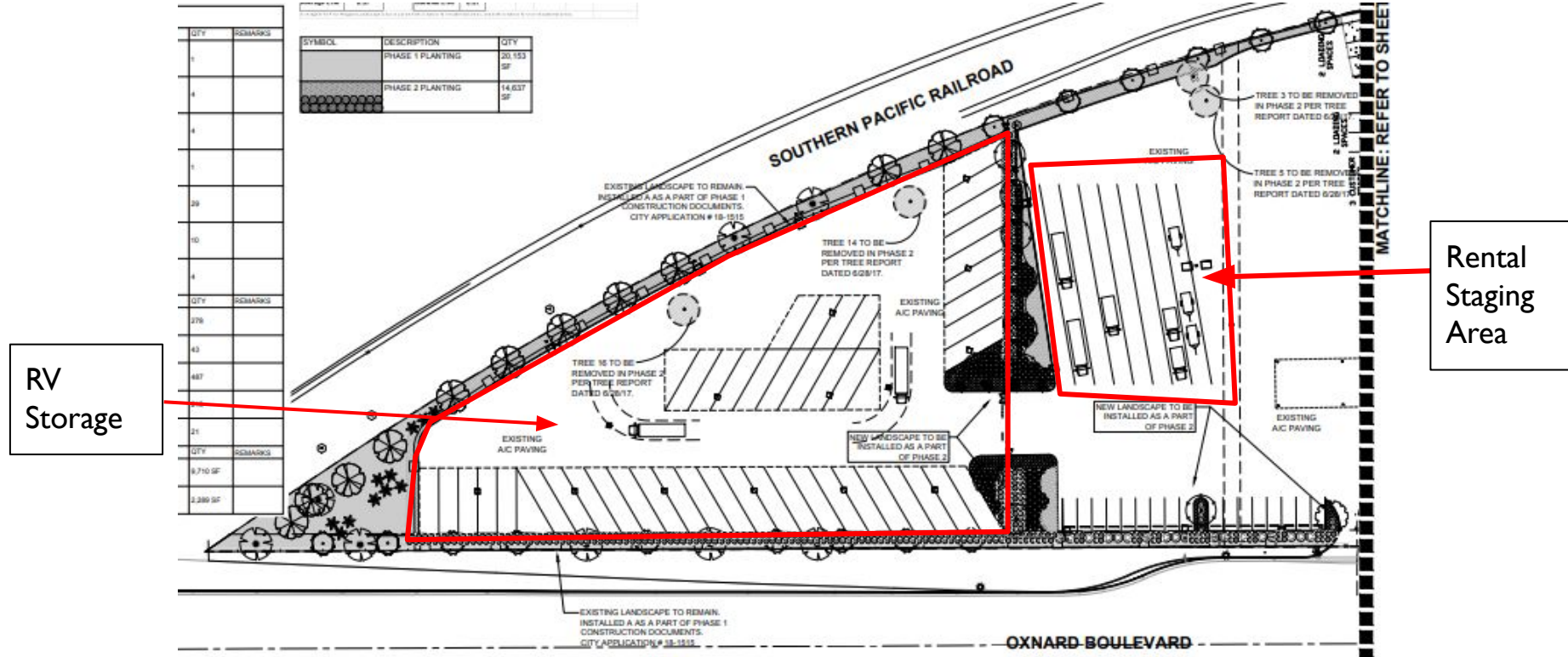
- On September 1, 1970, the City Council approved a Planned Development Permit to permit the construction of a 155,000 square-foot Levitz furniture warehouse and retail showroom on the subject property.
- The property was acquired by U-Haul in 2016. On January 23, 2017, U-Haul applied for a Minor Modification (PZ 17-140-02) to allow the establishment of a retail use within 2,291 square feet portion of the building, restore non-conforming landscaping and lighting conditions on-site, and enhance the building architecture. This was approved in 2018.
- On August 21, 2017, the subject application Special Use Permit No. 17-500-11 was formally submitted for processing and review. Between September 2017 and February 2022, multiple project completeness reviews were conducted, and project revisions were submitted

Background - Mini-warehouse/Self-storage Uses

- In 1975, the City Council passed Resolution 6446, which established development standards for mini-warehouses. This resolution stated that "Mini-warehouses may locate in C-M (Commercial - Manufacturing) and M-I (Light Industrial), M-L (Limited Industrial) Zones."
- In 2009, the City Council passed Ordinance 2807, which removed mini-warehouses as a permitted use in the C-2 zone. As presented in the staff report at that time, the City determined that the general allowance of self-storage facilities was not consistent with purpose and intent of the General Plan for the C-2 zone and the use is not consistent with the other retailing, office and service-related uses permitted or conditionally permitted in the C-2 zone. This change was processed as a "clean-up" action to make the Oxnard City Code language consistent with the mini-warehouse policies adopted by the City Council in 1975 and the General Plan.

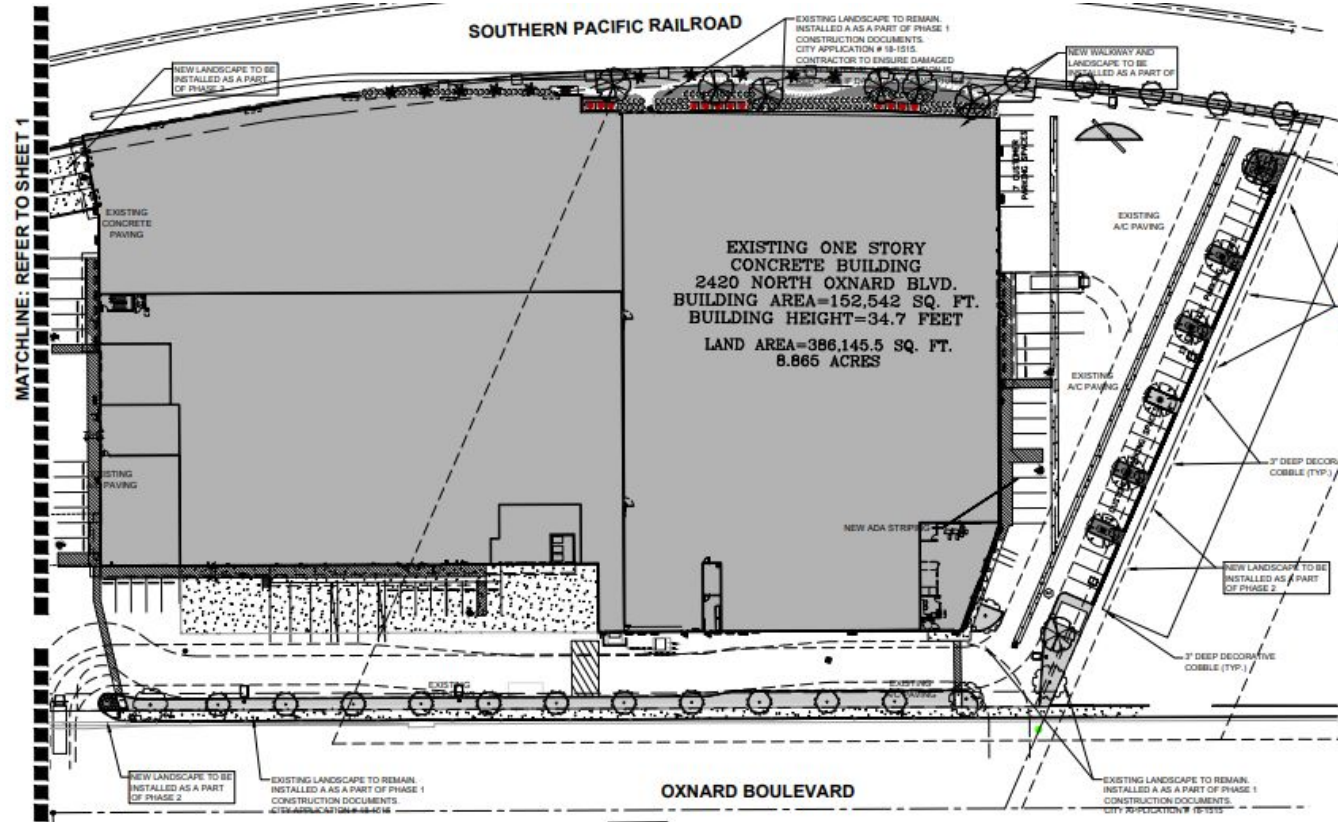
Proposed Site Plan (Northern Section)

Proposed Site Plan



Proposed Site Plan (Southern Section)

Proposed Site Plan



EAST
1" = 20' 0"

WEST
1" = 20' 0"

COLORED ELEVATIONS

13

Applicable General Plan Policies

- Many policies are directly or indirectly applicable to the proposed project. Some of the key policies are:
 - Community Development Policy 1.2 - Infill Development
 - Community Development Policy 4.2 & 4.4 - Commercial Revitalization and Redevelopment/Commercial Area Aesthetics
 - Community Development Policy 9.2 - Revitalization and Redevelopment
 - Community Development Policy 9.3 & 9.4 - Gateway Enhancement/View Corridor Preservation
 - Community Development Policy 18.1 - Attract new Business

Zoning Code Compliance

- 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 would generally conform to the applicable C-2 development standards outlined in the Oxnard City Code for the General Commercial land use as further detailed in the Staff Report.

Zoning Code Compliance

USE	SIZE	ZONING REQUIREMENT	REQUIRED PARKING
Retail, general merchandising which is not located in a shopping center	5, 341 SF	1:300 SF	18 spaces
Warehousing	<u>34,537 SF</u> 20,000 SF 14,537 SF	1:1000 SF for first 20,000 SF devoted to warehousing, plus the required parking devoted to other uses; 1:2000 SF for the second 20,000 SF; 1:4000 SF for floor area in excess of 40,000 SF	<u>27 spaces</u> 20 7
Mini-Warehouse	201,796 SF	(ITE Parking Generation)	18 spaces
Total Required Parking:			63 spaces

Environmental Review

- An environmental consultant, under the supervision of Planning Division staff, prepared IS/MND which evaluated potential environmental impacts of the proposed Project. The IS/MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).
- Final IS/MND includes a Mitigation Monitoring and Reporting Program:
 - a. Details process to implement required mitigation measures
 - b. After implementation of standard conditions and mitigation measures, all potentially significant impacts reduced to less than significant levels
- Final IS/MND identified the following:
 - a. Class 2 impacts (potentially significant by mitigable, mitigation required)
 - i. Air Quality
 - ii. Biological Resources
 - iii. Cultural and Tribal Cultural Resources
 - b. All other impact area were identified as Class 3 (less than significant)
- Staff determined that there is no substantial evidence that the Project will have a significant effect on the environment.

Required SUP Findings

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
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.
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).
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.
5. The site that is subject to the Special Use Permit shall be provided with adequate sewerage, water, fire protection and storm drainage facilities.

Public Notice

- Notice of PC hearing was provided:
 - Newspaper,
 - On-site posting; and
 - Mailed to property owners within 300 feet.
- To date, no public comments have been recieved.

Recommendation: That the Planning Commission:

- a) Provide direction to City staff regarding the appropriateness of the proposed project and direct staff to return at the next regular meeting with a resolution providing a approval recommendation or a denial recommendation to City Council.



B

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION (MND) 22-04 TO ALLOW FOR THE RENOVATION AND CONVERSION OF AN EXISTING 152,542 SQUARE FOOT WAREHOUSE INTO A THREE STORY (35 FEET IN HEIGHT), 203,213 SQUARE FEET OF MINI-WAREHOUSE/SELF-STORAGE SPACE, INCLUDING A U-BOX STORAGE WAREHOUSE OF 34,537 SQUARE FEET AND 3,050 SQUARE FEET OF RETAIL SPACE, PERIMETER WALLS, LANDSCAPING AND ASSOCIATED SITE IMPROVEMENTS ON AN 8.86-ACRE SITE LOCATED AT 2420 N. OXNARD BOULEVARD (APNs: 142-0-010-345, AND 142-0-021-010). FILED BY FIROZ BARI, 15838 STRATHERN STREET, VAN NUYS, CALIFORNIA 91406, THE APPLICANT.

WHEREAS, Firoz Bari filed entitlement applications with the City of Oxnard on August 21, 2017, Special Use Permit (PZ 17-500-11); and

WHEREAS, if the aforementioned entitlement applications are collectively approved by the City of Oxnard, the project would be permitted to renovate a 8.86 acre project site with an adaptive reuse and conversion of an existing one-story (34 feet in height) 152,542 square foot warehouse into a three story (no change in height), 203,213 square-foot mini-warehouse/self-storage space, including a U-Box storage warehouse of 34,537 square feet and 3,050 square feet of retail space, 46 covered recreational vehicle (RV) parking storage spaces, security gates and perimeter walls, landscaping and associated site improvements at the subject project site (APNs: 142-0-010-345 and 142-0-021-010) ("Project"); and

WHEREAS, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

WHEREAS, the City determined that the Project and its associated actions are subject to the environmental review requirements of the California Environmental Quality Act ("CEQA"); and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Proposed Mitigated Negative Declaration (IS-MND) for the Project located at 2420 N. Oxnard Boulevard was published and posted on August 18, 2022, at the State Office of Planning and Research (OPR) website and at the Ventura County Recorder's Office pursuant to CEQA Guidelines Sections 15072 and 15073; and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration with mitigation measures and monitoring program in accordance with the provisions of CEQA, including, without limitation CEQA Guidelines Sections 15070, 15071, 15072, and 15073, which have been incorporated as conditions; and

WHEREAS, the IS-MND was not legally challenged and thus is presumed valid in accordance with Public Resources Code section 21167.2 and section 15367 of the State CEQA Guidelines (Cal. Code Regs., Title. 14, § 15000 et seq.); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on February 3, 2021, June 9, 2021 and October 6, 2021 and provided conditions of approval for the project; and

WHEREAS, on November 17, 2022, the Planning Commission conducted a duly noticed public hearing to consider adopting the MND 22-04 and continued the hearing to a future hearing date to allow for the project applicant to provide updated project information; and

WHEREAS, on January 5, 2023, the Planning Commission continued the project to allow for staff to prepare a final resolution to consider adopting the MND 22-04; and

WHEREAS, on February 2, 2023, the Planning Commission voted to recommend that the City Council adopt MND 22-04 and the associated Mitigation Monitoring Reporting Program (MMRP) ; and

WHEREAS, the Planning Commission finds after due study and deliberation that the public interest and general welfare require the adoption of the MND 22-04; and

WHEREAS, the Applicant agrees as a condition of this Resolution that at its own expense, to indemnify and defend the City of Oxnard and its agents, officers and employees from and against any claims, actions or proceedings to attack, set aside, void or annul the approval of this Resolution or any actions or proceedings, acts or determinations taken, done or made before the approval of this Resolution that were part of the approval process.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council adopt an Final IS/MND 22-04, attached to the staff report and incorporated by reference.

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Final IS/MND has been completed in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 – 21189).

SECTION 3. The Final IS/MND was presented to the Planning Commission, which, at a hearing before the public, reviewed and considered the information contained in the Mitigated Negative Declaration/Initial Study prior to making a recommendation to the City Council regarding the Project and its associated development entitlements.

SECTION 4. 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 pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-04

prepared for the Project. The Final IS/MND 22-03 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-04 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

SECTION 5. The Planning Commission hereby adopts and recommends to the City Council the adoption of the Final IS/MND 22-04, set forth attached hereto and incorporated herein by reference, and based thereon and on the Record as a whole, the Planning Commission hereby finds and recommends that the City Council find that all potentially significant environmental effects of the Project its associated development entitlement actions have been reduced to a less-than-significant level in that all significant environmental effects have been eliminated or substantially lessened as set forth in the IS-MND. Based upon the foregoing, the Planning Commission finds, determines, and recommends that the City Council find and determine that the Project and its associated actions will not have a significant effect upon the environment.

SECTION 6. The Planning Commission hereby recommends the City Council adopt the mitigation measures set forth in the Final IS/MND 22-04 and its accompanying Mitigation, Monitoring, and Reporting Program (“MMRP”), pursuant to Public Resources Code Section 21081.6, which is a program design to ensure compliance with the mitigation measures imposed to avoid or substantially lessen the significant effects identified in the Mitigated Negative Declaration/Initial Study and said mitigation measures are described in the MMRP included therein and incorporated herein by reference.

SECTION 7. The Planning Commission hereby recommends that the City Council approve the resolution adopting Final IS/MND 22-04, attached to the staff report and incorporated by reference.

SECTION 8. The Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February, 2023, by the following vote:

Ronald Arruejo, 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 2nd day of February 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, Secretary

C

RESOLUTION NO. 2023 – XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL APPROVE PLANNING AND ZONING PERMIT NO. 17-500-11 (SPECIAL USE PERMIT) TO ALLOW FOR THE RENOVATION AND CONVERSION OF AN EXISTING 152,542 SQUARE FOOT WAREHOUSE INTO A THREE STORY (35 FEET IN HEIGHT), 203,213 SQUARE FEET OF MINI-WAREHOUSE/SELF-STORAGE SPACE, INCLUDING A U-BOX STORAGE WAREHOUSE OF 34,537 SQUARE FEET AND 3,050 SQUARE FEET OF RETAIL SPACE, PERIMETER WALLS, LANDSCAPING AND ASSOCIATED SITE IMPROVEMENTS ON AN 8.86-ACRE SITE LOCATED AT 2420 N. OXNARD BOULEVARD (APNS: 142-0-010-345 AND 142-0-021-010). FILED BY DAVID RANDI, 2420 N OXNARD BLVD, OXNARD, CA 93036, THE APPLICANT.

WHEREAS, on August 21, 2017, Firoz Bari (the “**Applicant**” and/or “**Permittee**”) submitted a request to approve Planning and Zoning Permit No. 17–500-011 (Special Use Permit) to renovate a 8.86 acre project site with an adaptive reuse and conversion of an existing one-story (34 feet in height) 152,542 square foot warehouse into a three story (no change in height), 203,213 square-foot mini-warehouse/self-storage space, including a U-Box storage warehouse of 34,537 square feet and 3,050 square feet of retail space, 46 covered recreational vehicle (RV) parking storage spaces, security gates and perimeter walls, landscaping and associated site improvements at the subject project site (APNs: 142-0-010-345 and 142-0-021-010) (“**Project**”); and

WHEREAS, on November 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 16-135(B) of the Oxnard City Code (OCC) and continued the project to a future hearing date to allow for the project applicant to provide updated project information; and

WHEREAS, on January 5, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) received and reviewed all updated written and oral evidence related to the proposed Project, in accordance with Sections 16-536 and 16-135(B) of the Oxnard City Code (OCC) and continued the project to allow for staff to prepare final resolutions for Planning Commission recommended approval; and

WHEREAS, on February 2, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) voted to recommend that the City Council approve this resolution; and

WHEREAS, section 16-135(B) of the OCC authorize the Planning Commission to provide a recommendation to City Council to approve uses not currently listed in the C-2 zone, including mini-warehouse/self-storage, truck rentals, and recreational vehicle storage; and

WHEREAS, pursuant to Section 16-271 of the OCC, “A special use permit shall be required for approval of any new development, enlargement or rebuilding of a structure or new use, license or certificate of compliance in any P-D zone.”; 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 16-135(B) of the OCC; and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration (2022-04) with mitigation measures and monitoring program in accordance with the provisions of CEQA which have been incorporated as conditions; and

WHEREAS, the Planning Commission is concurrently recommending the City Council approve a Special Use Permit (PZ 17-500-11) for the renovation and conversion of an existing 152,542 square foot warehouse into a three story (35 feet in height), 203,213 square feet of mini-warehouse/self-storage space on a 8.86-acre site; 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 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 that the Planning Commission of the City of Oxnard hereby recommends that the City Council Adopt a resolution approving Planning and Zoning Permit No.17-500-11 (Special Use Permit):

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Special Use Permit is internally consistent with all other provisions of the City of Oxnard 2030 General Plan if the City Council finds the proposed uses consistent with the intent and purpose of the Commercial General Land Use Designation and the General Commercial Zoning Designation.

SECTION 3. 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 underutilized warehouse/showroom (2420 N. Oxnard Boulevard) would be renovated and converted into a mini-warehouse/personal storage facility. 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 General. As discussed in detail in the November 17, 2022 Planning Commission Staff Report Sections 6) b, c, d, e, 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 General” and the “General Commercial, Planned Development” zoning district, the proposed use of the project site as a mini-warehouse/personal storage is a use authorized by City Council, subject to a Special Use Permit and storage and rental of vehicles, is a conditionally allowed use, authorized by the Planning Commission subject to a Special Use Permit. The surrounding uses are characterized by commercial uses, which are predominantly grocery and retail, auto repair and residential neighborhood uses. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building, Fire, and Traffic Codes as well additional conditions listed below and, in the IS-MND Mitigation Monitoring Reporting Program (MMRP). 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 Section 1(1). Pursuant to the Zoning Code, the Project in a renovation and conversion of an existing warehouse and showroom has been designed to be consistent with the maximum building height, front, side and rear setbacks, and lot coverage. As detailed in the Staff report and attached parking study demand, the provided parking is sufficient for the proposed uses, 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.

Additionally, the project has been reviewed by the Development Advisory Committee and was determined that it would have no significant impact on the public health, safety, or welfare and the project plans have been reviewed by all applicable

departments and outside agencies, which include the Oxnard Police and Fire Departments. As such, 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 existing development on the project site includes an events center building. The project site has two access points from Oxnard Boulevard via an existing driveway at the south end of the site and a proposed driveway towards the north end of the site. In addition to the improved onsite circulation, the Project has been conditioned to install a Gold Coast Transit bus stop adjacent to the slip/merge to the north of the driveway. The stop shall have a minimum of 30 feet of standard width sidewalk with an additional 8' x 30' pad to the north of the driveway. The City finds that the proposed project, as conditioned, and in the context of the documentation provided and reviewed demonstrate that there is sufficient parking capacity. Additionally, a new traffic signal is required to be installed at the intersection of Orchard Place and North Oxnard Boulevard. 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 underutilized warehouse/showroom (2420 N. Oxnard Boulevard) would be renovated and converted into a mini-warehouse/personal storage facility. 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 4. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures which lessened potential adverse impacts to a level of less than significant. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and a monitoring program in accordance with the provisions of CEQA.

SECTION 5. This Resolution shall not become effective unless and until the City Council approves Planning and Zoning Permit No. 17-500-11 (Special Use Permit). If the City

Council does not approve the Special Use Permit for this project, then this Resolution shall become null and void and be of no further force and effect.

SECTION 6. Based on the findings set forth herein and the Staff Report and all attachments thereto, the Planning Commission hereby recommends approval to City Council, Planning and Zoning Permit No. 17-500-11 (Special Use Permit), subject to the attached conditions of approval.

SECTION 7. 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 _____, (“the plans”) on file with the Planning Division. The Project shall conform to the plans, except as otherwise specified in these conditions, or unless a Minor Modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a Major Modification to the plans is approved by the Planning Commission. A Minor Modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A Major Modification shall be required for substantial changes or increases in such items (PL, *G-2*).
3. This permit shall automatically become null and void 36 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. (PL, *G-3*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows the Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the Project or using any structure authorized by this permit, 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 as detailed in the Parking Study Demand (dated January 19, 2022), including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9).
10. Before placing or constructing any signs on the Project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the Project property (PL/B, G-10).
11. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
12. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
13. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
14. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
15. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property for which the Code Compliance Division has open cases. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

16. Prior to submittal of landscape and irrigation plans, Developer shall obtain approval of the Planning Manager or designee of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, PK-1)
17. Prior to issuance of building permits or the proposed use is initiated, whichever comes first, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
18. Prior to issuance of a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)
19. Developer shall properly maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so may result in the revocation of this permit and initiation of legal proceedings against Developer to ensue compliance (PK, PK-4)
20. Prior to the issuance of City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to Planning Division or designee. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
21. All trees planted or placed on the property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
22. At the time of landscape plan check submittal, the landscape planting and irrigation plans shall comply with the current title 23 Model Water Efficient Landscape Ordinance (MWEL). (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)

LANDSCAPE SPECIAL CONDITIONS

27. Site perimeter fencing shall be bordered on both the interior and exterior sides with defensive landscaping. Defensive landscape elements adjacent to fencing shall be maintained in an uninterrupted hedge shape with a minimum height of 18-inches and a maximum height of 36-inches throughout the life of the project.
28. Landscape plan shall be revised to incorporate the installation and maintenance of landscaping in the adjacent parkway between the northern driveway and the northern edge of the property. Final landscape plan shall be subject to approval by the Public Works and Community Development Departments.
29. Landscaping shall be maintained in conformance with approved project plans for the life of the project.

PLANNING DIVISION SPECIAL CONDITIONS

30. Prior to issuance of building permits, the Developer shall use architectural coatings with VOC contents of 25 g/L or less. (MND, AQ-1)
31. Per VCAPCD Guidelines, because project construction emissions would exceed 25 pounds per day for NOX, the following measures shall be implemented:
- a. Minimize equipment idling time.
 - b. Maintain equipment engines in good condition and in proper tune as per manufacturers’ specifications.
 - c. Lengthen the construction period during smog season (May through October) to minimize the number of vehicles and equipment operating at the same time.
 - d. Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, if feasible.
 - e. In addition, per recent VCAPCD guidance on other projects, project construction shall use Tier 3 or above construction equipment for all off-road diesel equipment that has greater than 50 horsepower. A copy of each unit’s certified tier specification shall be provided at the time of mobilization of each applicable unit of equipment. (MND AQ-2)
32. Prior to construction activities carried out from February 1 to August 31, Nesting bird surveys shall be conducted by a qualified biologist prior to any construction activities during bird breeding season from February 1 through August 31. If no nesting birds are

detected during these surveys, then construction-related activities may proceed. Active nests in and adjacent to the construction zone shall be avoided and provided a minimum buffer as determined by the qualified biologist (CDFW recommends a 300-foot-wide nest avoidance buffer or 500 feet for all active raptor nests) prior to the commencement of construction. Construction activities within the buffer must be conducted at the discretion of the qualified biologist. (MND BIO-1)

33. Prior to issuance of grading permits, the Developer shall note on the plans for review and approval by the City Engineer that if historic, cultural or paleontological resources are encountered during site grading or other site work, all such work shall be halted immediately within 50 feet of discovery and the developer shall immediately notify the Planning Division of the discovery. In such case, the developer shall be required, at its own expense, to retain the services of a qualified archaeologist (or paleontologist, if it is a fossil discovery) for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist or paleontologist shall be required to submit to the Planning Division, for review and approval, a report of the findings and method of curation or protection of the resources. Further grading or site work within 50 feet of discovery shall not be allowed until the preceding work has occurred. (MND-CR-1)
34. 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.
35. 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)
36. 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)
37. 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.
38. 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)
39. 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).
40. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less.

41. 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.
42. 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)
43. 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.
44. Developers or Operators shall not park, store, or stage rental trucks or trailers outside of designated "Equipment Staging Area" or "Dispatch Vehicle Parking" area as identified on the project plans.
45. A solar photovoltaic (PV) system shall be installed, which complies with the California Energy Code and shall have a total area no less than 15 percent of the total roof area of the building, including any canopy areas, and covered RV parking area, subject to compliance with Southern California Edison Requirements. California Edison, as the local electric service provider, shall be consulted to ensure that PV system sizing will comply with the Energy Design Rating (EDR) targets.

PLANNING DIVISION STANDARD CONDITIONS

46. 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)
47. 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)
48. 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)
49. 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)
50. 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)

51. 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)
52. 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)
53. 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)
54. 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).
55. 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)
56. 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)
57. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)
58. 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)

59. 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)
60. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, PL-16).
61. 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)
62. 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)
63. 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)
64. 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)

GOLD COAST TRANSIT CONDITIONS

65. Developer shall install a Gold Coast Transit bus stop adjacent to the slip/merge to the north of the driveway, unless waived by the City Traffic Engineer. The stop shall have a minimum of 30 feet of standard width sidewalk with an additional 8' x 30' pad to the north of the driveway. 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

66. A condition of approval requires compliance with the Outdoor Lighting Code & Guideline
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.
 - b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left

- unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii. Luminaires with a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to on 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque to keep light from shining directly up.
 - c. Oxnard City Code 16-320: Lighting within physical limits of the area required to be lighted shall not exceed seven foot-candles, nor be less than one 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.
67. 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.
68. All exterior lighting shall operate from dusk to dawn.
69. All exterior LED lighting shall be of a similar nature and spectrum (3,000K to 20,000K Correlated Color Temperature).
70. 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.
71. 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.
72. Port Cocheres/carports shall be illuminated between 7 and 15 foot-candles. Under canopy lighting instruments shall be installed on the ceiling of the canopy in-line with the spaces between RV parking spaces.
73. During the first year of operations after the issuance of the Certificate of Occupancy, a roving security patrol service shall monitor the site during the hours the business is closed. Monitoring shall include a tour check in system approved by the Police Department as part of the business' Security Plan to ensure that outdoor storage is monitored while defensive plantings are maturing.
74. The outdoor vehicle storage area shall be fully enclosed by a fencing system approved jointly by the Police Department and Community Development Department. Vehicular gates shall be controlled by "Click-To-Enter" technology to provide 24-hour access to first responders.

Security Camera Systems – Businesses

75. 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

Alarms

76. 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.

Signs

77. 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)

78. Signs shall be posted around the site stating: "Trespassing Forbidden By Law Violators will be subject to arrest pursuant to 602 PC".

79. Signs shall be posed around the site stating: "This Property Is Monitored By A Security Alarm and Camera System"

80.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

81. Developer shall pay plan check and processing fees in effect at the time of construction plan submittal and shall pay development fees, encroachment permit fees, and other applicable fees in effect at permit issuance. (DS-1)

82. Developer's Engineer shall design parking lot structural sections based on an analysis of the soils R-value and a traffic index (T.I.) approved by the City Engineer. The minimum structural section for parking lots is two inches of asphalt on four inches of base material. Developer shall indicate the proposed structural section and design T.I. on the site improvement plans. (DS-2)
83. Developer shall have the site improvement plans prepared using standard Development Services Division format(s) by a civil engineer licensed in the State of California. The plans shall incorporate recommendations from soil engineering and geology reports. Prior to issuance of a grading permit, improvement plans must be approved by the City Engineer and ink-on-mylar plans filed with the Development Services Division. (DS-3)
84. Developer shall submit improvement plans and drainage calculations demonstrating that storm drain runoff from the project property and all upstream areas will be safely conveyed to an 1. approved drainage facility. The design and conveyance route shall be compatible with the City's Master Plan of Drainage and shall be approved by the City Engineer prior to approval of improvement plans. (DS-4)
85. Developer shall replace all broken, uplifted, or missing curb, gutter, or sidewalk along the street frontage(s) of the project. (DS-6)
86. 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)
87. 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)
88. 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)
89. 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)
90. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of all project maps, address map, and/or civil improvements drawings in DWG format. Prior to improvement bond release, Developer shall provide an updated CD containing all changes that occur during construction. (DS-16)

91. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no map, then at the time of public improvement plan approval. (DS-17)
92. 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)
93. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If the Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
94. 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)
95. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
96. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
97. 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)
98. "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)
99. 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)

100. 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)
101. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
102. Developer shall design project grading to convey stormwater to a street, alley, or approved drain so that there are no undrained depressions. (DS-35)
103. 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)
104. 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)
105. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)
106. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
107. 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)
108. Developer shall improve all streets, alleys, sidewalks, curbs, and gutters adjacent to the project in accordance with City standards, as necessary to provide safe vertical and horizontal transitions. (DS-52)
109. Developer shall install all water, gas, sewer, storm drain, electrical, cable television, and telephone lines before any paving is placed. (DS-54)
110. 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)
111. Developer shall submit a street lighting plan as a part of the civil improvement plans. Developer shall install streetlights in accordance with the plan. (DS-60)

112. As a part of the site improvement plans, Developer shall submit a master utility plan that shows the relative location of all public and private utilities (including gas, electric, street lights, telephone and cable television lines) in accordance with City standard plans. (DS-61)
113. 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)
114. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
115. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
116. 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)
117. 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)
118. 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)
119. 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)
120. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance and operations plan ("the Plan") for this project. If the BMPs implemented with this project include proprietary products that require regular replacement and/or cleaning, Developer shall provide proof of a contract with an entity qualified to provide such periodic maintenance. The property owner is responsible for the long-term maintenance and operation of all BMPs included in the project design. Upon request by City, property owner shall provide written proof of ongoing BMP maintenance operations. No grading or building permit shall be issued until the Development Services Manager approves the Plan and Developer provides an

executed copy of the City's stormwater covenant with the Plan included as an exhibit for recordation by the City. (DS-82)

121. 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 1. inlets with the message "Don't Dump Drains to Ocean" in accordance with City standards. (DS-83)
122. 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)
123. Developer shall provide pre-treatment for all infiltration based stormwater quality Best Management Practices ("BMPs"). Pre-treatment devices must effectively reduce sediment load entering infiltration BMPs to minimize occlusion of underlying soils and reduce long term maintenance requirements and thereby maintain the infiltration capacity of the BMP. 2011 TGM compliant pre-treatment such as vegetated swales are an approved form of pre-treatment. Proprietary pre-treatment devices must be capable of removing 80% of 50 micron particles to be considered adequate pre-treatment. Typical catch basin inserts do not provide the sufficient sediment storage to provide pre-treatment. (DS-85)
124. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare a Local Stormwater Pollution Prevention Plan ("Local SWPPP"). The Local SWPPP shall be developed and implemented in accordance with requirements of the Ventura Countywide MS4 Permit. The Local SWPPP shall be approved by the City Engineer prior to issuance of a site improvement/grading permit. Developer shall keep the Local SWPPP updated to reflect current site conditions and a copy of the Local SWPPP shall be kept onsite and available for City or designated representative to review upon request. (DS-87)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

125. The Developer shall prepare a dedicated engineering site plan depicting property lines, right-of-way, and existing and proposed easements. (DS)
126. Developer shall reconstruct the two existing driveway approaches to City Standard Plate 116. Each new driveway shall have a 5-foot pedestrian path of travel behind the driveway apron that meets Americans with Disabilities Act (ADA) standards. (DS)
127. If the pedestrian path of travel at the driveway apron is constructed beyond the existing public right-of-way, Developer shall grant to the City a sidewalk easement for the full width of the pedestrian path. (DS).

128. ADA compliant path of travel around the exterior of the building, (except for crosswalks), shall be elevated and separated from the vehicular traffic area. (DS)
129. ADA and Electric Vehicle (EV) parking spaces not affecting sidewalks shall be 18-feet deep minimum without wheel stops with 1-foot vehicle overhang. Alternatively, these parking spaces can be 19-feet deep with wheel stops placed at the 17-foot mark. (DS)
130. Standard parking stalls shall be 19-feet deep or 17-feet with a 2-foot overhang. Where the 17-foot deep parking stall depth is used, the entire parking stall shall be kept clear from all obstructions, including landscape curbing. (DS)
131. Developer shall construct a minimum 7-foot wide sidewalk at 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-feet wide. (DS)
132. The project is a redevelopment project on an existing commercial site with more than 1 acre. Developer shall design the stormwater facilities to meet the stormwater requirements of the Los Angeles Regional Water Quality Control Board's municipal separate storm sewer system ("MS4") permit (Order R4-2010-0108 including all revisions) redevelopment project. (DS)
133. During the engineering plan check, the Developer shall conduct at least one (1) percolation test within the general footprint of the proposed infiltration facility to validate the infiltration rate used in the sizing calculations. The infiltration test shall account for the Reduction Factor from the Los Angeles County "Guidelines for Design, Investigation, and Reporting for Low Impact Development Stormwater Infiltration" published in the Administrative Manual of the County of Los Angeles Department of Public Works. (DS)
134. Developer's Geotechnical Engineer shall perform percolation tests on the exposed bottom of all infiltration chambers immediately prior to facility construction and provide the City with an opinion that the exposed soil layer is suitable for the proposed infiltration facility based on the review of the existing geotechnical reports, percolation tests, infiltration facility design, and characteristics of the exposed soil layer. This requirement shall be clearly noted on the improvement plans. The report shall be reviewed and approved by the Project Civil Engineer. (DS)
135. The site drainage shall be designed to maintain the pre-existing drainage pattern. No alteration of drainage pattern is allowed unless approved by the City Engineer. (DS)
136. Developer shall install 'Full Capture System Devices' ("Devices") certified by the State Water Resources Control Board Executive Director in compliance with the Statewide Trash Amendments ("Amendments") to treat all stormwater runoff from this site that meets the definition of 'Priority Land Use' as defined by the Amendments at the time of issuance of a grading/site improvement permit. The Devices shall be sized and designed in accordance with the requirements of the Amendments and the Technical Guidance Manual for Stormwater Quality Control Measures. The location of the trash device is subject to the approval of the City Engineer. (DS)
137. In accordance with City Code, Developer shall provide separate services and water meters for commercial and irrigation. (DS)

138. Developer shall construct a loop water system by extending the existing City water main on North Oxnard Boulevard to the second driveway entrance at Orchard Place. The design is subject to review and approval of the City Engineer and the Fire Department. Before permit issuance, Developer shall dedicate a 15-foot water easement meeting City standards to the City. (DS)
139. Developer shall obtain written approval from the Environmental Resources Division to reuse the existing indoor trash enclosure. If the Environmental Resources Division does not approve, the 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 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 new 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)
140. If a new trash enclosure is constructed, Developer shall construct the floor and the loading/service pad of the trash enclosure to be substantially level (2% max slope). The loading/service pad shall be reinforced concrete and extend a minimum distance of 15-feet from the face of the trash enclosure for the width of the enclosure. (DS)
141. At plan check, a new fire flow test involving two flowing hydrants out of the 2.5-inch nozzles is required. Using the approved fire flow data, Developer shall prepare a fire flow model and demonstrate that new fire hydrants will be able to deliver the required fire flow and pressure to meet the Fire Department requirements. (DS)
142. Developer shall verify that the existing sewer lateral is adequate to serve the proposed project. At a minimum a sewer technical memo shall be submitted to the City Engineer for

TRAFFIC DIVISION CONDITIONS

143. Developer shall install a traffic signal system at the intersection of Orchard Place and North Oxnard Boulevard prior to building occupancy. Developer shall also prepare and submit signage and pavement markings plans for review. These plans shall include signs and markings onsite and offsite. (TR)
144. Developer shall construct a pedestrian path of travel that is ADA-compliant between the project site and the west side of North Oxnard Boulevard at the intersection of North Oxnard Boulevard and Orchard Place. The design of the pedestrian path shall include crosswalks and ADA curb ramps. (TR)
145. Developer shall install the proposed bike rack close to the main entrance door of the proposed development. Developer shall be responsible for the perpetual upkeep of the proposed bike racks for the project. Final location shall be approved by the City Traffic Engineer. (TR)

ENVIRONMENTAL RESOURCES DIVISION

146. A Construction and Demolition Waste Management Plan (ERDC-1) must be submitted to the Environmental Resources Division for review and approval prior to issuance of a building permit establishing a goal that at least 65% of the waste generated on the project will be diverted from the landfill.
147. After completion of construction and prior to a certificate of occupancy being issued, a Construction and Demolition Waste Management Report (ERDC-2) must be submitted that demonstrates that at least 65% of the waste generated on the project has been diverted from the landfill. This Report must also include legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities.
148. An Occupancy Plan must be submitted to the Environmental Resources Division prior to issuance of a certificate of occupancy. The Plan must clearly state how all three waste streams will comply with all applicable state laws, including AB 939, AB 341, AB 1826, and SB 1383, and any subsequent legislation adopted in the future, will be managed on site in perpetuity.
149. Any/all organic waste that is generated must be diverted from landfill disposal, as material of this type is not allowed in a trash dumpster. If landscaping is performed by an entity other than the City of Oxnard (i.e. self-haul or third party private hauler), the landscape service providers must be informed, in writing, of this condition and the property management must complete and submit an Alternative Services Certification annually.
150. Any new or renovated waste enclosures must be sized so that they can accommodate all three waste streams and meet minimum safety and operational requirements, including vehicle path of travel, employee access, and prevention of illegal dumping and/or vandalism. Use the City's approved Standard Plates, but modify dimensions accordingly.
151. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
152. 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.

FIRE DEPARTMENT CONDITIONS

153. 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)
154. All roof covering materials on the project property shall be of non-combustible or fire retardant materials approved by the Fire Chief and in compliance with the City Code. (FD, F-2)
155. Before the City issues building permits, 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)

156. 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)
157. All structures on the project property shall conform to the minimum standards prescribed in Title 19 of the California Code of Regulations. (FD, F-5)
158. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
159. At all times during construction, 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)
160. Developer shall identify all hydrants and fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
161. Developer shall install security devices and measures, including walkway and vehicle control gates, entrance telephones, intercoms and similar features, subject to approval of the Police Chief and the Fire Chief. Vehicle control gates shall be operable by City approved radio equipment. (FD/PD, F-9)
162. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
163. The turning radius of all project property driveways and turnaround areas used for emergency access shall be approved by the City Traffic Engineering Department. (FD, F-11)
164. 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)
165. 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)
166. All signalized intersections shall be equipped with pre-emption equipment. (FD/TR, F15)
167. Developer shall comply with Certified Unified Program Agency (CUPA) requirements regarding the storage, handling and generation of hazardous materials or waste. Prior to the issuance of building permits, Developer shall contact the CUPA division of the Fire Department to ensure that such requirements are followed. (FD, F-16)

FIRE DEPARTMENT SPECIAL CONDITIONS

168. 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.

169. All landscape on project property will coordinate with the fire protection features, to prevent access problems to fire protection features.
170. Fire hydrants shall be operational and accessible at all times. No parking, storage or staging of equipment/supplies shall be located within 15 feet on either side of fire hydrants. Prior to final inspection, blue reflective hydrant location markers shall be placed on the access roads in accordance with Fire Department standards.
171. Class I standpipe is required in each stairwell and reach 150' of travel throughout the building.
172. 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.
173. Before the city issues a certificate of occupancy, the developer shall install a Knox key vault at a location to be determined by the Fire Department.
174. Gurney size elevators will be required.
175. All overhangs over 4 feet are required to be sprinklered.
176. Verify height of parapet. Not to be over 40 inches, unless approved by the Fire Department.
177. FDC is required to be within 50-feet of the fire hydrant and not across drive isles.
178. Vegetation clearance from structure(s) required prior to construction.
179. A minimum 20-foot clear width and 13 foot, 6 inch (13'-6") clear height emergency access shall be maintained free of obstructions at all times within the development once construction starts.
180. Developer 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.
- 181.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023.

Ronald Arruejo, 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 2nd day of February 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, Secretary

F.2

PZ 20-500-07

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission

FROM: Joe Pearson II, AICP, Planning Manager

DATE: February 2, 2023

SUBJECT: **Project Name: Riverpark Boulevard Electronic Billboard Project;** Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment); Located on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. APN: 132-0-311-075.

Summary

On January 19, 2023, the Planning Commission (the “Commission”) considered PZ Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment)(Project)¹ and made a Motion of Intent to Deny the Project as they could not make all of the Findings required to support the project and directed staff to return with the following resolutions:

- a. Resolution 2023-XX recommending that the City Council deny Mitigated Negative Declaration (MND) 22-02; and
- b. Resolution 2023-XX recommending that the City Council deny Planning and Zoning Permit No. 20-670-06 (Development Agreement), subject to certain findings; and
- c. Resolution 2023-XX recommending City Council deny Planning and Zoning Permit No.

¹ The project includes Special Use Permit, Development Agreement, and Specific Plan Amendment to allow for the installation and operation of an electronic billboard on an approximately 0.25 acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard (APN: 132-0-311-075). The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products and minor landscape improvements within the adjacent Caltrans right of way. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan.

20-630-02 (Amendment to The RiverPark Specific Plan), subject to certain findings; and

- d. Resolution 2023-XX Denying Planning and Zoning Permit No. 20-500-07 (Special Use Permit), subject to certain findings and conditions.

The Commission continued the hearing to February 2, 2023, to ratify the action by approving Resolutions of Denial. The motion carried 5:0:2:0:0².

Staff has prepared the Resolution of Denial for the proposed Project (Attachment B-E).

Appeal Process

In accordance with Section 16-545 of the City Code, the Planning Commission's action on PZ 20-500-07 (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 and must be submitted with the appropriate fees before the end of the appeal period. If an appeal is not filed within 18 working days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final.

The requested actions for the Development Agreement, Adoption of the Mitigated Negative Declaration, and Specific Plan Amendment are recommendations to the City Council. As the Planning Commission does not take formal action, but recommends an action to the City Council, an Appeal procedure is not necessary. All aspects of this Project shall not become effective unless and until the City Council approves the Development Agreement.

Attachments

- A. January 19, 2023 Planning Commission Staff Report (w/o Attachments D, E, F, G, H, I)
- B. Draft Planning Commission Resolution Recommending Denial of Mitigated Negative Declaration (MND) 22-02
- C. Draft Planning Commission Resolution Recommending Denial of PZ Permit No. 20-670-06 (Development Agreement)
- D. Draft Planning Commission Resolution Recommending Denial of PZ Permit No. 20-630-02 (Specific Plan Amendment)
- E. Draft Planning Commission Resolution Denying PZ Permit No. 20-500-07 (Special Use Permit)

² In Favor: Against: Absent: Abstain: Recused

A



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Joe Pearson II, Planning Manager

DATE: January 19, 2023

SUBJECT: **Project Name: Riverpark Boulevard Electronic Billboard Project;** Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment); Located on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. APN: 132-0-311-075.

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

- a)** Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-02; and
- b)** Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-670-06 (Development Agreement), and
- c)** Adopt Resolution 2023-XX recommending City Council approval of Planning and Zoning Permit No. 20-630-02 (Amendment to The RiverPark Specific Plan), subject to certain findings, and
- d)** Adopt Resolution 2023-XX Approving Planning and Zoning Permit No. 20-500-07 (Special Use Permit), subject to certain findings and conditions.

2) Project Description and Applicant: The applicant requests a Special Use Permit, Development Agreement, and Specific Plan Amendment to allow for the installation and operation of an electronic billboard on an approximately 0.25 acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The Special Use Permit will also include minor landscape improvements within the adjacent Caltrans right of way. These will include the removal of the existing eucalyptus trees and the planting of alternatives, subject to Caltrans approval. The proposed Development Agreement will allow for the use of City

property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan.

The request includes adoption of the proposed Final Initial Study/Mitigated Negative Declaration (IS-MND) and adoption of the Mitigation Monitoring and Reporting Program (MMRP) which has been prepared pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15063. The Project site is located within the RiverPark Specific Plan and designated as Public Facilities. The 2030 General Plan land use designation is Commercial Regional. For purposes of this staff report, the foregoing project description shall be referred to as the “Project.” Filed by Lars Skugstad, 1111 Broadway, Suite 1515, Oakland, CA 94607 (the “Applicant”) on behalf of the City of Oxnard (the “Property Owner”).

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

- 3) Existing & Surrounding Land Uses:** The Project site is currently undeveloped City owned property located within the RPSP area. The area surrounding the Project site consists of a mix of residential and commercial land uses. To the west and south of the Project site, across U.S. 101, is the Esplanade Commercial Shopping Center. To the southeast are retail commercial uses adjacent to Vineyard Avenue. These commercial and retail land uses are zoned as RiverPark Specific Plan. On the northeast side of Riverpark Boulevard is a place of worship and single family residences that are part of the El Rio West neighborhood and zoned as a Multiple-Family Residential Planned Development and Single-Family Residential Planned Development. To the north are the two and three story Paseo Del Rio Apartments, which are also a part of the RiverPark Specific Plan Area. Further to northeast within the RiverPark Specific Plan area are additional apartments that are three stories and beyond the apartments is the Collection shopping center. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated in Attachment A:

Table 1
Existing and Surrounding Land Uses

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional	The RiverPark Specific Plan (Public Facilities)	Vacant
North	Commercial Regional	The RiverPark Specific Plan (Public	Vacant/Apartments

		Facilities and Residential: High)	
South	Highway 101/Regional Commercial	Highway 101/General Commercial	Highway 101/The Esplanade Shopping Center
East	Commercial Regional	The RiverPark Specific Plan (Public Facilities and Commercial Retail)	Vacant/Fast food Restaurant and Retail Store
West	Highway 101/Easement	Highway 101	Highway 101

4) Background Information:

- a) On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites. Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties. On November 17, 2020 Council amended the ENAs to allow for an additional 6 months (until June 2021), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties. On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.
- b) Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard and a amendment to the RiverPark Specific Plan to allow the sign in accordance with the Oxnard City Code. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent

Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

- c) The RPSP was adopted by the City Council on September 10, 2002, together with the General Plan Amendment, Zone Change, Annexation, Development Agreement, and EIR certification related to the RPSP approval. The original RPSP allowed for the phased development of 2,805 dwelling units and 2,485,000 square feet of commercial development (including approximately 221,000 square feet of existing office development that was approved under the Oxnard Town Center Specific Plan, prior to the adoption of the RPSP). The original RPSP was developed following the design principles of the New Urbanism and Smart Growth movements, which emphasized the importance of mixed land uses in close proximity, communities scaled for pedestrian walkability; limiting the need for automobile usage; higher density development, and the importance of physical design.

Seven previous amendments to the RPSP have been approved.

1. The Council approved the first amendment request (PZ 02-630-05) on October 22, 2002, which amended the new RPSP to include regulations for temporary uses.
2. The Council approved the second amendment request (PZ 03-630-03) on July 27, 2004, allowing a minor change in the land use designation on a small parcel from Open Space to Commercial.
3. The Council approved the third amendment request (PZ 09-630-09) on April 14, 2009, allowing a freeway-oriented pylon sign subject to approval of a Design Development Review permit (DDR) by the Development Services Director.
4. The fourth amendment (PZ 10-630-02), was approved by the City Council on June 14, 2011, and allows three freeway oriented monument signs subject to approval of a DDR, and an electronic digital display panel for the pylon sign, subject to subsequent approval of a Special Use Permit.
5. The fifth amendment (PZ 09-630-03), was approved by the City Council on June 5, 2012. The fifth amendment increased the maximum number of dwelling units from 2,805 to 3,043 units, and reduced the maximum amount of commercial development from 2,485,000 to 2,098,000 square feet. The additional units were to be located in District D of the RPSP.
6. The sixth amendment (PZ 18-630-01), was approved by the City Council on February 19, 2019, to amend the text of the RPSP to allow two (2) monument signs in Planning Districts C, subject to subsequent approval of a DDR.
7. The seventh amendment (PZ 20-630-01), was approved by the City Council on March 15, 2022. This amendment allowed development of up to 1,025 additional residential units under the RPSP, in exchange for a reduction of up to approximately 562,457 square feet of non-residential development potential in accordance with specified development scenarios.

5) Environmental Determination: Pursuant to the California Environmental Quality Act (CEQA) Section 15060, the City of Oxnard as the Lead Agency, prepared a Mitigated Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include (BIO-1) conducting a pre-construction survey for active bird nests, and (CUL-1 and CUL-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests.

The MND was available for public review from June 30, 2022, and ended on July 29, 2022. The City of Oxnard received four comment letters on the Draft MND. The comment letters and responses to each comment have been prepared and included in the Final IS/MND. Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

With the inclusion of the mitigations for the areas noted above, the Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA (Attachment C).

6) Project Analysis:

a) General Discussion: Pursuant to Oxnard City Code (OCC) Section 2-95, the Planning Commission is an advisory body which provides land use recommendations to the City Council on items such as General Plan Amendments, Specific Plans, Ordinance Amendments and Development Agreements. The Planning Commission is the decision maker for Special Use Permit pursuant to OCC Section 16-531.

The applicant requests a Special Use Permit, Development Agreement, and Specific plan Amendment to allow for the installation and operation of an electronic billboard on an

approximately 0.25-acre undeveloped site (APN: 132-0-311-075) located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The following is a summary of the requested revisions.

Special Use Permit

The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 45.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be 60 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The existing ground level is at approximately the same elevation as the travel lanes along U.S. 101 and Riverpark Boulevard. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nits (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, focused toward the freeway. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

Eight existing eucalyptus located on the north side of U.S. 101 are proposed to be removed which would require Caltrans approval because the trees are located within the U.S. 101 right-of-way. In addition, the Project includes removal of all dead wood located in the vicinity of the existing eucalyptus trees. The Project includes the placement of small multi-trunk accent trees with a maximum height of 15 feet along with low groundcover and shrubs.

Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are

allowed or required by the development agreement.

Street Vacation

The proposed Project will require an amendment to the RiverPark Specific Plan. The amendment would include the addition of Freeway Adjacent Digital Display Billboards within the Commercial Master Plan of the RiverPark Specific Plan. The specific revisions to the Specific Plan text. The proposed revisions identify minimum and maximum lot dimensions as well as size and spacing of the billboards. These revisions would be consistent with the proposed Freeway Adjacent Digital Display Billboards Ordinance that is required to be approved prior to approval of the proposed Project.

- b) ***General Plan Consistency:*** The City's 2030 General Plan land use designation for the subject site is Commercial Regional (CR) uses which allows retail, commercial, government and residential uses. The proposed use is Commercial. Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed Project. The proposed Project does not conflict with General Plan land use, goals and policies. The proposed SPA to the RPSP and foreseeable development is consistent with the 2030 General Plan and the property's land use designations. RiverPark is located within the North Oxnard Transit Enhancement District (NOTED) Urban Village as defined in the 2030 General Plan. The NOTED area includes the area north of the Oxnard Boulevard/Vineyard Avenue intersection generally between Ventura Road and Vineyard Avenue including the Esplanade shopping center, The Village Specific Plan, and the RiverPark Specific Plan. As an urban area, the allowance of Electronic Billboards is appropriate and consistent with the 2030 General Plan. The proposed DA allows for the use of City property and outlines the required public benefits to be provided by future development. No other physical improvements are allowed or required by the development agreement, and therefore it does not conflict with General Plan land use, goals and policies. The project's consistency review with General Plan policies is included as Attachment D. The proposed Project has been determined to be consistent with the General Plan and the property's land use designation.
- c) ***Conformance with Zoning Code Development Standards:*** As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City. As shown in Attachment E, the proposed Project has been designed to be consistent with the proposed ordinance. As a condition, the approval of this Project is contingent upon the City's adoption of the proposed Freeway Adjacent Digital Display Billboards ordinance. Additionally, the Project must comply with the final ordinance as adopted, therefore, if any changes occur to the proposed development standards the Project would be required to be amended, to bring it into compliance.

- d) **Site Design, Circulation, and Parking:** The project is located on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The proposed site improvements include the installation of an electronic sign. City staff has reviewed the proposed sign, and determined it would not have a significant impact on the future development of the City owned parcels in the area, should they be developed in the future. As the sign is controlled remotely, no parking is required. In the rare event onsite work is required, there is sufficient space onsite.
 - e) **Sign Design:** The pole would extend approximately 40 feet below ground and approximately 45.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The pole design has been kept simple with the gray color, to minimize the visual impact of the pole itself. The top of the billboard would be approximately 60 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.
- 7) **Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed the proposed Project on November 18, 2020. The comments from the DAC have been incorporated into the Project, including the studies, and MND.
- 8) **Community Workshop and Public Input:** A Community Workshop on the Project was held on December 20, 2021. Public notice signs were posted onsite. Notifications were mailed to the RiverPark Neighborhood. Approximately 2,000 notices were mailed. The meeting was held online. Eight members of the community attended this meeting, and two people spoke on the items. The video from the online workshop was also posted on the City's website for members of the public to view separately. The primary concern identified at the Community Workshop was related to general allowance of electronic billboards and lighting impacts. Both aesthetics and lighting impacts were analyzed in the environmental document and it was determined that with the implementation of the project mitigations the impacts would be less than significant. There was also a request for an additional site rendering showing the sign from the adjacent side of the freeway, which was prepared and has been included in Attachment B.
- Consistent with public noticing requirements, the Planning Commission Hearing was advertised with on-site postings and a newspaper notice and a mailed notice to property owners within 300 feet of the Project site.
- 9) **Appeal Procedure:** The action of the Planning Commission on the Special Use Permit is final unless appealed in writing to the City Council no later than eighteen (18) days after the decision date (Section 16-545) of the Oxnard City Code. Appeal forms may be obtained from

the City Clerk (300 West Third Street, Fourth Floor) and must be submitted with the appropriate fees before the end of the appeal period. The action of the Planning Commission on the Development Agreement and Specific Plan Amendment is a recommendation of either approval or denial to the City Council. All aspects of this Project shall not become effective unless and until the City Council approves the Development Agreement and Street Vacation.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Final IS-MND (December 2022)
- D. General Plan Consistency Chart
- E. Zoning Compliance Table
- F. Draft Planning Commission Resolution Recommending Adoption of Mitigated Negative Declaration (MND) 22-02
- G. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-670-06 (Development Agreement)
- H. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-630-02 (Specific Plan Amendment)
- I. Draft Planning Commission Resolution Approving PZ Permit No. 20-500-07 (Special Use Permit)
- J. Staff Presentation

ATTACHMENT

A

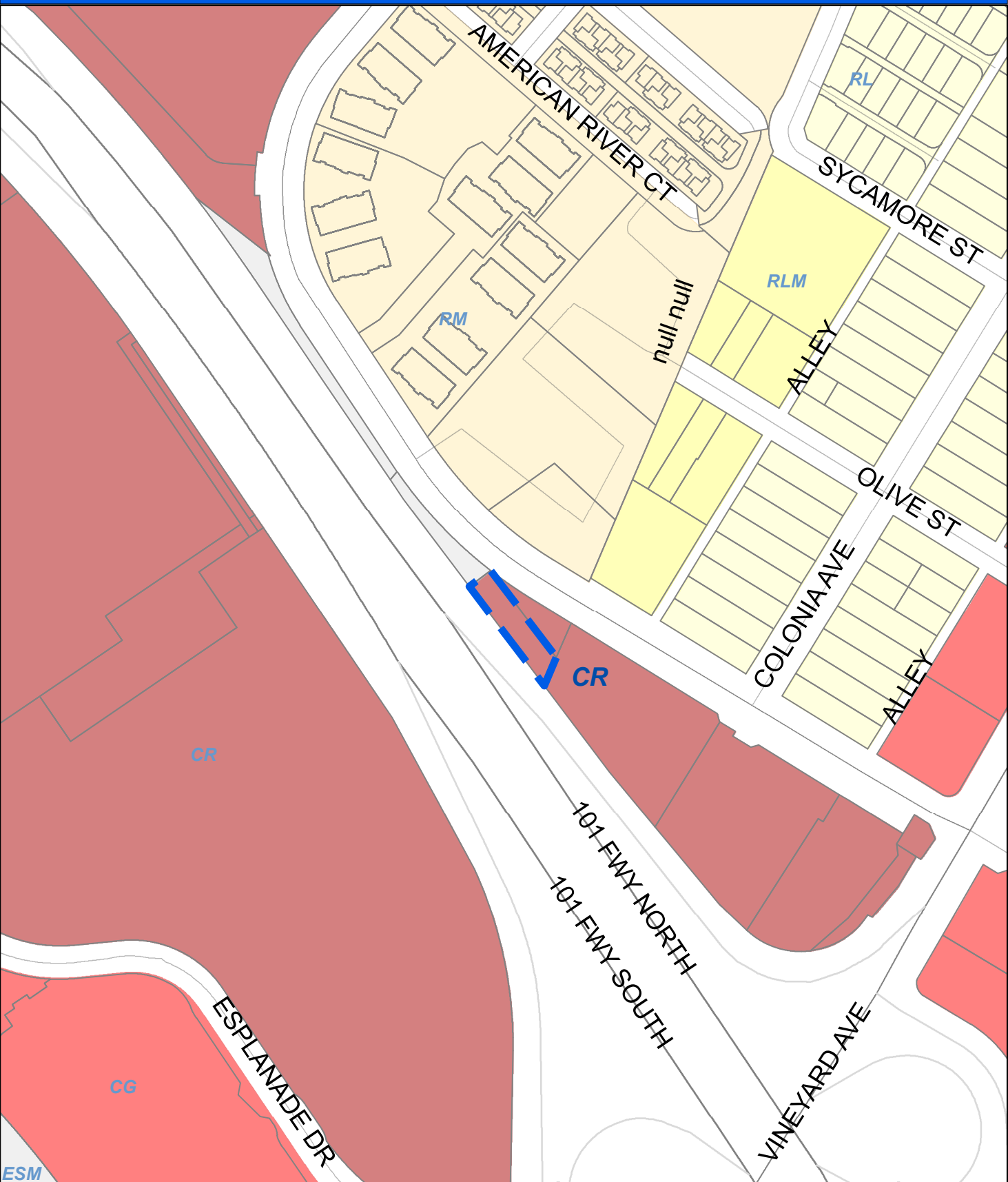
MAPS

(VICINITY, GENERAL PLAN, ZONING, AERIAL)

Vicinity Map

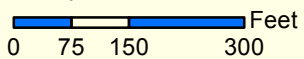


2030 General Plan Land Use Map



Oxnard Planning
November 17, 2022

PZ 20-500-07, 20-670-06, 20-630-02
Location:
APN: 11420010345, 1420021010
Riverpark Blvd Billboard

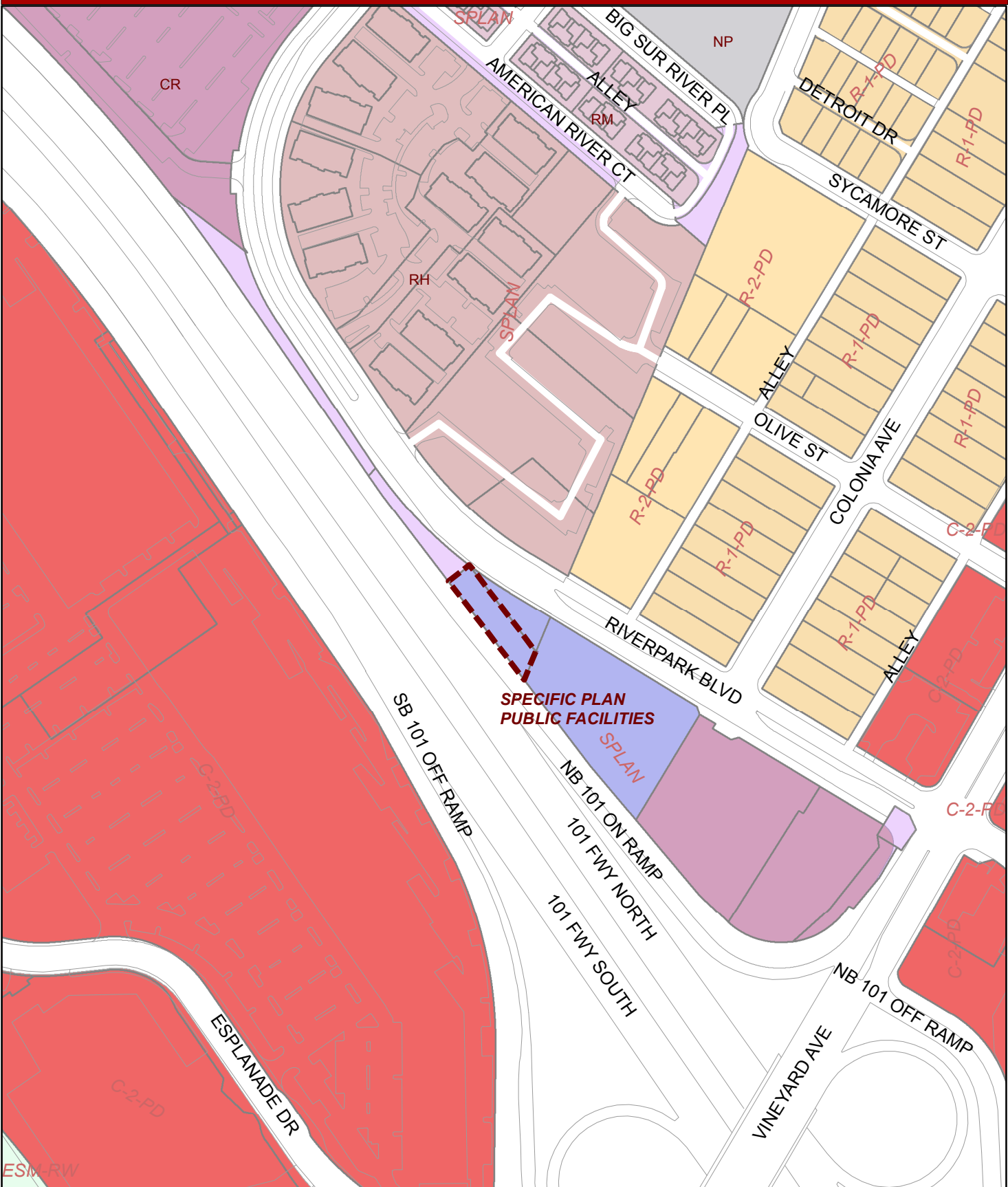


2030 General Plan Land Use Map



1:3,000

Zoning/Specific Plan Map





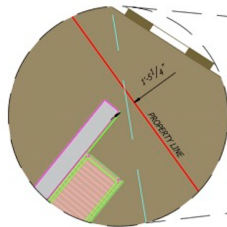
ATTACHMENT B

REDUCED PROJECT PLANS

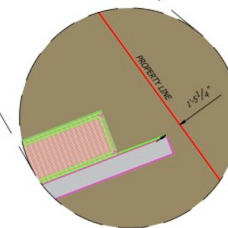
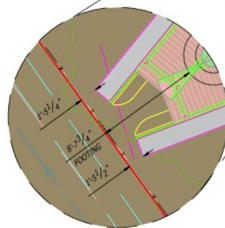
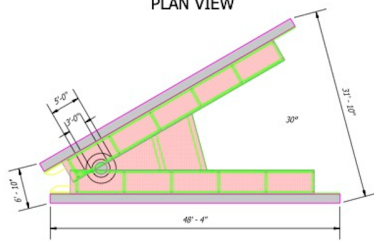
SITE 2



TERRAIN COLOR CODE:



DIGITAL BILLBOARD DETAIL PLAN VIEW



NOTE:

1. BOUNDARY SHOWN HEREON IS BASED ON FOUND MONUMENTS PER COUNTY PUBLIC WORKS FIELD BOOKS, TRACT NO. 5852-1, 150 MR 76, AND CALIFORNIA R/W MAP NO. F 2232-5 07-VEN-101-22.2.
2. LANDSCAPING AND LANDSCAPE IRRIGATION DEVICES MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
3. TREE LINE CANOPIES ARE PICTORIAL, AND MAY NOT REFLECT TRUE DRIP LINES.
4. ROAD STRIPING IS PICTORIAL AND REPRESENTS ONLY APPROXIMATE, RELATIVE LOCATIONS.
5. DIGITAL BILLBOARD AND PROPOSED LOCATION PROVIDED BY CLIENT.
6. IF RETAINING WALLS OR SIMILAR STRUCTURES ARE TO BE DESIGNED FROM TOPOGRAPHY SHOWN HEREON, THE ELEVATIONS OF CRITICAL POINTS CONTROLLING THE DESIGN MUST BE VERIFIED PRIOR TO ADOPTION OF FINAL DESIGN.
7. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EXISTING EASEMENTS (IF ANY) ARE NOT SHOWN HEREON.
8. ATTENTION: IF THIS MAP IS PROVIDED IN AN ELECTRONIC FORMAT (IE: CAD) AS A COURTESY TO A CLIENT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. ONLY THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. IN THE EVENT THAT THE ELECTRONIC FILE IS ALTERED, THE SURVEYOR'S SIGNED AND SEALED PRINT OR PDF FORMATTED DRAWING MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. CHRIS NELSON AND ASSOCIATES, INC., SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATION MADE TO THE PROVIDED CAD FILE, OR FOR ANY PRODUCTS THAT HAVE BEEN DERIVED FROM THE CAD FILE, WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

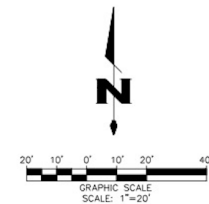
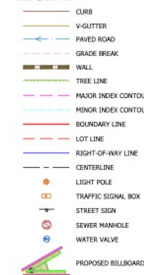
BENCH MARK:

B.M. NO. 110-8 VCPD 494 NAVD 1988 COUNTY OF VENTURA DATUM

AT THE NORTHWESTERLY CORNER OF THE INTERSECTION OF VINEYARD AVENUE AND MYRTLE STREET.

ELEVATION = 87.3196 FEET (26.615 METERS) (VENTURA COUNTY ADJ PUB 1989)

LEGEND:



DATED: 12/6/2019

REVISION NOTES		
DATE	DESCRIPTION	BY
12/6/19	CHANGED OVERALL AESTHETICS	CID

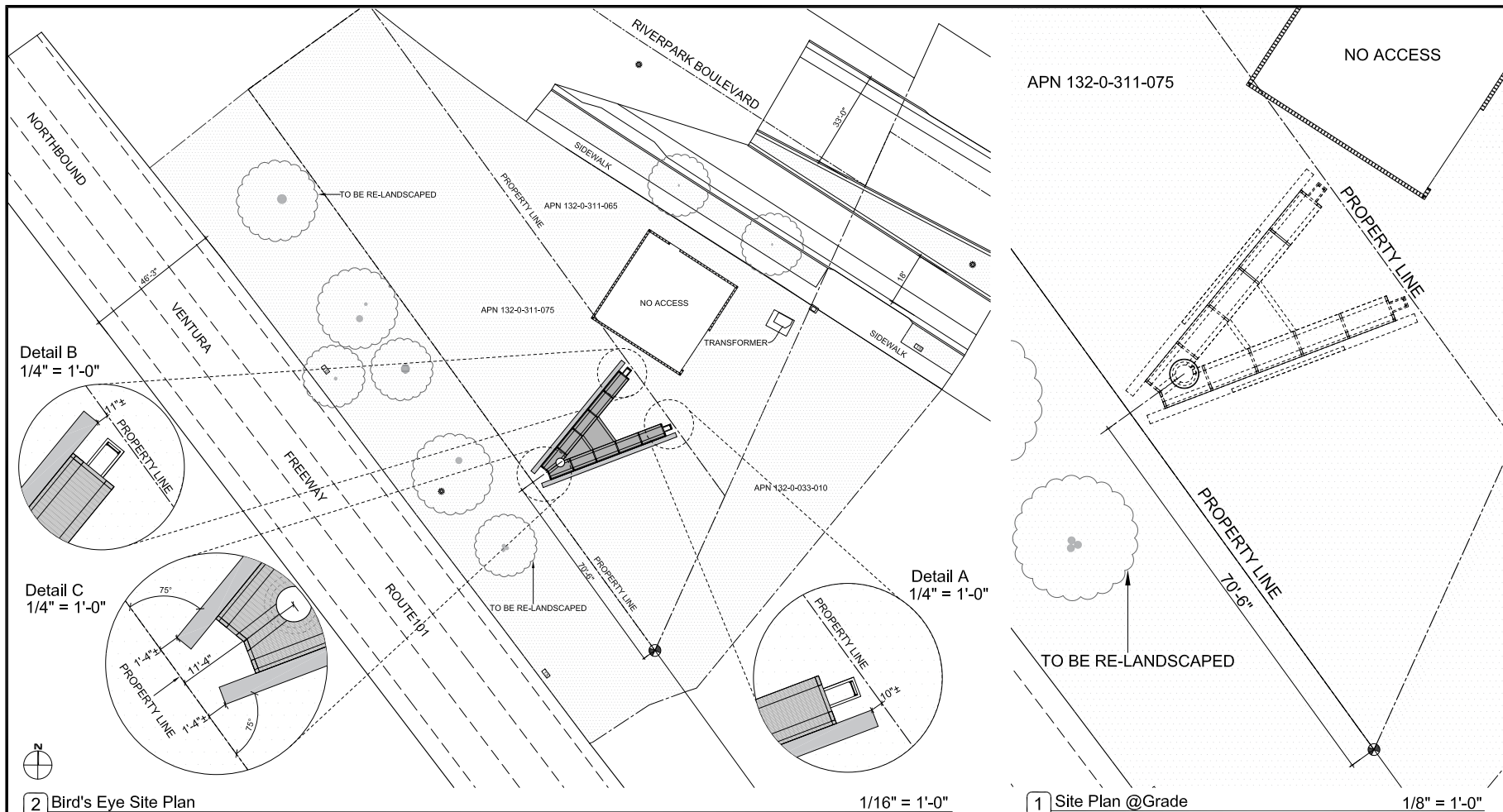
PREPARED BY:
Chris Nelson & Associates, Inc.
TOPOGRAIC SURVEYORS & ENGINEERS
31238 Via Caliente, Suite 14, Westlake Village, CA 91362
Voice: 818.991.1040 Fax: 818.991.0814

PREPARED FOR:
FOSTER INTERSTATE MEDIA, INC.
1111 BROADWAY, SUITE 1515
OAKLAND, CA 94607

TOPOGRAPHIC SURVEY
PORTION OF CALIFORNIA R/W MAP NO.
F 2232-5 07-VEN-101-22.2
CITY OF OXNARD, COUNTY OF VENTURA

JOB NO. 19-5125
SCALE: 1" = 20'
DATE: OCT. 2019
DRAFTED: JIN

SHEET NO.
1
OF 1 SHEET



ib+a

architecture

177 Post Street,
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tel: (415) 512-9660
fax: (415) 512-9663
www.ibadesign.com

PROJECT NAME
**OXNARD
SIGNAGE
PROJECT**
APN 132-0-311-075
Oxnard,
California

CLIENT
**OUTFRONT
FOSTER
INTERSTATE**

FOR SITE PERMIT ONLY

REVDATEISSUE

SEAL

Professional Engineer
No. 11363
State of California

SHEET DESCRIPTION
SITE PLAN

DATE8/6/2020

SCALE1/16" = 1'-0"

DRAWN BY

CHECKED BY

JOB NO.1814

A-1.0

SHEET NO.

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LEGEND		SHEET NOTES	
	GROUND	1. ALL WORK SHALL CONFORM WITH APPLICABLE BUILDING CODES, COMPLETE WITH ALL STATE AND CITY AMENDMENTS AND ORDINANCES WHEREIN THE SPECIFIED DO NOT EXCEED THE REQUIREMENTS OF THE LAWS OR ORDINANCES. THE LAWS OR ORDINANCES SHALL GOVERN. CONTRACTOR TO NOTIFY ARCHITECT OF ALL CONFLICTS.	10. CONTRACTOR TO PROVIDE ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION AND CONSTRUCTION OF NEW AND RETROFIT OF EXISTING POWER, SIGNAL, LIGHTING, ALARM, AND LIFE SAFETY SYSTEMS.
	LIGHT POLE	2. DO NOT SCALE DRAWINGS. THE CONTRACTOR SHALL USE DIMENSIONS SHOWN ON THE DRAWINGS AND ACTUAL FIELD MEASUREMENTS.	11. CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS TO THE CITY OF OXNARD BUILDING AUTHORITIES AND OBTAIN ALL REQUIRED BUILDING PERMITS.
	TRAFFIC SIGNAL BOX	3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION AND COORDINATION WITH SUB-CONTRACTORS TO ENSURE THEIR WORK IS IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS.	12. CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION, AND CUT SHEETS OF ALL EQUIPMENT, LIGHTING, SWITCHES, COVER PLACES, ETC. TO ARCHITECT FOR REVIEW BY ARCHITECT AND OWNER.
	TREE LINE	4. THE WORK INFORMATION, DESIGNS, CONCEPTS AND IDEAS SHOWN ON THESE DRAWINGS ARE SITE AND PROJECT SPECIFIC, AND ARE INTENDED TO BE USED FOR THIS ONE PROJECT ONLY. NO WARRANTY IS EXPRESSED OR IMPLIED FOR ANY USE OR PURPOSE BEYOND THAT FOR WHICH THESE DRAWINGS WERE CREATED AND INTENDED.	13. CONTRACTOR SHALL COORDINATE ALL WORK REQUIREMENTS OF DESIGN/BUILD SUBCONTRACTORS.
		5. CONTRACTOR SHALL SECURE AND PAY FOR ALL BUILDING PERMITS PRIOR TO BEGINNING CONSTRUCTION.	14. CONSTRUCTION HOURS AND WORK IN THE CITY PUBLIC RIGHT-OF-WAY ARE LIMITED. SEE LOCAL JURISDICTION REQUIREMENTS.
		6. CONTRACTOR SHALL PROVIDE A SCHEDULE SHOWING TIME LINES TO COMPLETE ALL WORK AND INCLUDING A DATE FOR FINAL COMPLETION.	ANY HIDDEN CONDITIONS THAT REQUIRE WORK TO BE PERFORMED BEYOND THE SCOPE OF THE BUILDING PERMIT ISSUED FOR THESE PLANS MAY REQUIRE FURTHER CITY APPROVALS INCLUDING REVIEW BY THE PLANNING COMMISSION, THE BUILDING OWNER, PROJECT DESIGNER, AND/OR CONTRACTOR MUST SUBMIT A REVISION TO THE CITY FOR ANY WORK NOT GRAPHICALLY ILLUSTRATED ON THE JOB COPY OF THE PLANS PRIOR TO PERFORMING THE WORK. AT THE TIME OF BUILDING PERMIT APPLICATION, WHEN APPLICABLE, PLANS AND ENGINEERING WILL BE SUBMITTED FOR SHORING AS REQUIRED BY 2016 CBC, CHAPTER 11 REGARDING THE PROTECTION OF ADJACENT PROPERTY AND AS REQUIRED BY OSHA. THE FOLLOWING WILL BE ADDRESSED:
		7. UPON COMPLETION OF THE WORK CONTRACTOR SHALL PROVIDE TO OWNER A SET OF REPRODUCIBLE "AS-BUILT" DRAWINGS.	15. WALLS OF EXCAVATIONS SHALL BE PROPERLY SHORED PRIOR TO CONSTRUCTION ACTIVITY, WHERE TEMPORARY SHORING IS NEEDED A COMPETENT CONTRACTOR SHALL BE CONSULTED FOR RECOMMENDATIONS AND DESIGN OF THE SHORING SCHEME FOR THE EXCAVATION. THE RECOMMENDED DESIGN AND TYPE OF SHORING SHALL BE APPROVED BY THE ENGINEER OF RECORD OR SOILS ENGINEER PRIOR TO USAGE.
		8. CONTRACTOR SHALL ENSURE ADEQUATE FIRE AND SAFETY PRECAUTIONS ARE MAINTAINED ON SITE AT ALL TIMES. ALL FIRES AND ACCIDENTS SHALL BE IMMEDIATELY REPORTED TO OWNER, BUILDING MANAGEMENT, AND ARCHITECT AND SHALL BE DISCUSSED AT PROJECT MEETING.	16. ALL APPROPRIATE GUIDELINES OF OSHA SHALL BE INCORPORATED INTO THE SHORING DESIGN AND IMPLEMENTED BY THE CONTRACTOR, WHERE SPACE PERMITS. TEMPORARY CONSTRUCTION SLOPES MAY BE UTILIZED IN LIEU OF SHORING, MAXIMUM ALLOWABLE VERTICAL CUT FOR THE SUBJECT PROJECT WILL BE FIVE (5) FEET. BEYOND THAT HORIZONTAL BENCHES OF 5 FEET WIDE WILL BE REQUIRED. TEMPORARY SHOES SHALL NOT EXCEED 1 TO 1 (HORIZONTAL TO VERTICAL) IN SOME AREAS DUE TO HIGH MOISTURE CONTENT / WATER TABLE. FLATTER SLOPES MAY BE REQUIRED IF SO RECOMMENDED BY THE SOILS ENGINEER IN THE FIELD.
		9. UPON SUBSTANTIAL COMPLETION OF WORK, CONTRACTOR ALONG WITH ARCHITECT AND OWNER SHALL PREPARE A PUNCH LIST TO INCLUDE ALL INCOMPLETE AND/OR CORRECTIVE WORK AND SCHEDULE TO COMPLETE SAID WORK.	17. IF SHORING IS REQUIRED, THE PLANS WILL SPECIFY THE LICENSED DESIGN PROFESSIONAL THAT HAS SOLE RESPONSIBILITY TO DESIGN AND PROVIDE ADEQUATE SHORING, BRACING, FORMWORK, ETC. AS REQUIRED FOR THE PROTECTION OF LIFE AND PROPERTY DURING CONSTRUCTION OF THE SIGN.
			18. SHORING PLANS SHALL BE WET-STAMPED AND SIGNED BY THE ENGINEER-OF-RECORD AND SUBMITTED TO THE CITY FOR REVIEW PRIOR TO CONSTRUCTION. IF APPLICABLE, INCLUDE SURCHARGE LOADS FROM ADJACENT STRUCTURES THAT ARE WITHIN THE ZONE OF INFLUENCE. WE SURE WEDGE UP THE SLOPE FROM THE BASE OF THE EXCAVATION) AND / OR DRIVEWAY SURCHARGE LOADS.
			19. AN OSHA PERMIT WILL BE OBTAINED IF NEEDED PER CAL / OSHA REQUIREMENTS. SEE THE CAL / OSHA HANDBOOK AT HTTP://WWW.CDOSHACALIFORNIA.COM/CPUS008A/USERGUIDE.PDF * CONSTRUCTION SAFETY ORDERS: CHAPTER 4, SUBCHAPTER 4, ARTICLE 6, SECTION 194.1.
			20. A GRADING PERMIT WILL BE OBTAINED FROM THE DEPARTMENT OF PUBLIC WORKS IF REQUIRED.
			21. PLANS SUBMITTED FOR BUILDING CODE PLAN CHECK WILL INCLUDE A COMPLETE UNDERGROUND PLUMBING PLAN INCLUDING DETAILS FOR THE LOCATION OF ALL REQUIRED OIL INTERCEPTORS AND CITY-REQUIRED BACKWATER PREVENTION DEVICES.

PROJECT NAME

**OXNARD
SIGNAGE
PROJECT**
APN 132-0-311-075
Oxnard,
California

CLIENT

**OUTFRONT
FOSTER
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION

**SIGN
ELEVATIONS
AND PLAN**

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

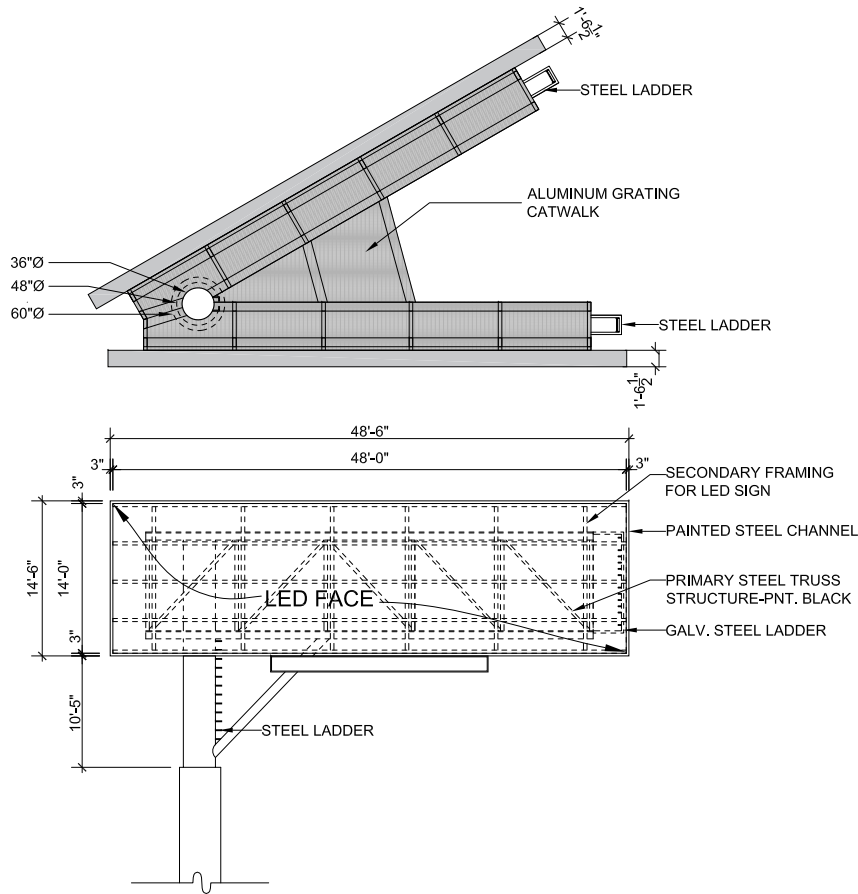
JOB NO. 1814

A-2.0

SHEET NO.

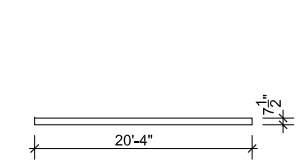
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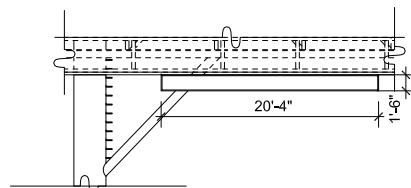
5 Face Elevation

SCALE - 3/16" : 1"



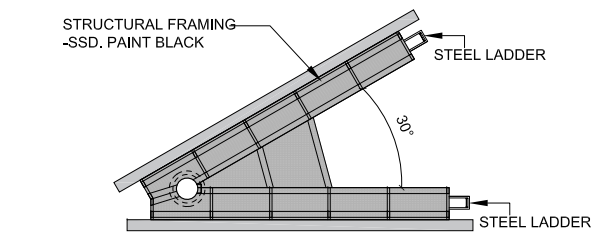
4 Logo Cabinet Plan

SCALE - 3/16" : 1"



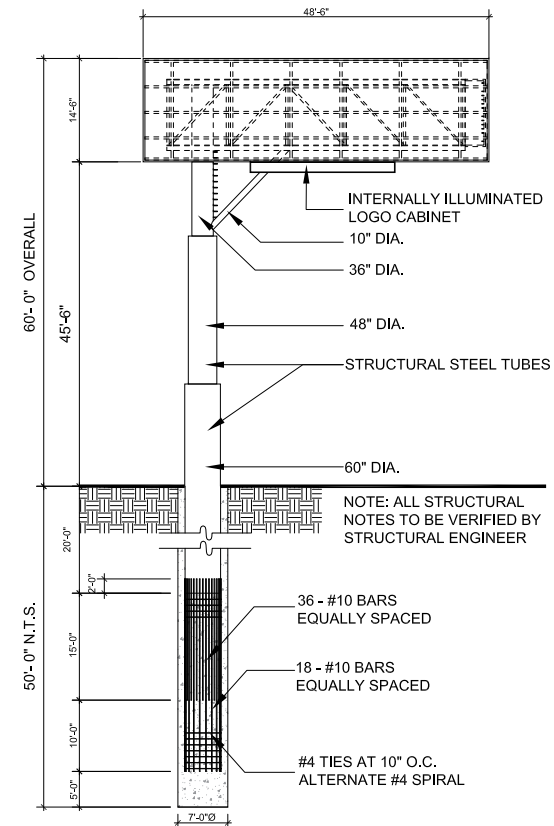
3 Logo Cabinet Elevation

SCALE - 3/16" : 1"



2 Plan View

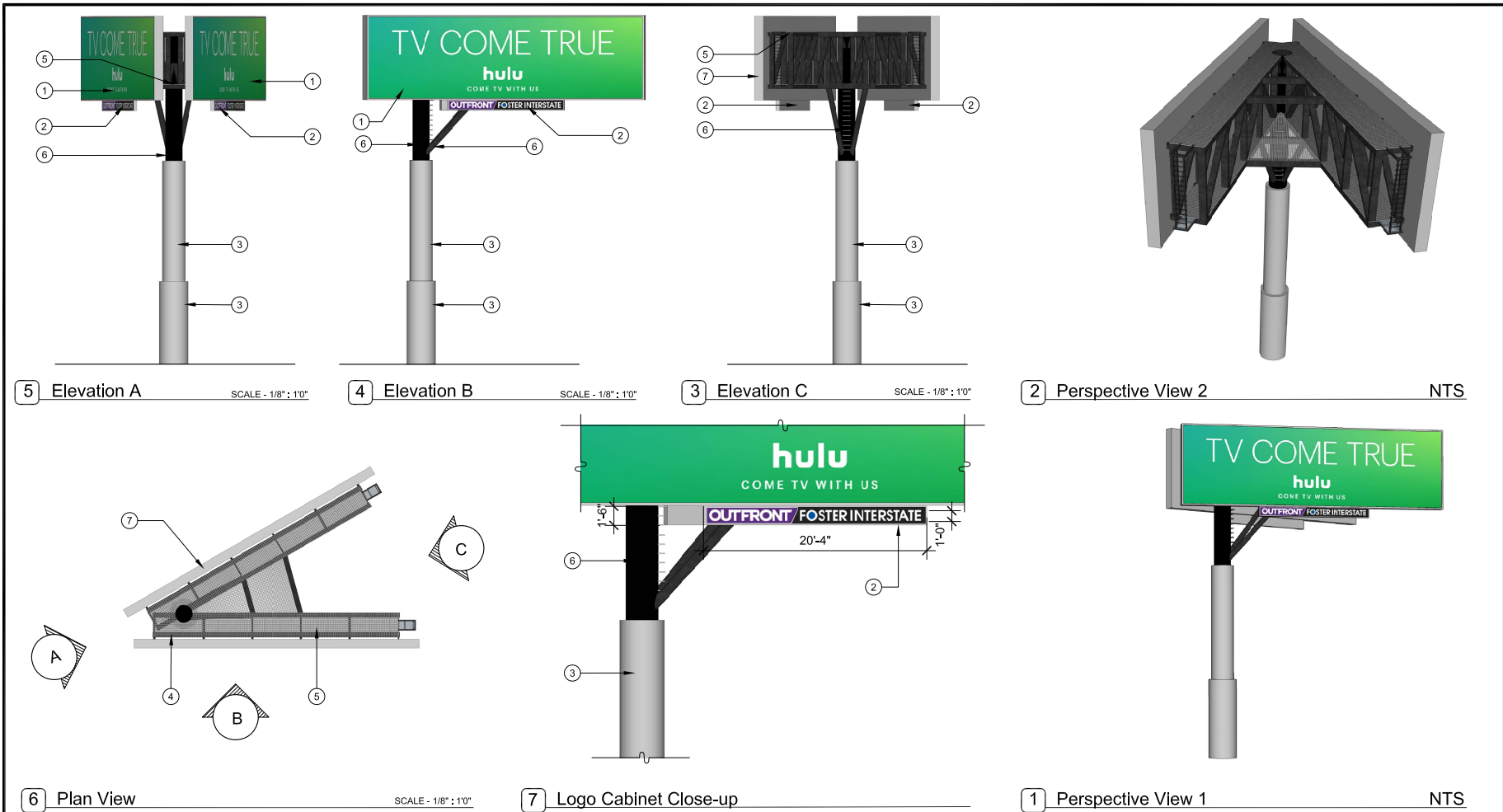
SCALE - 1/8" : 1"



1 Overall Elevation

SCALE - 1/8" : 1"

(See A-3.0 For Color Scheme)



LEGEND	
○	LED SIGN FACE
○	INTERNALLY ILLUMINATED ANODIZED ALUMINUM LOGO CABINET
○	STEEL TRUSS PAINTED BLACK (MATTHEW PAINT - MP59647 BLACK IS BACK - SATIN)
○	ALUMINUM GRATING PLATFORM (NATURAL ANODIZED)
○	STEEL TUBE PAINTED BLACK (MATTHEW PAINT - MP59647 BLACK IS BACK - SATIN)
○	PAINTED STEEL CHANNEL (MATTHEW PAINT TO MATCH PANTONE PMS877C - SATIN)

SHEET NOTES

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www.ibadesign.com

PROJECT NAME

OXNARD SIGNAGE PROJECT

APN 132-0-311-075

Oxnard, California

CLIENT

OUTFRONT FOSTER INTERSTATE

FOR SITE PERMIT ONLY

REV	DATE	ISSUE

SHEET DESCRIPTION

COLORED ELEVATIONS

DATE

8/6/2020

SCALE

DRAWN BY

CHECKED BY

JOB NO.

1814

A-3.0

SHEET NO.

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2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

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architecture

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California

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FOSTER
INTERSTATE**

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REV	DATE	ISSUE



SHEET DESCRIPTION

RENDERINGS

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

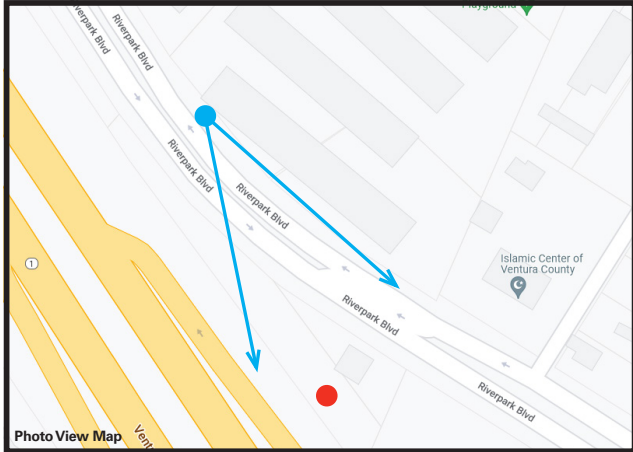
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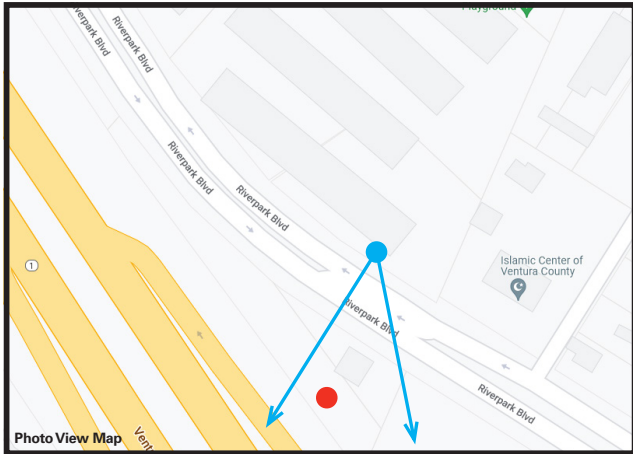


OUTFRONT FOSTER INTERSTATE

14'h x 48'w, Double-Sided Digital "V" Display

Site 2: View from North-West End of 210 Riverpark Blvd

Working Draft - For Discussion Purposes Only. *Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign view-axis the overall view is for illustration purposes only and is not exact.



OUTFRONT FOSTER INTERSTATE

14'h x 48'w, Double-Sided Digital "V" Display

Site 2: View from South-East End of 210 Riverpark Blvd

Working Draft - For Discussion Purposes Only. *Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign vs-axis the overall view is for illustration purposes only and is not exact.



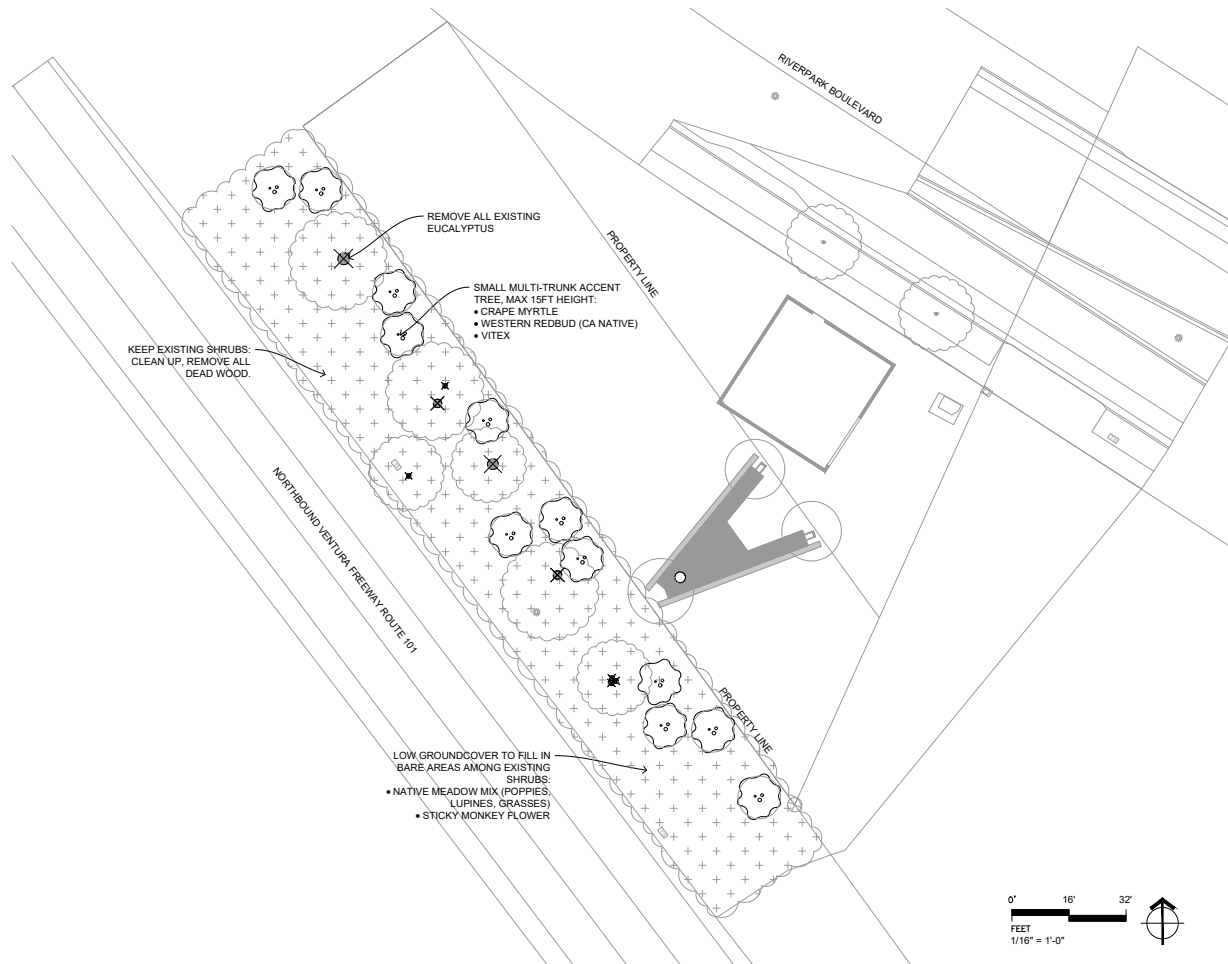
CAPE MYRTLE: MANY SMALL VARIETIES ARE AVAILABLE



WESTERN REDBUD: CALIFORNIA NATIVE



VITEX: FRAGRANT LAVENDER FLOWERS ATTRACT BUTTERFLIES



LANDSCAPE DESIGN INTENT

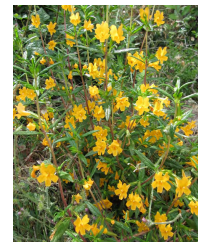
THE LANDSCAPE DESIGN IS SIMPLE, NATURALISTIC, WATER CONSERVING AND LOW MAINTENANCE. IT IS IN CONTEXT WITH THE ADJACENT HIGHWAY, THE NEIGHBORING URBAN AREA AND WITH THE LOCAL ENVIRONMENT.

SMALL FLOWERING TREES DRIFT ALONG THE INSIDE EDGE, ADDING COLOR AND SOFTENING THE STRUCTURE.

THE UNDERSTORY RETAINS THE EXISTING LOW EVERGREEN SHRUBS AND FILLS IN THE BARE AREAS WITH A NATIVE MEADOW WHICH IS COMPOSED OF TIGHT LOW GROUNDCOVERS. ADDITIONAL WOODY SHRUBS ARE AVOIDED DUE TO THE POTENTIAL FIRE HAZARD OF THEIR FLAMMABLE INTERIORS.

THE DESIGN COMPLIES WITH THE WATER EFFICIENT LANDSCAPE ORDINANCE. IT INCORPORATES SUSTAINABLE PRINCIPLES AND BEST MANAGEMENT PRACTICES. SPECIES ARE CAREFULLY SELECTED AND COMBINED BASED ON SIMILAR WATER NEEDS AND HORTICULTURAL REQUIREMENTS. PLANTING AND IRRIGATION ARE COORDINATED SO THAT WATER USE IS MINIMIZED AND ENVIRONMENTAL BENEFITS ARE MAXIMIZED.

THIS LANDSCAPE PLAN IS CONCEPTUAL. FURTHER DESIGN IS REQUIRED TO DEVELOP IT TO CONSTRUCTION READY PLANS.



STICKY MONKEY FLOWER: NATIVE



NATIVE MEADOW

CLIENT:

CITY OF OXNARD

PROJECT:

OXNARD SIGNAGE
PROJECT
OXNARD, CA

SUBMITTAL:

03-11-2021 DESIGN REVIEW

PRELIMINARY
PLAN
NOT FOR BIDDING
OR
CONSTRUCTION

THIS PLAN IS DIAGRAMMATIC IN NATURE. IT IS MEANT AS A GENERAL GUIDE TO CONSTRUCTION ONLY. IT IS NOT FULLY DETAILED, NOR EXHAUSTIVELY SPECIFIED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND/OR OWNER TO VERIFY, SELECT, AND RESOLVE ALL WATER FEATURES, STRUCTURES, AND PLANTING MATERIALS. THE CONTRACTOR AND OWNER ARE SOLELY RESPONSIBLE FOR THE QUALITY CONTROL, CONSTRUCTION STANDARDS, AND FOR MAINTAINING COMPLIANCE WITH LOCAL AND COUNTY CODES ON THIS PROJECT.



NOTIFY UNDERGROUND SERVICE ALERT
AT LEAST 48 HOURS IN ADVANCE OF EXCAVATING

SHEET TITLE:

LANDSCAPE
CONCEPT

SHEET #:

L1.0

PLOT DATE: 210311

ATTACHMENT C

FINAL IS-MND 22-02 (DECEMBER 2022)

ATTACHMENT J

STAFF PRESENTATION

Riverpark Boulevard Electronic Billboard Project

Planning & Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment)

Joe Pearson II, Planning Manager

Planning Commission
January 19, 2023

Project Description

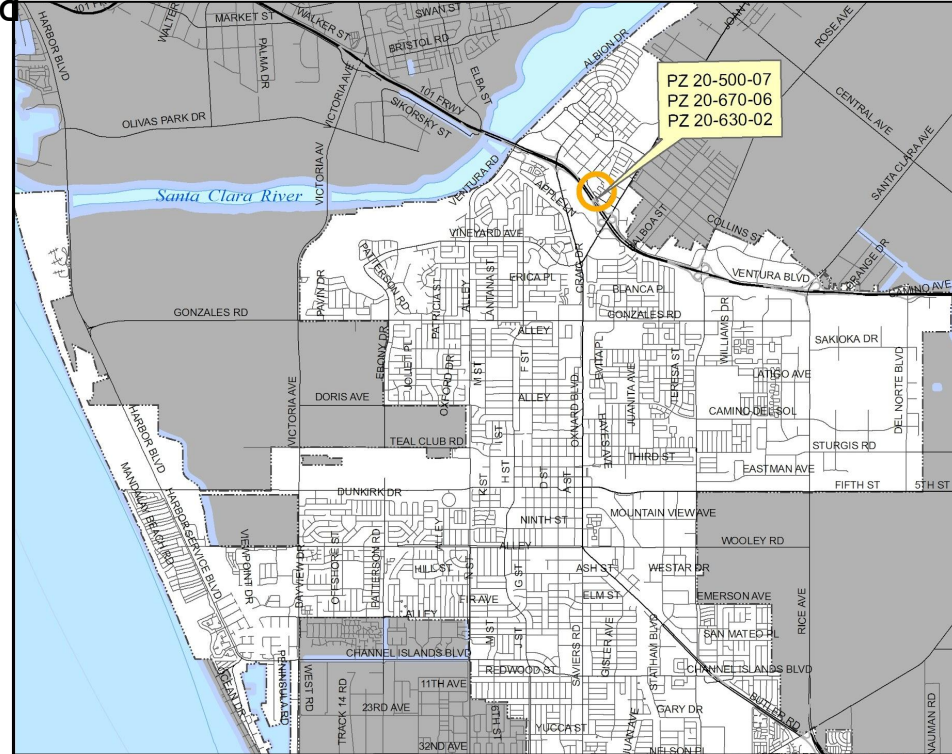
- A request for the following actions:
 - PZ 20-500-07 (Special Use Permit)
 - Allow for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products.
 - The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.
 - The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.
 - Minor Landscape Improvements

Project Description (Cont)

- A request for the following actions:
 - PZ 20-670-06 (Development Agreement)
 - Allow for for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development.
 - PZ 20-630-02 (Specific Plan Amendment)
 - The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan.

Project Location

Subject Site: Located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard.



Project Location



Project Location

Aerial-View

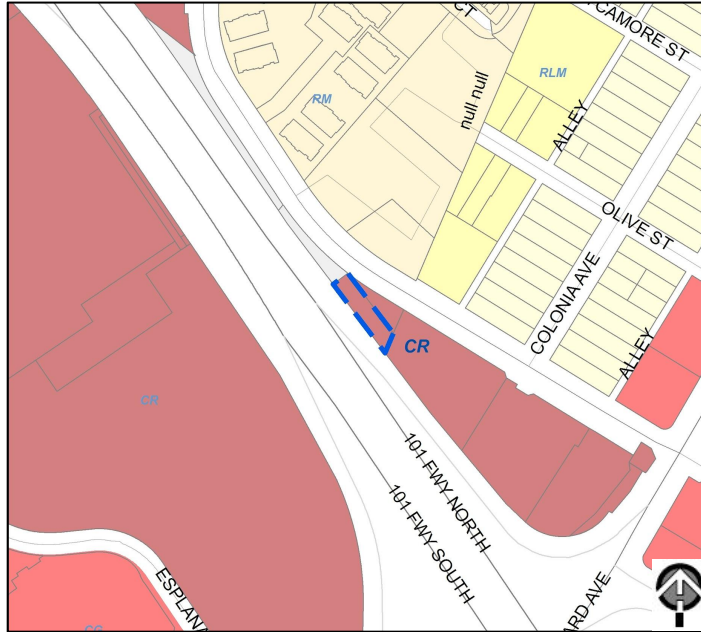


Reference North

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional	The RiverPark Specific Plan (Public Facilities)	Vacant
North	Commercial Regional	The RiverPark Specific Plan (Public Facilities and Residential: High)	Vacant/Apartments
South	Highway 101/Regional Commercial	Highway 101/General Commercial	Highway 101/The Esplanade Shopping Center
East	Commercial Regional	The RiverPark Specific Plan (Public Facilities and Commercial Retail)	Vacant/Fast food Restaurant and Retail Store
West	Highway 101/Easement	Highway 101	Highway 101

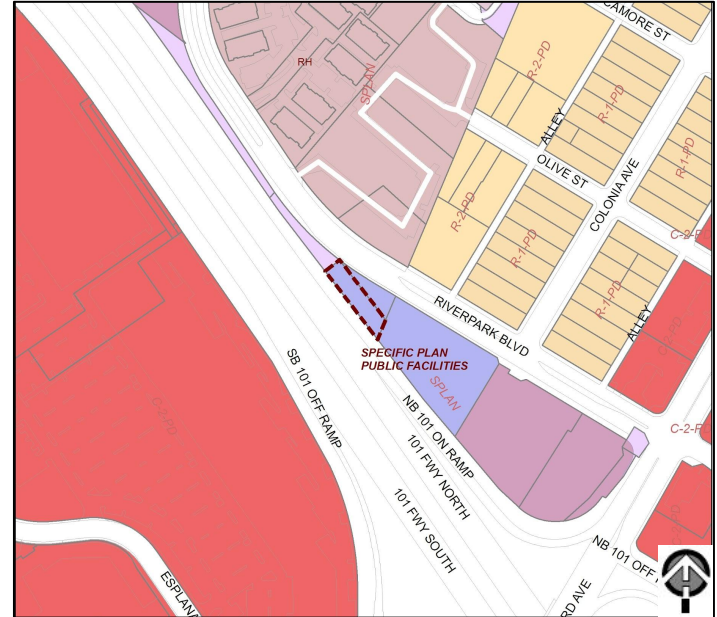
General Plan & Zoning Maps

General Plan Land Use Designation



Commercial General (CG)

Zoning Designation



RiverPark Specific Plan

Background - Exclusive Negotiation Agreements (ENA)

- On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites.
- Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties.
- On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.

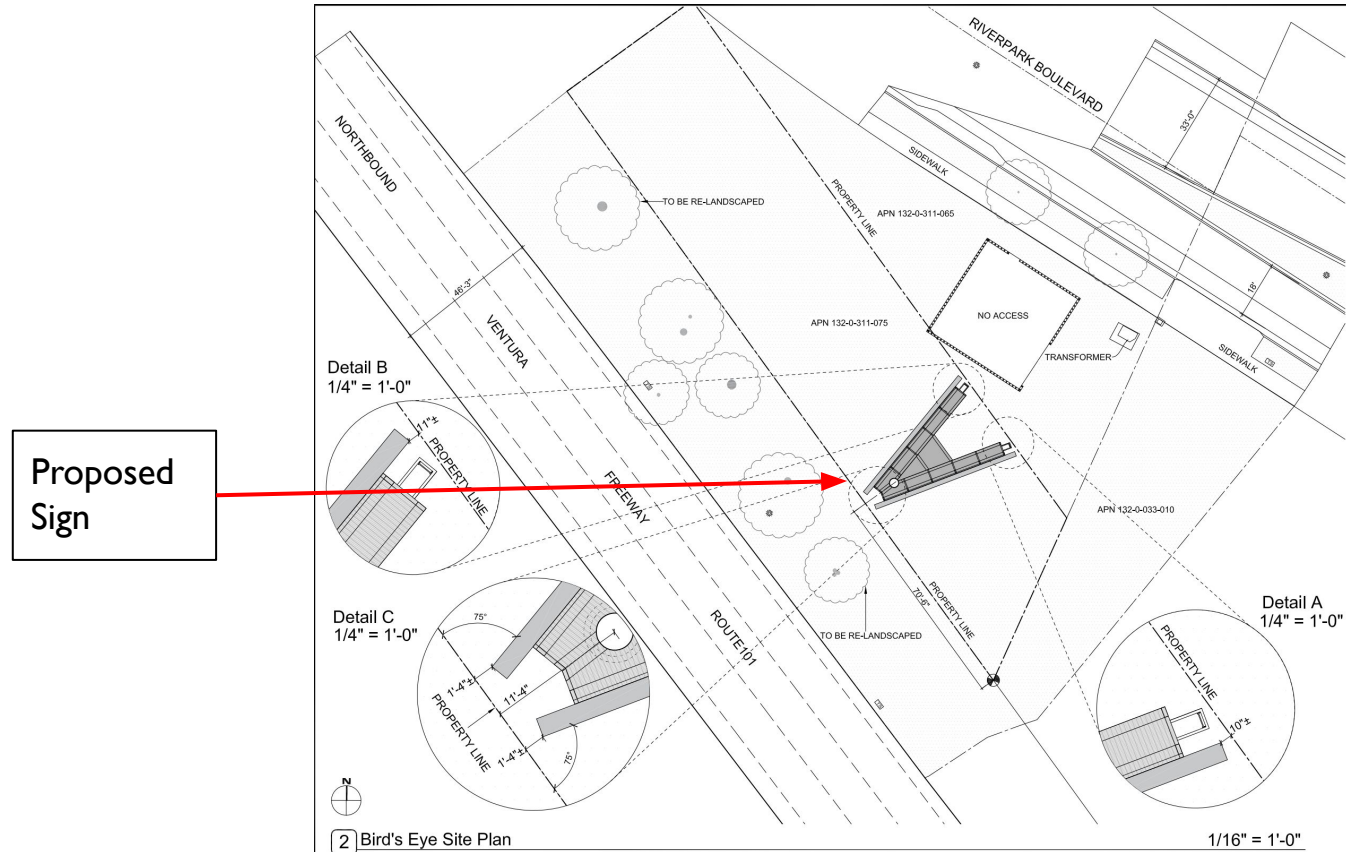
Background - Code Amendment

- Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard.
- Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

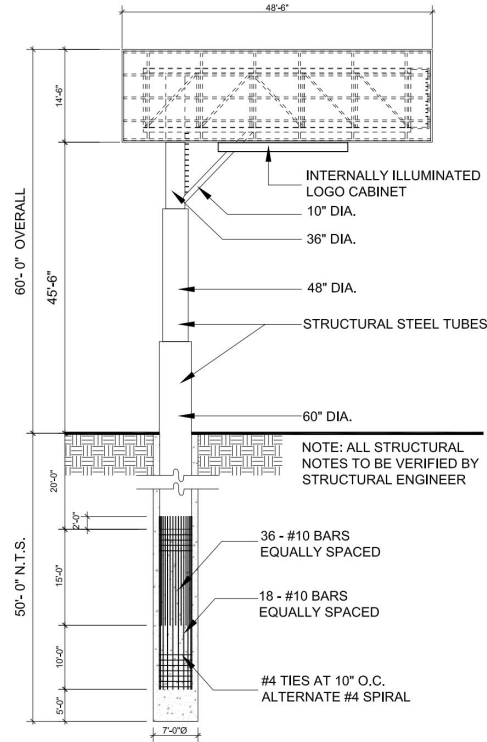
Background - RiverPark Specific Plan

- The RPSP was adopted by the City Council on September 10, 2002, together with the General Plan Amendment, Zone Change, Annexation, Development Agreement, and EIR certification related to the RPSP approval.
- The original RPSP allowed for the phased development of 2,805 dwelling units and 2,485,000 square feet of commercial development (including approximately 221,000 square feet of existing office development that was approved under the Oxnard Town Center Specific Plan, prior to the adoption of the RPSP).
- Seven prior amendments to the specific plan have been approved.

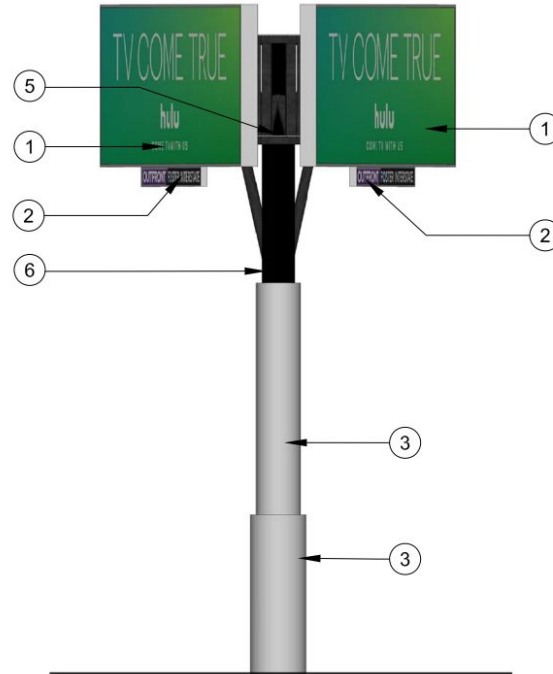
Proposed Site Plan



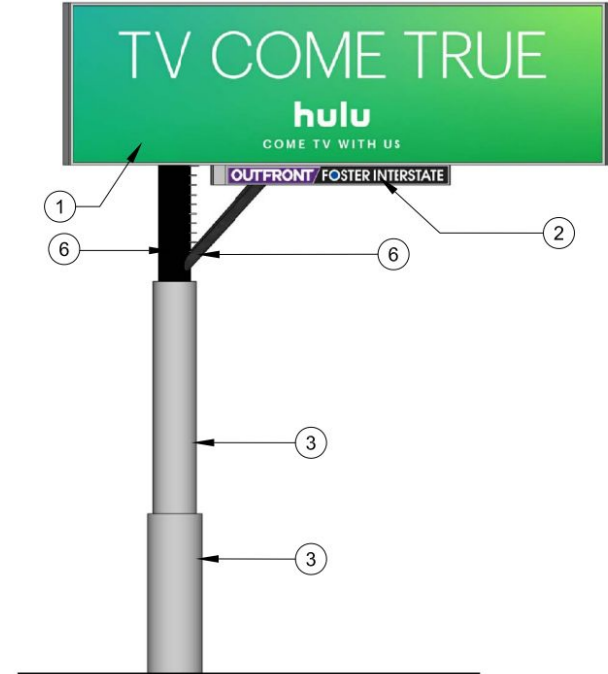
Proposed Sign Elevations



1 Overall Elevation
SCALE - 1/8" : 1'0"
(See A-3.0 For Color Scheme)

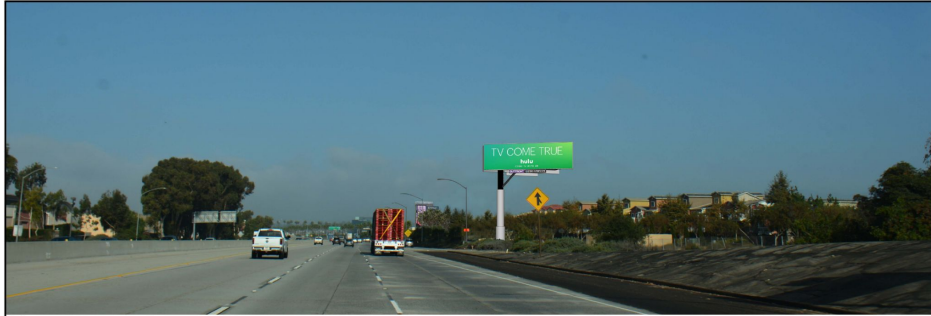


5 Elevation A
SCALE - 1/8" : 1'0"

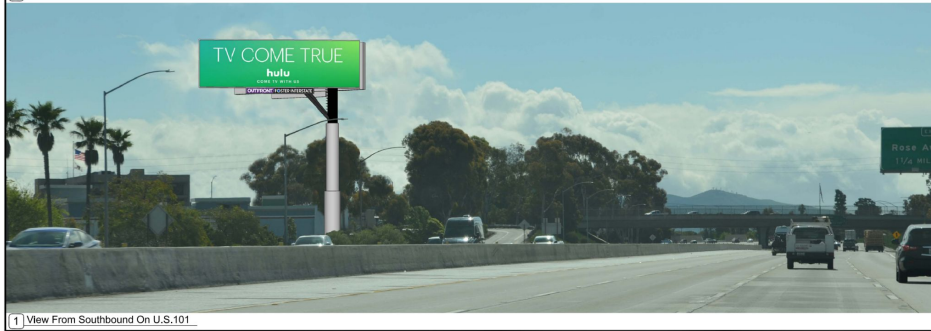


4 Elevation B
SCALE - 1/8" : 1'0"

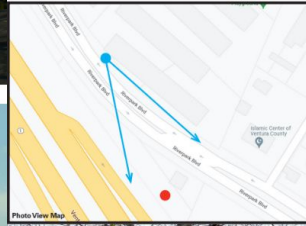
Proposed Sign Renderings



2 View From Northbound On U.S. 101



1 View From Southbound On U.S. 101



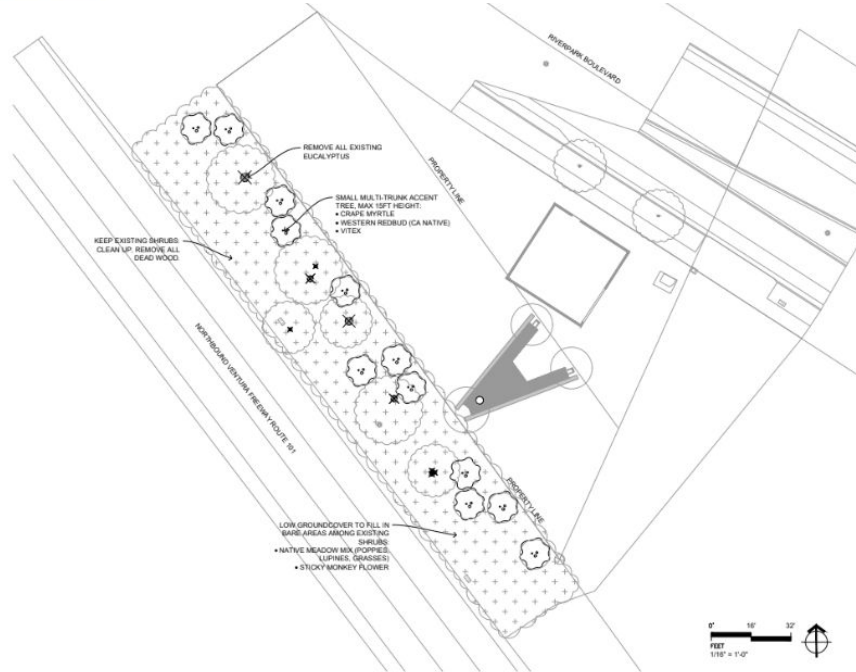
Proposed Landscape Improvements



CRAPPE MYRTLE: MANY SMALL VARIETIES ARE AVAILABLE



WESTERN REDBUD: CALIFORNIA NATIVE



LANDSCAPE DESIGN INTENT

THE LANDSCAPE DESIGN IS SIMPLE, NATURALISTIC, WATER CONSERVING AND LOW MAINTENANCE. IT IS IN CONTEXT WITH THE ADJACENT HIGHWAY, THE NEIGHBORING URBAN AREA AND WITH THE LOCAL ENVIRONMENT.

SMALL FLOWERING TREES DRIFT ALONG THE INSIDE EDGE, ADDING COLOR AND SOFTENING THE STRUCTURE.

THE UNDERSTORY RETAINS THE EXISTING LOW EVERGREEN SHRUBS AND FILLS IN THE BARE AREAS WITH A NATIVE MEADOW WHICH IS COMPOSED OF TOUGH LOW GROUNDCOVERS. ADDITIONAL WOODY SHRUBS ARE AVOIDED DUE TO THE POTENTIAL FIRE HAZARD OF THEIR FLAMMABLE INTERIORS.

THE DESIGN COMPLES WITH THE WATER EFFICIENT LANDSCAPE ORNANCE. IT INCORPORATES SUSTAINABLE PRINCIPLES AND BEST MANAGEMENT PRACTICES. SPECIES ARE CAREFULLY SELECTED AND COMBINED BASED ON SIMILAR WATER NEEDS AND HORTICULTURAL REQUIREMENTS. PLANTING AND IRRIGATION ARE COORDINATED SO THAT WATER USE IS MINIMIZED AND ENVIRONMENTAL BENEFITS ARE MAXIMIZED.

THIS LANDSCAPE PLAN IS CONCEPTUAL. FURTHER DESIGN IS REQUIRED TO DEVELOP IT TO



Development Agreement

- Provide public benefit in the form of monetary payments to the City.
- Allow for the use of City Property through a lease agreement.

RiverPark Specific Plan Amendment

- Add “Type 7-C: Freeway Adjacent Digital Display Billboards” building type.
- Provide development standards for Type 7-C: Freeway Adjacent Digital Display Billboards.
- Adjust landscaping requirements to remove freeway planting requirement where Billboards are proposed.
- Refer to OCC for specific standards.

Applicable General Plan Policies

- Many policies are directly or indirectly applicable to the proposed project. Some of the key policies are:
 - Community Development Policy 3.1 & 4.1 - Land Use Conflicts
 - Community Development Policy 9.1, 9.3, & 9.4 - Neighborhood Identity Gateway Enhancement/View Corridor Preservation
 - Environmental Resource Policies 6.1, 6.2, and 6.5 - Views in New Development/Scenic Resources, Lighting and Glare
 - Community Development Policy 8.5 - Impact Mitigation

Zoning Code Compliance

- As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City.
- The proposed project has been designed to be consistent with the proposed ordinance, as further detailed in the Staff Report.

Environmental Review

- An environmental consultant, under the supervision of Planning Division staff, prepared IS/MND which evaluated potential environmental impacts of the proposed Project. The IS/MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).
- City prepared a Mitigated Negative Declaration (MND):
 - a. MND review period for 30 days (30 days required)
 - b. City received four comment letters
 - c. Comments and responses included in MND
 - d. Changes made to Draft MND for Final MND based on comments
- Final IS/MND includes a Mitigation Monitoring and Reporting Program:
 - a. Details process to implement required mitigation measures
 - b. After implementation of standard conditions and mitigation measures, all potentially significant impacts reduced to less than significant levels

Environmental Review

- Final IS/MND identified the following:
 - Class 2 impacts (potentially significant by mitigable, mitigation required)
 - Biological Resources
 - Cultural and Tribal Cultural Resources
 - All other impact area were identified as Class 3 (less than significant)
 - Aesthetics included two recommended mitigations were incorporated
- Staff determined that there is no substantial evidence that the Project will have a significant effect on the environment.

Public Notice

- Notice of Community Workshop: December 20, 2021
 - Public notice signs were posted onsite.
 - Notifications were mailed to the RiverPark Neighborhood.
- Notice of PC hearing was provided:
 - Newspaper,
 - On-site posting; and
 - Mailed to property owners within 300 feet.
- To date, no public comments have been received.

Recommendation: That the Planning Commission:

- a) Adopt a resolution recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-02; and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 20-670-06 (Development Agreement), and
- c) Adopt a resolution recommending City Council approval of Planning and Zoning Permit No. 20-630-02 (Amendment to The RiverPark Specific Plan), subject to certain findings, and
- d) Adopt a resolution Approving Planning and Zoning Permit No. 20-500-07 (Special Use Permit), subject to certain findings and conditions.



B

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL DENY A MITIGATED NEGATIVE DECLARATION 22-02 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRONIC BILLBOARD AND ASSOCIATED SITE IMPROVEMENTS, A DEVELOPMENT AGREEMENT, AND SPECIFIC PLAN AMENDMENT FOR A PROJECT ON AN APPROXIMATELY 0.25-ACRE UNDEVELOPED SITE LOCATED BETWEEN THE U.S. 101 AND RIVERPARK BOULEVARD APPROXIMATELY 850 FEET NORTH OF VINEYARD AVENUE IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: 132-0-311-075). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) to allow for the installation and operation of an electronic billboard on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The Special Use Permit will also include minor landscape improvements within the adjacent Caltrans right of way. These will include the removal of the existing eucalyptus trees and the planting of alternatives, subject to Caltrans approval. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. (“Project”); and

WHEREAS, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

WHEREAS, the City determined that the Project and its associated actions are subject to the environmental review requirements of the California Environmental Quality Act (“CEQA”); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act

and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration with mitigation measures and monitoring program in accordance with the provisions of CEQA, including, without limitation CEQA Guidelines Sections 15070, 15071, 15072, and 15073, which have been incorporated as conditions; and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Draft Mitigated Negative Declaration (IS-MND) for the Project was published and posted on June 30, 2022, at the State Office of Planning and Research (OPR) website and at the Ventura County Recorder's Office pursuant to CEQA Guidelines Sections 15072 and 15073; and

WHEREAS, the public comment period on the DEIR ran for thirty (30) days commencing on June 30, 2022 and ending on July 29, 2022; and

WHEREAS, after the close of the comment period on the IS/MND, the IS/MND was modified as set forth in Chapter 4 of the Response to Comment document; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City has prepared Final IS/MND 22-02 containing all comments received on the Draft IS/MND 22-02, written responses to all substantive comments, and necessary changes to the text of the Draft IS/MND 22-02; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the Final IS/MND 22-02; and

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council deny Final IS/MND 22-02, incorporated by reference.

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Final IS/MND has been completed in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 – 21189).

SECTION 3. The Final IS/MND was presented to the Planning Commission, which, at a hearing before the public, reviewed and considered the information contained in the Mitigated Negative Declaration/Initial Study prior to making a recommendation to the City Council regarding the Project and its associated development entitlements.

SECTION 4. 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 pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-02 prepared for the Project. The Final IS/MND 22-02 is an accurate and complete statement of the potential environmental impacts of the project. The Final IS/MND 22-02 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

SECTION 5. The Planning Commission hereby recommends to the City Council the not adopt Final IS/MND 22-03, set forth attached hereto and incorporated herein by reference, and based thereon and on the Record as a whole.

SECTION 6. The Planning Commission hereby recommends that the City Council approve the resolution denying Final IS/MND 22-03, attached to the January 19, 2023 Planning Commission staff report and incorporated by reference.

SECTION 7. The Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023:

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, Secretary

C

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL DENY A DEVELOPMENT AGREEMENT AND LEASE OF PROPERTY (PLANNING AND ZONING PERMIT NO. 20-670-06) WITH OUTFRONT FOSTER INTERSTATE, LLC REGARDING PROPERTY LOCATED BETWEEN THE U.S. 101 AND RIVERPARK BOULEVARD APPROXIMATELY 850 FEET NORTH OF VINEYARD AVENUE IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: 132-0-311-075). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) to allow for the installation and operation of an electronic billboard on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard; and

WHEREAS, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has considered an application for Planning and Zoning Permit No. 20-670-06 (“**Project**”), a Development Agreement and Lease of Property between the CITY OF OXNARD, a municipal corporation of the State of California (the “City”) and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company (“OFI”) (collectively referred to “Applicant” or “Developer” in the record of proceedings); and

WHEREAS, the Development Agreement and Lease of Property (DA) shall allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement also outlines the required public benefits to be provided by the future development, including fiscal benefits to the City. The proposed DA is included in Exhibit A to this Resolution; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for a Development Agreement and Lease of Property(PZ 20-670-06) in accordance with Chapter 16-575 of the Oxnard City Code; and

WHEREAS, the Planning Commission finds, after due study, deliberation and a duly noticed public hearing on January 19, 2023, and received and reviewed written and oral comments, presented by staff and the Applicant with a series of questions, and that the project does not meet the criteria set out in California Government Code 65864 through 65869.5; and

WHEREAS, the Commission considered Final IS/MND 22-02 prior to making recommendations on the Project; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the proposed Development Agreement and Lease of Property is consistent with the 2030 General Plan; and

WHEREAS, the pursuit of the Development Agreement and Lease of Property is a reasonable exercise of the City's police powers to ensure the continued health, safety, and welfare of the public by public benefits for the residents of the City of Oxnard; and

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends that the City Council deny Planning and Zoning Permit No. 20-670-06 (Development Agreement), Exhibit A, hereto attached.

SECTION 1. The Recitals above are true and correct and incorporated into the operative provisions of this Resolution by this reference.

SECTION 2. The Planning Commission finds that the Development Agreement and Lease of Property is not internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

SECTION 3. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 ("Projects Which are Disapproved") because the proposed Project is denied.

SECTION 4. The Planning Commission hereby recommends that the City Council deny the Development Agreement and Lease of Property.

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

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023:

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

Development Agreement (PZ 20-670-06)
Planning Commission Hearing Date: February 2, 2023
Resolution No. 2023- XX
Page 4 of 4

EXHIBIT A

DEVELOPMENT AGREEMENT

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Oxnard
305 West Third Street
Oxnard, California 93030
Attention: City Clerk

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY

THIS DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY (“Agreement”) is made in Ventura County, California as of _____, 2023 by and between the CITY OF OXNARD, a municipal corporation of the State of California (“City”) and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company (“OFI”). The City or OFI may be referred to individually as a “Party” and collectively as the “Parties.”

RECITALS

A. The City and OFI entered into that certain Exclusive Negotiation Agreement (“ENA”) on June 19, 2019 regarding the lease of certain City property for freeway oriented digital billboards (“ENA Property”), which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference.

B. The City and OFI have entered into a First Amendment to the ENA dated November 13, 2019, a Second Amendment to the ENA, dated May 28, 2020, a Third Amendment to the ENA dated November 17, 2020, a Fourth Amendment to the ENA dated June 17, 2021, a Fifth Amendment to the ENA dated December 14, 2021, a Sixth Amendment to the ENA dated June 7, 2022 and a Seventh Amendment to the ENA dated December 6, 2022. As of the date of this Agreement, the ENA is still in full force and effect and OFI retains exclusive rights relating to the Property. Based upon the ENA, OFI has a legal or equitable interest in the ENA Property during the term of the ENA.

C. City is authorized, pursuant to Government Code sections 65864 through 65869.5 (the “Development Agreement Statute”) and City Council Resolution No. 10,488, to enter into binding development agreements with persons or entities with legal or equitable interests in real property located within the City in order to vest certain rights in the person or entity with the legal or equitable interest in such property.

D. City and OFI each mutually desire to enter into this Agreement to permit and ensure that a portion of the ENA Property, which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit B** attached hereto and incorporated herein by this reference (“Property”), is developed with a double-sided freeway oriented digital billboard (hereafter, the “Project”), and that such billboard is developed strictly

in accordance with the provisions of this Agreement, the Project Approvals (defined below), and associated entitlements.

E. The City has determined that it is in the best interests of City, and for the common benefit of the citizens residing in City, to enter into this Agreement with OFI for the construction, operation, maintenance, and repair of the Billboard (as that term is defined below) on the Property, subject to (i) OFI obtaining specific entitlements and approvals from Caltrans and the City, including a Specific Plan amendment and a Special Use Permit; and (ii) OFI agreeing to fully comply with all of the provisions of this Agreement, including the payment of specific financial considerations that are in the public interests.

F. To comply with the California Environmental Quality Act ("CEQA"), on _____, 2023, at a duly noticed public hearing, the Oxnard Planning Commission ("Planning Commission") certified the _____ (SCH # _____), as described more fully in Resolution _____, adopted a Mitigation, Monitoring, and Reporting Plan, and made the required CEQA findings.

G. On _____, 2023, at a duly noticed public hearing, the Planning Commission approved a Special Use Permit for the Project, with such approval contingent on City Council approval of the RiverPark Specific Plan amendment for the Project, as provided in Resolution _____. At the same public hearing, the Planning Commission considered and recommended approval of the amendment to the RiverPark Specific Plan for the Project and recommended that the City Council approve this Agreement by ordinance.

H. On _____, 2023, the Oxnard City Council ("City Council"), having received the Planning Commission's recommendations, held a duly noticed public hearing, voted to approve the amendment to the RiverPark Specific Plan for the Project, and introduce the ordinance to approve this Agreement. On _____, 2023 the City Council adopted Ordinance _____ approving the Agreement.

I. The Planning Commission and City Council have each given notice of their intention to consider this Agreement, have each conducted the required public hearings thereon, and have each found that the provisions of this Agreement are consistent with the City of Oxnard General Plan for development within the City, City zoning ordinances, and the RiverPark Specific Plan, as amended on _____, 2023. The City Council has also specifically considered the impacts and benefits of the Project upon the welfare of the residents of the City and the surrounding region. The City Council has determined that this Agreement is beneficial to the residents of the City and is consistent with the present public health, safety and welfare needs of the residents of the City and the surrounding region.

NOW, THEREFORE, in consideration of the foregoing Recitals which are hereby incorporated into the operative provisions of this Agreement by this reference and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the City and OFI agree as follows:

AGREEMENT

1. **Definitions.** For purposes of this Agreement, unless a different meaning is clearly required, the following terms will have the following meanings and be capitalized throughout this Agreement:

1.1 “Annual Net Revenue” means all income actually received by OFI in connection with the sale of advertising space on the Billboard (net of any commissions paid by OFI to advertising agencies, not to exceed 16-2/3%). For the purposes hereof, any income described in this definition will not include the value of any in kind usage of the Billboard by the City.

1.2 “Applicable Rules” means the rules, regulations and official policies of the City which were in force as of the Effective Date (as defined below), including, but not limited to, the General Plan, the Specific Plan (as defined below) and entitlements for the Project including, but not limited to, the Special Use Permit.

1.3 “Billboard” shall mean that double-sided freeway-oriented digital billboard contemplated to be developed on the Property pursuant to the Applicable Rules. OFI shall be responsible for the construction, operation, maintenance, and repair of the Billboard, subject to the terms and conditions of this Agreement.

1.4 “Caltrans Permits” means all permits and approvals, if any, that OFI must obtain from Caltrans and subsequently assign to the City to construct, operate, maintain, and repair the Billboard in accordance with this Agreement.

1.5 “City Council” shall mean the City Council of the City.

1.6 “City Manager” shall mean the City Manager of the City.

1.7 “Effective Date” means the date on which the ordinance approving this Agreement, as required by Government Code section 65867.5, becomes effective.

1.8 “General Plan” means the City of Oxnard 2030 General Plan adopted in October of 2011 and updated in December of 2016.

1.9 “Hazardous Materials” means any and all pollutants, wastes, flammables, explosives, radioactive materials, hazardous or toxic materials, hazardous or toxic wastes, hazardous or toxic substances, carcinogenic materials or contaminants and all other materials governed, monitored, or regulated by any Federal, State or local Law or regulation, including the Comprehensive Environmental Response, Compensation and Liability Act, the Hazardous Substances Account Act, and/or the Resources Conservation and Recovery Act, together with asbestos, asbestos-containing materials, hydrocarbons, polychlorinated biphenyl (“PCB”) or

PCB-containing materials, petroleum, gasoline, petroleum products, crude oil or any fraction, product or by product thereof.

1.10 “Hazardous Materials Laws” means all laws, codes, rules, orders, ordinances, directives, regulations, permits, or other requirements of federal, state, county, municipal or governmental authorities having jurisdiction, now in force or which may hereafter be in force concerning the management, use, generation, storage, transportation, presence, discharge or disposal of Hazardous Materials.

1.11 “MAG” or “Minimum Annual Guarantee” has the definition given such term in Section 7.1(a).

1.12 “Off-site Outdoor Advertising Sign” means a general outdoor advertising sign that directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered at a location other than on the same lot or parcel upon which the sign is located.

1.13 “Operational” refers to the time when the Billboard is fully capable, legally and functionally, of displaying advertising on the digital display.

1.14 “Operational Date” is the date when the Billboard is Operational.

1.15 “Periodic Review” shall have the meaning assigned to such term in Section 36.

1.16 “Planning Commission” shall mean the Planning Commission of the City.

1.17 “Rent” means the MAG described in Section 7.1 and, as applicable, Percentage Rent described in Section 7.2.

1.18 “Project Approvals” shall mean and refer to the RiverPark Specific Plan as amended on _____, 2023 and the Special Use Permit approved on _____.

1.19 “Specific Plan” shall mean the RiverPark Specific Plan. As amended on _____, 2023.

2. **Initial Term.** The “Initial Term” of this Agreement will begin on the Operational Date and will expire on the thirtieth (30th) year anniversary thereof. The Parties acknowledge that Government Code section 65868.5 requires the City to record this Agreement with the Ventura County Recorder’s Office no later than ten (10) days after the Parties enter into this Agreement and that the burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the Parties hereto, subject to the assignment provisions in Section 37.5 below.

3. **Tolling for Third Party Lawsuit.** If any third party files a lawsuit to challenge this Agreement, the City’s CEQA determination made in connection with its consideration of this Agreement and/or the Project Approvals (each, a “Third-Party Lawsuit”), OFI may request that the Initial Term be tolled during the pendency of the Third-Party Lawsuit by providing a

written notice (“Tolling Notice”) to City within thirty (30) days after the commencement of the Third-Party Lawsuit, and said request shall be granted by City. The tolling of the Initial Term shall automatically begin upon City’s receipt of the Tolling Notice, and it shall end on the earliest of the following to occur: (A) the date on which a court issues a final judgment in the Third-Party Lawsuit and the expiration of all appeal period(s) following that judgment; (B) the date the Third-Party Lawsuit is dismissed; or (C) one (1) year from the date of issuance of the Tolling Notice.

4. **Tolling for Initiative or Referendum.** If the subject of an initiative or referendum petition would overturn, set aside, or substantially modify this Agreement, the other Project Approvals, or otherwise substantially impair the development of the Project, the Initial Term of this Agreement shall be tolled under this Section 4. The Term shall be automatically tolled beginning on the date that the initiative or referendum petition is submitted to the Ventura County elections official for signature verification, and ending on the date the last of the following occurs: (A) the date the County elections official determines the petition does not include a sufficient number of signatures; (B) the date the measure is voted on by the Council; or (C) the date of the election on the measure, if placed on the ballot. Notwithstanding any language in Sections 3 and 4 to the contrary, the total length of extension of the Initial Term shall not exceed one (1) year from the date the initiative or referendum petition is submitted to the Ventura County elections official for signature verification.

5. **Implementation and Development of the Project.**

5.1 **Permitted Uses.** OFI agrees that Property shall only be developed in accordance with this Agreement and the Project Approvals.

5.2 **Subsequent Action and Approval.** The City agrees not to unreasonably withhold, condition or delay any action or approval by the City which may be required by the Project subsequent to the execution of this Agreement.

6. **Vested Right to Develop the Project.** Subject to Section 9 below and the Applicable Rules, the City hereby grants to OFI the vested right to develop the Project on the Property in accordance with this Agreement and the Project Approvals. Other than the Project Approvals and this Development Agreement, development of the Project as described in this Agreement shall require no further discretionary approvals by the City. City and OFI intend to cause all development rights which may be required to develop the Project in accordance with the Project Approvals to be deemed vested in OFI for the Initial Term to the greatest extent permitted by law.

7. **Rent.**

7.1 **Rent.** Rent, as set forth in this provision, shall commence on the Operational Date.

(a) **Minimum Annual Guarantee (MAG).** Each year, OFI shall pay City the Minimum Annual Guarantee (the “MAG”) in the initial amount of \$150,000 per year, starting on the Operational Date, in accordance with the terms set forth in this Section.

<u>Term</u>	<u>Rent</u>
<u>Years 1-30</u>	<u>\$150,000</u>

(b) Manner of Payment. An annual prorated share of the MAG is due and payable on a calendar quarter basis, commencing within forty-five (45) days of the Operational Date and within ten (10) days following the beginning of each calendar quarter occurring thereafter without notice, demand, offset or deduction. OFI shall remit the MAG to City at the address designated by City in writing to OFI for the payment of Rent. For any portion of the Initial Term that is less than a full calendar quarter, the MAG shall be prorated based on the number of days occurring during such calendar quarter and actual number of days in such calendar quarter.

(i) Late Charge. If OFI fails to pay any installment of MAG within ten (10) calendar days after the same is due and payable, such unpaid amount will be subject to a late payment charge equal to five percent (5%) of the unpaid amount in each instance; provided, however, OFI shall not be assessed with the foregoing late payment charge with respect to the first (1st) late payment in any consecutive twelve (12) month period unless and until OFI fails to make such payment to City within three (3) business days after written notice from City that it failed to receive such amounts within the time period set forth above. Following the first (1st) late payment in any calendar year, no notice by City shall be required for purposes of collecting a late payment charge. The late payment charge has been agreed upon by City and OFI, after negotiation, as a reasonable estimate of the additional administrative costs and detriment that City will incur as a result of any such failure by OFI, the actual costs thereof being extremely difficult—if not impossible—to determine. The late payment charge constitutes liquidated damages to compensate City for its damages resulting from such failure to pay, and OFI shall promptly pay such charge to City together with any unpaid interest

(ii) Default Interest. If any MAG is not paid within ten (10) calendar days following the due date, such unpaid amount will bear simple interest at the rate of 10% per year or the maximum permitted by law, whichever is lower (“Default Rate”) from the due date until paid. However, interest will not be payable on late charges incurred by OFI, nor on any amounts on which late charges are paid by OFI to the extent this interest would cause the total interest to be in excess of that which an individual is lawfully permitted to charge. Payment of interest will not excuse or cure any default by OFI.

(iii) Application of Payments. All payments received by City from OFI will be applied to the oldest obligation owed by OFI to City. No designation by OFI, either in a separate writing, on a check or money order, or otherwise will modify this Article 5 or have any force or effect.

7.2 Additional Consideration

(a) Percentage Rent. To the extent that the MAG for the 12-month period commencing on the Operational Date or anniversary of the Operational Date ("Agreement Year") during the Initial Term is less than 30% of the Annual Net Revenue for that Agreement Year (the difference being referred to herein as "Percentage Rent"), OFI shall pay to City, in addition to the MAG, within thirty (30) days after the end of the relevant Agreement Year, and to the extent applicable, the Percentage Rent.

(i) Reports. OFI shall furnish to City an annual statement of Annual Net Revenue within thirty (30) days after the end of each Agreement Year. Such statement shall be in a form acceptable to City. Each statement shall be signed and certified to be correct by a duly authorized officer of OFI. OFI shall keep and make available at its local office at _____ complete and materially accurate books of account, records, cash receipts and other pertinent data, in accordance with good accounting practices and in a form approved by City, showing the Annual Net Revenue, including without limitation, materially accurate records of every sale and other transaction made for any advertising display on the Billboard and any commissions paid by OFI pursuant to this Agreement. Such books of account, records, cash receipts and other pertinent data shall be kept for a period of no less than four (4) years after the end of each Agreement Year. The receipt by City of any statement, or any payment of Percentage Rent for any period, will not bind City as to the correctness of the statement or payment.

(ii) Inspection and Audit. City, at its sole option, will be entitled, at any time and from time to time during the Initial Term and during normal business hours and with prior written notice to OFI, to inspect, examine, copy and audit OFI's books, records and cash receipts as related to Annual Net Revenue. OFI shall cooperate fully with City and City's agents in making the examination. City, at its option, will also be entitled once during each Agreement Year and once after the termination of this Agreement, to cause an independent audit of such records to be performed by a certified public accountant designated by City, provided such accountant is not paid on a contingency fee basis. The audit will be conducted during usual business hours at OFI's office located at _____, unless another location is mutually agreed upon. If the audit shows that there is a deficiency in the payment of any Percentage Rent, then OFI shall promptly upon notice pay the deficiency to City which payment will not require any penalty or other late fee. City will pay the costs of the audit unless the audit shows that OFI understated Annual Net Revenue by more than three percent (3%) in which case OFI will pay all reasonable out-of-pocket costs paid to third party consultants and incurred by City in connection with the audit.

(b) City Usage. To the extent that commercial advertising time on the Billboard is unsold and available, City shall have the right to use 12.5% out of the total inventory of 16 spots (8 spots per face) or 2 total spots for the Billboard (such usage "City Usage"). Content displayed on the Billboard in connection with City Usage shall be displayed (subject to the terms of this Agreement) during the operation of the Billboard in increments, at the times of day and otherwise in the same manner as the commercial advertising displayed by OFI on the Billboard. Subject to the terms of this Agreement, City may use such time to promote any purpose that City, in its sole discretion determines best serves the needs of the City and residents, including but not limited to advertising City events and programs. City will submit "camera ready" artwork to OFI, at no cost to OFI, for display purposes. City agrees that for any City

Usage City will provide OFI with prior written notice of its desire for City Usage, City will provide OFI with the copy or text of such messages not less than ten (10) business days prior to the date such messages are to appear on the Billboard, and City Usage shall be limited to messages for the civic and public purposes described in this Section and will not be used directly or indirectly for any types of messaging or advertising which OFI would otherwise be able to sell to third parties in the ordinary course of OFI's business. City represents and warrants that all advertising materials and content supplied by City to OFI for display in connection with City Usage, (i) are owned or duly licensed by City and do not infringe or misappropriate the rights of any other person or entity, (ii) comply with all applicable federal, state, and local laws, rules and regulations and any industry codes or rules by which the parties may be bound and do not contain any obscene, libelous, slanderous or otherwise defamatory materials or refer in an offensive manner to the gender, race or ethnicity of any individual or group; (iii) are not false; and (iv) do not infringe upon any copyright, trademark or other intellectual property or privacy right of any third party. City hereby agrees to indemnify, defend and save harmless OFI against any and all claims, liabilities, losses, damages, fees and expenses arising out of or in connection with the City Usage, including but not limited to any claim for defamation, or infringement of any copyright, trademark, or other intellectual property or privacy right and reasonable attorneys' fees and expenses incurred in defending any such claims.

(c) Emergency Notifications. Without any offset in the City Usage described above and at no cost to the City and as further consideration for the use and occupancy of Property, Outfront shall make the Billboard available to Caltrans and the California Highway Patrol for purposes of "Amber Alerts" and for emergency or disaster notifications by local, state or federal agencies.

(d) Discount for Oxnard Auto Dealers and Oxnard Chamber of Commerce Members. For the Initial Term of this Agreement, Oxnard Auto Dealers and members of the Oxnard Chamber of Commerce shall receive a ten percent (10%) discount from the rates to advertise on the Billboard.

8. Advertising. The Billboard is not intended to provide a general public forum for purposes of communication, but rather to make use of property held by the City in a proprietary capacity in order to generate revenue. Except for any advertising or messages displayed on the Billboard at the request of the City (subject to the terms of this Agreement), all advertising to be displayed on the Billboard shall be strictly "commercial advertising." As used in this Agreement, "commercial advertising" means advertising for a commercial or industrial business, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose. In addition to the general limitation on Billboard advertising to strictly commercial advertising, OFI may not display any message that: is inherently false, misleading, or libelous (i.e., speech that is incapable of being presented in a manner that is not misleading); promotes the sale or use of firearms or tobacco products, whether directly or indirectly; promotes adult entertainment, products, conventions, events, or websites; contains "obscene matter," as that term is defined in local, California or federal law, including but not limited to any statements or words of an obscene, indecent or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency or any other matter or thing of an obscene, indecent or immoral character; contains any "political advertising," which means advertising that promotes or opposes any candidate for public office or promotes or opposes a

ballot measure, referendum, bond issue, or any federal, state or local legislation, regulation, or other discretionary action; contains language that presents a clear-and-present danger of causing riot, disorder, or other imminent threat to public safety, peace, or order. OFI shall, within 48 hours after written demand from City, at OFI's risk and expense, remove any advertising material or message that does not comply with the advertising criteria set forth in this Section, and which is not being disputed by OFI. If OFI fails to promptly cause the removal of such advertising, City may (but is not required to), without further process of law, cause the removal of the advertising. OFI shall reimburse City's costs of such actions upon demand and will bear the risk of any damage to the Billboard resulting from such actions. City may exercise such remedies without prejudice to any other remedies it may be entitled to exercise under this Agreement, at law or in equity. OFI agrees to ensure that businesses or organizations located within the City or residents of the City will be able to purchase advertising on the Billboard in such manner and at such rates as offered to businesses, organizations or persons located or residing outside of the City and that it will not permit any exclusivity contracts or arrangements with advertisers that would violate this covenant.

9. **Subsequent Applicable Rules.** Rules, regulations and official policies of the City, including but not limited to the General Plan, the Specific Plan, zoning and other development regulations adopted after the Effective Date of this Agreement ("Subsequent Applicable Rules") shall not be applicable to or binding upon the Project unless they are otherwise expressly allowed by this Agreement or are consented to in writing by OFI. The City shall not require OFI to obtain any approvals or permits for the development of the Project other than those permits or approvals which are required by the Applicable Rules. This Agreement will bind the City to the terms and obligations specified in this Agreement.

10. **No Conflicting Enactments.** The City shall not enact rules, regulation, ordinances or other measures which limit or control the development of any part of the Project which is inconsistent or in conflict with this Agreement.

11. **Moratorium or Initiative Measures.** OFI and the City intend that no moratorium or other limitation (whether relating to the rate, timing or sequence of the development of the Project and whether enacted by initiative or otherwise) affecting building permits or other entitlements shall apply to the Project to the extent such moratorium or other limitation is inconsistent with or conflicts with this Agreement.

12. **Legal Challenges.** City agrees to cooperate with OFI in all reasonable manners in order to keep this Agreement in full force and effect. Notwithstanding the preceding sentence, in the event of any legal action instituted by a third party or other government entity or official challenging the validity of this Agreement, the City and OFI agree to cooperate in defending such action, with OFI to indemnify the City pursuant to this Agreement. In the event of any litigation challenging the effectiveness of this Agreement or any portion thereof, this Agreement shall remain in full force and effect while such litigation, including any appellate review, is pending, unless a court of competent jurisdiction orders otherwise.

13. **Events of Default; Early Termination.**

13.1 Defaults by OFI. OFI will be in default under this Agreement (“Default”) upon occurrence of any of the following:

(a) OFI is at any time late in the payment of Rent or any other monetary sum called for by this Agreement and fails to make payment within thirty (30) days following a written notice to cure from City to OFI; or

(b) OFI fails to keep and perform any of its other covenants or agreements contained in this Agreement and such failure continues for more than thirty (30) days after a written notice to cure from City to OFI specifying, the obligation which OFI has failed to perform. Where it will reasonably take OFI more than thirty (30) days, as calculated from receipt of written notice from the City to cure the default and come into compliance with applicable covenants or agreements, the 30-day period shall be extended for a reasonable time to allow OFI to come in to compliance and OFI shall be in Default under this Agreement if it has failed to commence such cure within such 30-day period and has failed to diligently pursue completion of such cure; or

(c) After receipt of a written notice to cure from the City, OFI fails to cure within thirty (30) days and abandons and ceases to use the Property; or

(d) The Billboard is not Operational by the one (1) year anniversary of the later of: (i) OFI’s receipt of approval from Caltrans for the Caltrans Permits, and (ii) OFI’s receipt of all other approvals, permits and entitlements and associated CEQA review from the City and any other relevant responsible agencies for construction and other work related to the Billboard. The one (1) year anniversary shall, however, be tolled in the event of the filing of third party lawsuits, initiatives, or referenda, as specified in Sections 3 and 4.

13.2 City’s Remedies for Default by OFI. Upon the occurrence and during the continuance of any Default identified in Section 13.1, in addition to any and all other rights or remedies of City hereunder, City will have the sole option to exercise the following rights and remedies:

(a) City may terminate this Agreement if OFI is in default and fails to cure as provided in Section 13.1(a)-(c), or is in default as provided in Section 13.1(d), including any applicable tolling period.

(b) Except as provided in subdivision (c) below, in the event of a default by OFI, City shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate City for OFI’s specific obligations to the City pursuant to this Agreement.

(c) In the event that a third party lawsuit, referendum, or initiative has been filed that triggers the tolling provisions in Sections 3 and 4 and such lawsuit, referendum, or initiative has not been resolved, dismissed, terminated, or otherwise completed within the one (1) year tolling period, the City’s sole remedy for OFI’s failure to make the Billboard Operational as provided in Section 13.1(d), shall be to terminate this Agreement.

13.3 City Remedies Cumulative. Each right and remedy of City provided for herein will be cumulative and will not preclude City from exercising any other rights or remedies provided for in this Agreement. No payment by OFI of a lesser amount than the Rent nor any endorsement on any check or letter accompanying any check or payment of Rent will be deemed an accord and satisfaction of full payment of Rent; and City may accept such payment without prejudice to City's right to recover the balance of such Rent or to pursue other remedies.

13.4 Default by City. City will not be in default under this Agreement unless City fails to perform obligations required of City within thirty (30) days after written notice is delivered by OFI to City specifying the obligation which City has failed to perform; provided, however, that if the nature of City's obligation is such that more than thirty (30) days are required for performance, then City will not be in default if City commences performance within such 30-day period and thereafter diligently prosecutes the same to completion. All obligations of City hereunder will be construed as covenants, not conditions.

13.5 OFI's Remedies for Default by City. Upon the occurrence and during the continuance of any Default by City identified in Section 13.4, OFI will have the sole option to exercise the following rights and remedies:

(a) OFI may terminate this Agreement if City is in default and fails to cure as provided in Section 13.4.

(b) In the event of a default by City, OFI shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate OFI for City's specific obligations to OFI pursuant to this Agreement.

13.6 OFI Remedies Cumulative. Each right and remedy of OFI provided herein will be cumulative and will not preclude OFI from exercising any other rights or remedies provided for in this Agreement.

13.7 OFI's Early Termination Rights. OFI may terminate this Agreement effective 30 days after OFI gives the City written notice of termination, if any of the following circumstances occur:

(a) The view of the Billboard's display area from the portion of U.S. 101 adjacent to the Property is materially obstructed, and OFI did not cause the obstruction.

(b) OFI cannot safely use the Property to renovate, operate, maintain, repair, or improve the Billboard because of a non-remediable condition, and OFI did not cause the condition.

(c) There is a material diversion of traffic from, or a material reduction or change in the directional flow of traffic on, the portion of U.S. 101 adjacent to the Property, and the diversion or disruption continues uninterrupted for at least six (6) consecutive months.

(d) Through no fault of its own, OFI cannot obtain or maintain the governmental permits required to construct, operate, maintain, and repair the Billboard,

including the Caltrans Permits and City permits, or there is a legal challenge to such permits and approvals, including, but not limited to, any challenges under CEQA, and OFI elects, in its sole discretion, not to oppose such challenges, OFI may withdraw its applications for approval and terminate this Agreement.

(e) Use of the Billboard for its intended purpose is prevented or limited by law, or OFI is required by any court or other governmental entity, for reasons other than eminent domain, to remove the Billboard from the Property.

(f) The City is in default of this Agreement, and said default is not timely cured.

13.8 Consequential and Punitive Damages. Anything in this Agreement to the contrary notwithstanding, neither City nor OFI shall be liable to each other under or in connection with this Agreement for any consequential or punitive damages and each party waives, to the full extent permitted by applicable laws, any claim for consequential or punitive damages, and any claim for loss of business or profits.

14. Insurance.

14.1 Types of Policies. During the Initial Term and, if OFI is removing the Billboard, during OFI's removal of the Billboard, at no cost to City except as otherwise contemplated by this Agreement, OFI shall procure and maintain the forms and amounts of insurance covering OFI's possession and use of the Property set forth below ("OFI's Insurance"). OFI's Insurance shall be primary to and not contributing with any other insurance, self-insurance or joint self-insurance maintained by City, and shall name the City as an additional insured.

14.2 Commercial General Liability Insurance. A policy of commercial general liability insurance (occurrence form) having a limit of Two Million Dollars (\$2,000,000) per occurrence and Four Million Dollars (\$4,000,000) annual aggregate, providing coverage for blanket contractual liability (including OFI's indemnification obligations under this Agreement), products and completed operations liability, broad form property damage, and bodily injury (including wrongful death) and advertising injury coverage.

14.3 Workers' Compensation and Employer's Liability Insurance. Workers' compensation insurance, if required by law, which complies with all applicable state statutes and regulatory requirements, and employer's liability insurance coverage in statutory amounts. OFI shall also require any contractor utilized to perform any services or work at the Property pursuant to this Agreement to maintain such workers' compensation insurance and provide proof of such insurance prior to commencing any services or work at the Property.

14.4 Other Insurance. Any other form or forms of insurance as City may reasonably require from time to time, in form, amounts and for insurance risks against which a prudent OFI would protect itself, but only to the extent such risks and amounts are available in the insurance market at commercially reasonable costs.

15. City's Right to Enter and Inspect the Property. City and its authorized representatives will have the right to enter upon and inspect the Property at reasonable times (and

on no less than forty-eight (48) hours' notice) to determine OFI's compliance with this Agreement.

16. **Notification of Incidents.** OFI shall endeavor to notify City within forty-eight (48) hours after OFI has actual knowledge of the occurrence of any accident or event on or about the Billboard, the Property, any portion thereof, or any improvements thereon and which OFI actually determines could give rise to a claim against City, City's insurance, OFI, or OFI's Insurance, except that OFI will not be so obligated with respect to any accident or event which could give rise to a claim under OFI's workers' compensation insurance. OFI's notice shall be accompanied by a copy of any report(s) relating to such accident or event.

17. **Nonexclusive Easements.** The City reserves the right for itself and others in the future to establish nonexclusive utility easements (including easements for construction, maintenance, repair, replacement and reconstruction) over, under, through or on the Property in locations that will not interfere with OFI's use of the Property as contemplated by this Agreement. Under no circumstances shall the City permit the construction of any improvement on the Property, or adjacent City-owned properties, that will obstruct views of the Billboard from US 101. OFI will not be required to maintain or repair the utility easements unless OFI has caused the need to repair.

18. **Expiration of Agreement; Holding Over.** This Agreement will expire at the end of the Initial Term. If OFI holds over on the Property after the expiration of the Initial Term with the consent of City, such holding over will be construed to be only a tenancy from month to month, subject to all the covenants, conditions and obligations contained in this Agreement that applied at the expiration of the Initial Term. If OFI does hold over on the Property after the Initial Term, then OFI agrees to pay City as monthly rental an amount which is equal to 1/12th of the annual Rent paid by OFI to City during the last year of the Initial Term.

19. **Condition of Property.** The Property and all improvements thereon, are being leased to OFI in its current, existing, "AS IS" condition. City makes no representations or warranties of any kind, express or implied, written or oral, about any of the following: the physical condition of the Property; the suitability of the Property for OFI's anticipated use; any limitations on OFI's use of the Property; the costs of conducting OFI's business on the Property; or the condition of the soils or ground waters of the Property. By taking possession of the Property, OFI accepts the Property "AS IS" and acknowledges that the Property are satisfactory for OFI's purposes. OFI has ascertained the condition of the Property through its own independent investigation and has relied solely on that independent investigation when entering into this Agreement.

20. **Permitted Uses.** Subject to any City Usage, OFI has the exclusive right to display an Off-site Outdoor Advertising Sign on the Property consistent with **Exhibit C**. City will not authorize any other Off-site Outdoor Advertising Signs on the Property. OFI's right to construct an Off-site Outdoor Advertising Sign on the Property includes the right to the following uses: constructing, operating, maintaining, and repairing, the Billboard, and any utilities installed in connection with the Billboard; installing and maintaining utility wires, poles, cables, conduits, and pipes over or under the Property from the nearest accessible public right-of-way that support the permitted operations of the Billboard; and all rights of ingress and egress

over the Property that OFI needs to access the Billboard. Subject to the City's sole and absolute discretion as property owner, as well as the regulator through any generally applicable permit process, OFI may sublease the Property for telecommunications facilities on the Billboard with the written approval of the City and with any such revenue considered part of Annual Net Revenues. Such telecommunications facilities shall be "stealth;" not affect the aesthetic or structural integrity of the Billboard in the City's discretion.

21. **Prohibited Uses.** Hazardous Substances. Neither OFI nor any of OFI's representatives or agents may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials anywhere in, on, under or about the Property, the Billboard, or any improvements thereon. Notwithstanding the foregoing, OFI may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials in such limited amounts as are customarily used to construct, operate, maintain, or repair the Billboard in accordance with this Agreement, and so long as OFI is at all times in full compliance with all applicable environmental laws. OFI shall cause any and all Hazardous Materials brought onto, used, generated, handled, treated, stored, released or discharged by OFI or its authorized representatives on or under the Billboard, the Property, or any improvements thereon to be removed therefrom and transported for disposal in accordance with applicable laws, including Hazardous Materials Laws. City will have the right to enter the Property, or any improvements thereon, from time to time to conduct tests, inspections and surveys concerning Hazardous Materials and to monitor OFI's compliance with its obligations concerning Hazardous Materials and Hazardous Materials Laws (the City agrees that all such testing, inspections, surveys and monitoring will be at the City's expense unless the results of such testing, inspections, surveys or monitoring demonstrate that, with respect to OFI's use, handling, storage, transportation, treatment, generation, release or disposal of Hazardous Materials in, on, under or about the Property, the Billboard, or any improvements thereon, OFI has violated its obligations contained in this Section. OFI shall promptly notify City in writing upon its actual knowledge of: (a) any release or discharge of any Hazardous Material by OFI or its authorized representatives; (b) any voluntary clean-up or removal action instituted or proposed by OFI, (c) any enforcement, clean-up, removal or other governmental or regulatory action instituted or threatened against OFI, or (d) any claim made or threatened by any person against OFI, the Billboard, the Property, or any improvements thereon relating to Hazardous Materials or Hazardous Materials Laws. OFI shall also supply to City as promptly as possible, and in any event within five (5) business days after OFI receives or sends same, copies of all claims, reports, complaints, notices, warnings or asserted violations relating in any way to the Billboard, the Property, any portion thereof, or any improvements thereon or OFI's use thereof and concerning Hazardous Materials or Hazardous Materials Laws. In the event OFI institutes a cleanup or removal action, OFI shall provide copies of all work plans and subsequent reports submitted to the governmental agency with jurisdiction to City in a timely manner.

22. **Unlawful Activities.** OFI may not use or permit the Property to be used in any way that violates this Agreement or any valid and applicable statute, ordinance, regulation, rule, or order of any federal, state, or local governmental entity (including City). OFI may not maintain or commit, or permit the maintenance or commission of, any public or private nuisance as defined by any law applicable to the Property. OFI hereby waives any rights to compensation it may have if a court finds that the Billboard constitutes a public or private nuisance under any

valid and applicable federal, state, or local law and for that reason orders OFI to remove or modify the Billboard.

23. **Encumbrances.** OFI may not encumber the Property or any part of the Property or the Billboard or any part of the Billboard, for any purpose, without City's prior written consent, which City may withhold for any reason. OFI shall keep the Property and the Billboard free of all liens and other encumbrances other than those, if any, to which City consents.

24. **Construction and Operation of Billboard.** Subject to any required permits and approvals, OFI shall construct, operate, maintain and repair the Billboard on the Property in accordance with the provisions of this Agreement. Upon completion of the Billboard, OFI shall provide City with a complete set of as-built drawings.

25. **Permitting Costs.** OFI will bear the costs associated with obtaining the Caltrans Permits and costs related to all other permitting and entitlements which are required for the construction and operation of the Billboard, including obtaining any Project Approvals (as defined in Section 1.18), for the construction, operation, maintenance, and repair of the Billboard and the Property and any environmental review of the Property.

26. **Plans and Specifications.** At no cost to City, OFI shall prepare complete plans and specifications for the construction of the Billboard consistent with **Exhibit C** to this Agreement, working closely with City to develop plans and specifications that are mutually acceptable (the "Plans"). OFI shall submit the Plans to City for final approval, which City will not unreasonably withhold, condition or delay. The Billboard shall be designed to comply with all applicable state, county, and City codes and regulations.

27. **Caltrans Permits.** OFI is responsible for ensuring that the Billboard complies with all requirements of California's Outdoor Advertising Act and Regulations if Caltrans determines that the Property fall within the scope of such law. As soon as practicable after the Effective Date, OFI shall apply for the Caltrans Permits, or, if necessary, engage in discussions with Caltrans to negotiate a Billboard Relocation Agreement that is mutually agreeable to both OFI and Caltrans which will permit OFI to seek all Caltrans Permits required in connection with the construction and operation of the Billboard contemplated by this Agreement. OFI agrees that upon request by the City, OFI will provide updates and any reasonably requested documentation relating to the negotiations with Caltrans for the Caltrans Permits and any status on the issuance of the Caltrans Permits. During the Initial Term, OFI shall perform all obligations under the Caltrans Permits at no cost to City. OFI shall have twelve (12) months from the Effective Date to obtain the Caltrans Permits, which period shall be subject to the one (1) year tolling period provided in Sections 3 and 4 in the event of a third party lawsuit, initiative, or referendum. If OFI has not received the Caltrans Permits at the end of such twelve (12) month period in addition to any tolling period as provided in Sections 3 and 4, and provided that OFI has diligently pursued the Caltrans Permits, City must provide OFI an extension of an additional six (6) months to obtain the Caltrans Permits. If, following such additional six (6) month extension period, OFI is still unable to obtain the Caltrans Permits, either the City or OFI can agree to another extension of time or terminate this Agreement.

28. **Cooperation in Completing Project; Landscaping.** OFI and City acknowledge and agree that in order to provide for OFI's effective utilization of the Billboard, the Billboard must be visible without obstruction. Such effective utilization necessitates the removal of the trees depicted on **Exhibit D** (collectively, the "Trees"). City agrees to reasonably cooperate (at no cost to City) with OFI, including, without limitation, applying for certain permits in the name of the City, as necessary for the successful completion of the Project and fulfillment of Project requirements, including, without limitation, accomplishment of each and every mitigation measure, and all other requirements or conditions that may be imposed on the Project by other public agencies. OFI acknowledges and agrees that such requirements and conditions may include the planting of new landscaping and/or trees. OFI shall be solely responsible for paying all costs associated with this process.

29. **Construction.** OFI shall begin design process and permitting process for the Billboard as soon as practicable after the Effective Date and shall diligently pursue construction to completion without unnecessary interruption so that the Billboard is Operational by the date established in Section 13.1(d). OFI will be excused, however, for any delays in beginning or completing construction that are caused by a Force Majeure Event, as defined in Section 33. OFI shall use reasonable diligence to avoid such delays and to resume work as promptly as possible after such a delay.

30. **Prevailing Wages.** The parties agree that any "construction, alteration, demolition, installation, or repair work" ("Improvement Work") shall comply with applicable prevailing wage policies as set forth in California Labor Code section 1720 et seq., any applicable federal law and applicable regulations thereto ("Prevailing Wage Laws"). OFI shall defend, indemnify and hold harmless City and its officers, officials, employees, volunteers and agents from any claims arising out of or in any way connected to OFI's obligations regarding compliance with Prevailing Wage Laws.

31. **Maintenance.** OFI shall be responsible for all the on-going repair, maintenance, installation, and operation costs of the Billboard, and related improvements on the Property at no cost to the City. OFI shall also be responsible for the prompt removal of any graffiti from the Billboard within forty-eight (48) hours of receiving notice of the graffiti.

32. **Damage or Destruction to the Billboard.** This Agreement will continue in full effect if the Billboard is substantially damaged or destroyed in whole or part by any cause whether or not covered by the fire-and-casualty insurance OFI maintains, subject to the following:

32.1 The Rent thereafter due under this Agreement will abate from the date of the casualty until the repair or replacement of the Billboard is completed.

32.2 The City and OFI will mutually agree upon the repair or replacement of the Billboard, which such repair or replacement will use any proceeds of insurance maintained by the City or otherwise at the expense of the City. In connection with any election to repair the casualty, OFI and the City will promptly apply for, and diligently pursue the issuance of, any permits or approvals needed to repair or replace the Billboard. Within thirty (30) days after obtaining the necessary permits and approvals, the party which will perform such repair or

replacement will begin work to repair or replace the Billboard and diligently pursue the completion thereof.

32.3 In the event of any damage or destruction which is covered by insurance, the City will promptly make proof of loss and proceed promptly to collect, or cause to be collected, all valid claims which the City may have against insurers or others based upon any such damage or destruction. Except as otherwise provided above, amounts received on account of any losses pursuant to insurance policies shall be used and expended for the purpose of fully repairing or reconstructing the portions of the Billboard which has been destroyed or damaged.

32.4 Notwithstanding anything herein to the contrary, if (a) the cost to repair or replace the damage or destruction of the Billboard exceeds 50% of its fair-market value immediately before it is damaged or destroyed; and (b) the damage or destruction occurs during the last five (5) years of the Initial Term, then the City may terminate this Agreement upon written notice to OFI without penalty.

33. **Force Majeure** As used in this Agreement “Force Majeure Events” and “Pandemic Events” have the following meaning:

33.1 “Force Majeure Events” mean, collectively: (1) governmental preemption or governmental shutdowns of business in connection with a national emergency, (2) work stoppages or other delays due to pandemics or other unforeseen circumstances, (3) conditions that prevent or delay construction and which are affected by war, pandemic, civil unrest or other international, national, state or municipal emergency or other cause, (4) act of God, (5) Pandemic Events (as hereinafter defined) or (6) any other cause, similar or dissimilar, beyond the reasonable control of either party; and

33.2 “Pandemic Events” shall mean (1) governmental shutdowns of business in Ventura County in connection with the occurrence of a pandemic or other public health emergency, or (2) the issuance of “shelter-in-place” orders affecting Ventura County by one or more governmental authorities due to the occurrence of a pandemic or other public health emergency.

34. **Utilities.** At no cost to City, OFI shall provide and pay for all utility connections, utility equipment, and utility service required to construct, operate, maintain, repair, improve, or reposition the Billboard throughout the Initial Term (provided that City will pay for all such costs and expenses in connection with the construction and operation of the City’s Telecommunication Facilities, if applicable). OFI shall coordinate with City and the applicable utility companies for utility tie-ins and electrical power sources that OFI may need to construct and operate the Billboard.

35. **Removal of Billboard.** OFI shall be responsible for the removal of the Billboard, and other improvements from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), at the expiration of the Initial Term of this Agreement, unless the City waives OFI’s removal obligation in writing. In

the event this Agreement is otherwise terminated or cancelled prior to the expiration of the Initial Term, OFI shall remove the Billboard and other improvements installed by OFI from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), unless the City waives OFI's removal obligation in writing. Notwithstanding the above, OFI shall not be required to remove those portions of the Billboard and other improvements made by OFI on the Property that are more than ten (10) feet below grade. OFI shall cause the removal as required under this Section within thirty (30) days from the end of the Initial Term or from the date of early termination, whichever the case may be. If OFI does not timely remove the Billboard and other improvements as required by this Section, City may, but shall not be required to, remove or cause the removal of the Billboard and other improvements on the Property at OFI's expense. OFI shall reimburse City within thirty (30) days of receipt of an itemized accounting of the cost for such removal and the restoration of the Property to its state immediately prior to the installation of the Billboard. City and OFI acknowledge and agree that OFI and its assigns shall be the exclusive owner and operator of the Billboard, and that all equipment comprising the Billboard shall remain the personal property of OFI and its assigns and shall not become fixtures of the Property. City shall have no right, title or interest in the Billboard or any component of the Billboard, notwithstanding the manner in which the Billboard is or may be physically attached, mounted or adhered to the Property.

36. **Taxes.** OFI shall pay without abatement, deduction, or offset any income taxes or possessory interest taxes levied on or assessed against the Billboard located on the Property, OFI's equipment, fixtures, and personal property located on or in the Property, which are directly attributable to this Agreement or OFI's use of the Property, whether belonging, owned, or chargeable against the City. OFI shall make all such payments directly to the charging authority prior to delinquency and before any fine, interest, or penalty becomes due or is imposed for OFI's non-payment. Following prior request by City, OFI shall provide City with proof of payment of such tax.

37. **Compliance Review.**

37.1 **Periodic Review.** Pursuant to Government Code section 65865.1, the City Manager shall, not less than once in every twelve (12) months, review the Project and this Agreement to ascertain whether or not OFI is in full compliance with the terms of this Agreement (the "Periodic Review").

37.2 **Review Procedure.** During a Periodic Review, OFI shall provide information reasonably requested by the City Manager that the Project is being developed in good faith compliance with the terms of this Agreement. Upon completion of a Periodic Review, the City Manager shall submit a report to the City Council setting forth the City Manager's findings. If, as a result of a Periodic Review, the City Council finds and determines on the basis of substantial evidence that OFI has not complied in good faith with the terms or conditions of this Agreement, the City shall issue a written "Notice of Noncompliance" to OFI specifying the grounds therefore and all facts demonstrating such noncompliance. OFI's failure to cure the alleged non-compliance within ninety (90) days after receipt of the notice, or, if such noncompliance is not capable of being cured within ninety (90) days, OFI's failure to initiate all

actions required to cure such noncompliance within ninety (90) days after receipt of the notice, shall constitute a default under this Agreement on the part of OFI and shall constitute grounds for the termination of this Agreement by the City as provided for below.

37.3 Termination or Modification for Non-Compliance. Pursuant to Government Code Section 65865.1, if the City Council finds and determines, on the basis of substantial evidence, that OFI has not complied in good faith with the terms or conditions of this Agreement, the City Council may modify or terminate this Agreement. Any action by the City with respect to the termination or modification of this Agreement shall comply with the notice and public hearing requirements of Government Code section 65865.1 in addition to any other notice required by law. Additionally, the City shall give OFI written notice of its intention to terminate or modify this Agreement and shall grant OFI a reasonable opportunity to be heard on the matter and to oppose such termination or modification by the City.

37.4 Modification, Amendment or Cancellation by Mutual Consent. Pursuant to Government Code section 65868, this Agreement may be amended or canceled, in whole or in part, by mutual written consent of the City and OFI or their successors in interest. Public notice of the parties' intention to amend or cancel any portion of this Agreement shall be given in the manner provided by Government Code section 65867. Any amendment to the Agreement shall be subject to the provisions of Government Code section 65867.5.

37.5 Inurement and Assignment. This Agreement shall inure to the benefit of and bind the successors and assigns of the City and OFI and may be assigned by either the City or OFI to any party or parties pursuant to the requirements of this Section. The specific rights and obligations of this Agreement shall be deemed covenants running with the land that concern and affect the Property. Prior to OFI's assignment of any rights, duties or obligations under this Agreement, OFI shall present such information to the City as will reasonably demonstrate to the City's satisfaction that the proposed assignee (the "**Assignee**") has the financial ability and experience to fulfill those specific rights, duties and obligations under the Agreement that the Assignee will assume. The City shall have the right to approve the proposed Assignee, provided that the City's approval may not be unreasonably withheld. Because this Agreement is a statutory Development Agreement, if City staff determine that they can recommend approval of the proposed Assignee, a public hearing before the Planning Commission and City Council will be necessary to approve the proposed amendment to this Agreement. If the City does not approve the Assignee, the City shall deliver notice to OFI of the reasons for the City's disapproval of the Assignee. Once such approved assignment or succession has occurred and the Assignee has agreed to accept the applicable obligations under this Agreement, OFI shall be released from its obligations under this Agreement assumed by the Assignee with respect to the Property, or portion thereof, so transferred. Notwithstanding anything herein to the contrary, OFI shall not be required to obtain the City's written consent prior to effecting a transfer of all or a portion of OFI's interests to OFI member agencies Foster Interstate, LLC and Outfront Media, LLC.

38. Monetary Damages. OFI and the City acknowledge that neither the City nor OFI would have entered into this Agreement if either were liable for monetary damages under or with respect to this Agreement or the application thereof. Both the City and OFI agree and recognize that, as a practical matter, it may not be possible to determine an amount of monetary

damages which would adequately compensate OFI for its investment of time and financial resources in planning to arrive at the kind, location, intensity of use, and improvements for the Project, nor to calculate the consideration the City would require to enter into this Agreement to justify such exposure. Therefore, the City and OFI agree that neither shall be liable for monetary damages under or with respect to this Agreement or the application thereof and the City and OFI covenant not to sue for or claim any monetary damages for the breach of any provision of this Agreement. This foregoing waiver shall not be deemed to apply to any fees, payments, reimbursements or other monetary amounts specifically required to be paid by OFI to the City pursuant to this Agreement.

39. **Specific Performance.** OFI has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement and it is not possible to determine the amount of monetary damages that would adequately compensate OFI for such efforts. Damages would not be an adequate remedy if City fails to carry out its obligations under this Agreement, and that OFI shall have the right to seek and obtain specific performance as a remedy for any breach of this Agreement. The City's remedy to terminate or amend this Agreement in the event of OFI's uncured breach shall be sufficient in most circumstances.

40. **Administration of Agreement and Resolution of Disputes.** OFI shall at all times have the right to appeal to the City Council any decision or determination made by any employee, agent or other representative of the City concerning the Project or the interpretation and administration of this Agreement. All City Council decisions or determinations regarding the Project or the administration of this Agreement shall also be subject to judicial review pursuant to Code of Civil Procedure section 1094.5, provided that, pursuant to Code of Civil Procedure section 1094.6, any such action must be filed in a court of competent jurisdiction not later than ninety (90) days after the date on which the City Council's decision becomes final.

41. **Recordation of this Agreement.** Pursuant to Government Code section 65868.5, the City Clerk shall record a copy of this Agreement in the Official Records of Ventura County within ten (10) days after the mutual execution of this Agreement.

42. **Constructive Notice and Acceptance.** Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is, and shall be, conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Property.

43. **No Third-Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the City, OFI and their respective successors and assigns. No other person or entity shall have any right of action based upon any provision of this Agreement.

44. **Miscellaneous.**

44.1 **Notices.** All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be (as elected by the

person giving such notice) (i) hand delivered by messenger or courier service, (ii) by overnight delivery (including Federal Express), or (iii) by United States mail (postage prepaid), registered or certified, return receipt requested, addressed to the addresses set forth below. Each notice shall be deemed delivered (1) on the date delivered if by personal delivery, (2) on the date of delivery by the overnight delivery service if by overnight delivery, or (3) seventy-two (72) hours after deposit in the United States mail (postage prepaid) if by registered or certified mail. By giving to the other parties at least fifteen (15) days' written notice, the parties to this Agreement and their respective successors and assigns shall have the right from time to time and at any time during the term of this Agreement to change their respective addresses and each shall have the right to specify as its address any other address.

If to City: City of Oxnard
300 West Third Street
Oxnard, California 93030
Attention: City Manager

with a copy to: City of Oxnard
214 South C Street
Oxnard, California 93030
Attention: Community Development Director
Tel. No.: (805) 385 7877
Fax No.: (805) 385 7854

with a copy to: City of Oxnard
300 West Third Street
Oxnard, California 93030
Attention: City Attorney

If to OFI: Outfront Foster Interstate LLC
1111 Broadway, Suite 1515
Oakland, CA 94607
Attn: John B. Foster, President
Fax: (415) 832-7080

with a copy to: Outfront Media LLC
405 Lexington Avenue, 17th Floor
New York, NY 10174
Attn: General Counsel

with a copy to: Miller Starr Regalia
1331 North California Boulevard, Fifth Floor
Walnut Creek, CA 94596
Attn: Anthony Leones
Tel: (925) 941-3261
Fax: (925) 933-4126

Email: tony.leones@msrlegal.com

with a copy to:

Wendel Rosen LLP
1111 Broadway, 24th Floor
Oakland, CA 94607
Attn: Matt Dambrov
Tel: (510) 834-6600
Fax: (510) 834-1928
Email: mdambrov@wendel.com

44.2 Severability. If any part of this Agreement is declared invalid for any reason, such invalidity shall not affect the validity of the remainder of the Agreement. The other parts of this Agreement shall remain in effect as if this Agreement had been executed without the invalid part. The City and OFI intend and desire that the remaining parts of this Agreement continue to be effective without any part or parts that have been declared invalid.

44.3 Entire Agreement; Conflicts. This Agreement represents the entire agreement between the City and OFI with respect to the subject matter hereof and supersedes all prior agreements and understandings, whether oral or written, between the City and OFI with respect to the matters contained in this Agreement. Should any or all of the provisions of this Agreement be found to be in conflict with any other provision or provisions found in the Applicable Rules or the Subsequent Applicable Rules, then the provisions of this Agreement shall govern and prevail.

44.4 Further Assurances. The City and OFI agree to perform, from time to time, such further acts and to execute and deliver such further instruments reasonably necessary to effect the intents and purposes of this Agreement, provided that the intended obligations of the City and OFI are not thereby modified.

44.5 Negation of Agency. The City and OFI acknowledge that, in entering into and performing under this Agreement, each is acting as an independent entity and not as an agent of the other in any respect. Nothing contained herein or in any document executed in connection herewith shall be construed as making the City and OFI joint venturers, partners or employer/employee.

44.6 Attorneys' Fees. In the event of any claim, dispute or controversy arising out of or relating to this Agreement, including an action for declaratory relief, the prevailing party in such action or proceeding shall be entitled to recover its court costs and reasonable out of pocket expenses not limited to taxable costs, including, but not limited to telephone calls, photocopies, expert witness, travel, and reasonable attorneys' fees and costs to be fixed by the court. Such recovery shall include, but not limited to, court costs, out of pocket expenses and attorneys' fees on appeal, if any. The court shall determine who is the "prevailing party," whether or not the dispute or controversy proceeds to final judgment. If the City or OFI is reasonably required to incur such out of pocket expenses and attorneys' fees as a result of any claim arising out of or concerning this Agreement or any right or obligation derived hereunder,

then the prevailing party shall be entitled to recover such reasonable out of pocket expenses and attorneys' fees whether or not an action is filed.

44.7 Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought.

44.8 Estoppel Certificates. Within thirty (30) days following the receipt by City of a written request by OFI, the City shall execute and deliver to the requesting OFI a statement (an "estoppel certificate") certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the City alleges that specified (date and nature) defaults exist. The estoppel certificate shall also provide any other reasonable information requested. The failure to timely deliver a requested estoppel certificate shall constitute a conclusive presumption that this Agreement is in full force and effect without modification, except as may be represented by the requesting OFI, and that there are no uncured defaults in the performance of the requesting OFI, except as may be represented by the requesting OFI. The requesting OFI shall pay to City all reasonable administrative costs incurred by City in connection with the issuance of estoppel certificates under this Section prior to City's issuance of such certificates. Any such certificate may be and is intended to be relied upon by any person, including, but not limited to, the other Party, potential purchasers or lessees of all or any part of the Property, lenders or potential lenders.

44.9 Section Headings. The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

44.10 Relationship of the Parties; Not Third-Party Beneficiaries. This Agreement does not create any relationship or association between City and OFI other than that of landlord and tenant, and it is expressly understood and agreed that City does not in any way nor for any purpose become a partner of OFI or a joint venturer with OFI in the conduct of OFI's business or otherwise; nor does this Agreement create between City and OFI the relationship of principal and agent. The parties do not intend to create any third-party beneficiaries to the Agreement.

44.11 Time of Essence. Time is of the essence of this Agreement, and all performances required hereunder shall be completed within the time periods specified. Any failure of performance shall be deemed as a material breach of this Agreement.

44.12 Counterparts. This Agreement and any modifications hereto may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.

45. Indemnification.

45.1 Definitions. For the purposes of this Section, the following definitions will apply:

(a) “Person” is to be interpreted broadly and includes OFI and OFI’s directors, officers, employees, contractors, and agents; and City and City’s elected officials, officers, employees, contractors, and agents.

(b) “Liabilities” means all liabilities, claims, demands, damages, and costs (including reasonable attorneys’ fees and litigation costs through final resolution on appeal) that arise directly or indirectly from OFI’s possession or use of the Property.

(c) “Occurrence” means (A) the death of, or injury to, any person; and (B) damage to, or destruction of, any real property, personal property (including intellectual property), or the environment (broadly interpreted to include the air, soil, soil vapor, surface water, groundwater, flora, and fauna on or about the Property).

45.2 General Indemnity. Except to the extent claims are caused by the negligence or willful misconduct of the City and its employees, agents and contractors, and not waived by OFI, OFI shall indemnify, protect, defend, and hold harmless City and its elected officials, officers, employees, volunteers, lenders, agents, and representatives and each of their successors and assigns from and against any and all third party claims, judgments, causes of action, damages, penalties, costs, liabilities, and expenses, including all reasonable out-of-pocket costs, attorneys’ fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon, arising at any time during or after the Initial Term as a result (directly or indirectly) of or in connection with (a) any OFI default under this Agreement (including in the performance or non-performance of any obligation on OFI’s part to be performed under the terms of this Agreement); (b) OFI’s performance of the design and construction of the Billboard; (c) OFI’s or OFI’s representatives or agents use of the Property, the Billboard, any portion thereof, or any improvements thereon, the conduct of OFI’s business or any activity, work or thing done, permitted or suffered by OFI or its representatives or agents in or about the Property or any portion thereof, or any improvements thereon, except that with regard to the presence of Hazardous Materials, the Property or any improvements thereon, OFI will not be responsible for conditions that existed prior to the date that City delivers exclusive control of the Property to OFI and, whether prior to the Effective Date or not, were not caused by OFI or its authorized representatives; and (d) any negligent or willful act, error or omission of OFI or its representatives or agents in or about the Billboard, any portion thereof, or any improvements thereon (collectively, “Indemnification”). OFI shall provide such Indemnification by and through counsel reasonably approved by City. Without limiting the foregoing, OFI’s obligation under this Section includes Liabilities arising from any of the following:

(a) Any Occurrence that is caused by, or related in any way to, a verbal or nonverbal display on the Billboard.

(b) OFI’s failure to perform any provision of this Agreement due to no fault of City, to comply with any requirement of law applicable to OFI, or to fulfill any requirement imposed by any governmental entity (including City when acting as a government) on OFI or on OFI’s use of the Property.

(c) Any claim that OFI's policies with respect to the allocation of advertising time violate any person's or persons' First Amendment rights.

(d) Any Occurrence caused or allegedly caused by (i) any condition of the Property created by OFI or by any Person on the Property with OFI's permission; or (ii) some act or omission on the Property by OFI or by any Person on the Property with OFI's permission.

OFI agrees that its obligation under this Section includes the reasonable costs of attorney fees incurred by City's City Attorney's Office to monitor and consult with OFI regarding the defense of any such Liabilities, including providing direction with regard to strategy, preparation of pleadings, settlement discussions, and attendance at court hearings, mediations, or other litigation related appearances. City will use its best efforts to avoid duplicative attorney work or appearances in order to keep litigation costs to a reasonable minimum. OFI further acknowledges and agrees that settlement of any Liabilities requires the consent of City. City agrees that its consent will not be unreasonably withheld provided that OFI is financially able (based on demonstrated assets) to fulfill its obligation to indemnify City for the costs of any such settlement as required under this Agreement

45.3 Hazardous Materials. Except to the extent caused by City's negligence or willful misconduct, caused by a third party or with regard to the presence of Hazardous Materials on the Property as of the date City delivers exclusive control of the Property to OFI, OFI shall indemnify, defend and hold City harmless from any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses (including attorneys' fees and expenses and consultant fees and expenses) caused or alleged to have been caused by OFI's use, storage, handling, treatment, generation, discharge or release of Hazardous Materials in violation of OFI's obligations under this Agreement, whether such claims, causes of action or liabilities are first asserted during the Initial Term or thereafter, and including claims made against City with respect to bodily injury, death or property damage sustained by third parties caused or alleged to have been caused by OFI's use, storage, handling, treatment, generation, discharge or release of Hazardous Materials. For the purposes of clarification, the indemnity contained in this Section will be the sole indemnity OFI provides to the City with respect to Hazardous Materials and (b) OFI will not be responsible for nor indemnifies the City for any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses with respect to Hazardous Materials which do not directly result from OFI's use, storage, handling, treatment, generation, discharge or of Hazardous Materials in violation of OFI's obligations under this Agreement.

45.4 Survival. Each party's obligations under this Agreement will survive expiration or termination of this Agreement for a period of three (3) years following termination.

45.5 Reference of California Law. Unless expressly stated to the contrary, all references to statutes herein are to the California codes.

45.6 Interpretation of Agreement. The language in all parts of this Agreement shall in all cases be construed simply, as a whole and in accordance with its fair meaning and not strictly for or against any party. City and OFI acknowledge and agree that this Agreement has

been prepared jointly by City and OFI and has been the subject of arm's length and careful negotiation over a considerable period of time, that each party has been given the opportunity to independently review this Agreement with legal counsel, and that each party has the requisite experience and sophistication to understand, interpret, and agree to the particular language of the provisions hereof. Accordingly, in the event of an ambiguity in or dispute regarding the interpretation of this Agreement, this Agreement shall not be interpreted or construed against the party preparing it, and instead other rules of interpretation and construction shall be utilized.

45.7 Institution of Legal Actions. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Ventura, State of California or in the United States District Court for the Central District of California.

45.8 No Relocation Benefits. It is agreed that nothing contained in this Agreement shall give OFI any right to occupy the Property at any time after the expiration of the term of this Agreement or its termination. OFI agrees that, upon the expiration or termination of this Agreement, OFI's use of the Property for the location of a Billboard or this Agreement shall not entitle OFI to any relocation benefits from the City pursuant to any federal, state or local law and waives any such claim against the City.

Signatures on Following Page

IN WITNESS WHEREOF, the City and OFI hereto have each executed this Agreement as of the date first written above.

CITY:

CITY OF OXNARD, a California municipal corporation

By: _____
Mayor

ATTEST:

Michelle, Ascencion, City Clerk

APPROVED AS TO FORM:

Stephen Fischer, City Attorney

OUTFRONT FOSTER INTERSTATE LLC

By Its Members:

FOSTER INTERSTATE LLC

By: _____

Print Name: John B. Foster

Title: Manager

OUTFRONT MEDIA, LLC

By: _____

Print Name: _____

Title: _____

EXHIBIT "A"

DESCRIPTION OF PROPERTY SUBJECT TO ENA

APN 132-003-301, 132-031-016 and 132-031-107 (RiverPark Boulevard near Vineyard Avenue)
in the City of Oxnard, County of Ventura.

EXHIBIT "B"

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT "B"

DESCRIPTION

AN EASEMENT IN THE IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA BEING A PORTION OF DEED RECORDED AS INSTRUMENT NO. 20110329-00050783-0 OF OFFICIAL RECORDS IN THE OFFICE OF THE VENTURA COUNTY RECORDER. SAID EASEMENT ALSO BEING A PORTION OF LOT LINE ADJUSTMENT NO. 08-31-13 RECORDED MAY 29, 2009 AS INSTRUMENT NO. 20090529-00087845-0 OF OFFICIAL RECORDS OF SAID COUNTY RECORDER, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID LOT LINE ADJUSTMENT, ALSO BEING THE MOST EASTERLY CORNER OF LOT D OF TRACT NO. 5352-1, RECORDED IN BOOK 150, PAGES 76 THROUGH 92 OF MISCELLANEOUS RECORDS OF SAID COUNTY RECORDER; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID LOT LINE ADJUSTMENT AND THE SOUTHEASTERLY LINE OF SAID TRACT MAP NO 5352-1, A DISTANCE OF 70.73 FEET TO MOST SOUTHERLY CORNER OF SAID LOT D; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT D; NORTH 35°55'20" EAST, A DISTANCE OF 10.54 FEET TO THE **POINT OF BEGINNING**; THENCE, LEAVING THE SOUTHWESTERLY LINE OF SAID LOT D,

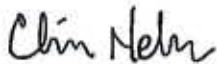
1. SOUTH 54°04'40" WEST, A DISTANCE OF 50.00 FEET, TO THE SOUTHWESTERLY LINE OF SAID DEED RECORDED AS INSTRUMENT NO. 20110329-00050783-0 OF OFFICIAL RECORDS; THENCE, ALONG SAID SOUTHWESTERLY LINE,
2. NORTH 35°55'20" WEST, A DISTANCE OF 62.85 FEET; THENCE, LEAVING SAID SOUTHWESTERLY LINE,
3. NORTH 54°04'40" EAST, A DISTANCE OF 50.00 FEET, TO THE SOUTHWESTERLY LINE OF SAID LOT D; THENCE, SOUTHEASTERLY ALONG THE SOUTHWESTERLY LINE OF SAID LOT D,
4. SOUTH 35°55'20" EAST, A DISTANCE OF 62.85 FEET, TO THE **POINT OF BEGINNING**.

TOGETHER WITH A NONEXCLUSIVE EASEMENT OVER PARCELS 1 AND 2 OF DEED RECORDED MARCH 29, 2011 AS INSTRUMENT NO. 20110329-00050783-0 OF OFFICIAL RECORDS, RECORDED IN THE OFFICE OF SAID COUNTY RECORDER.

CONTAINING 3,143 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON PAGE 2 AND BY REFERENCE HEREIN MADE A PART HEREOF.

PREPARED BY:
CHRIS NELSON & ASSOCIATES, INC.
28118 AGOURA ROAD, SUITE 100
AGOURA HILLS, CA 91301
(818) 991-1040

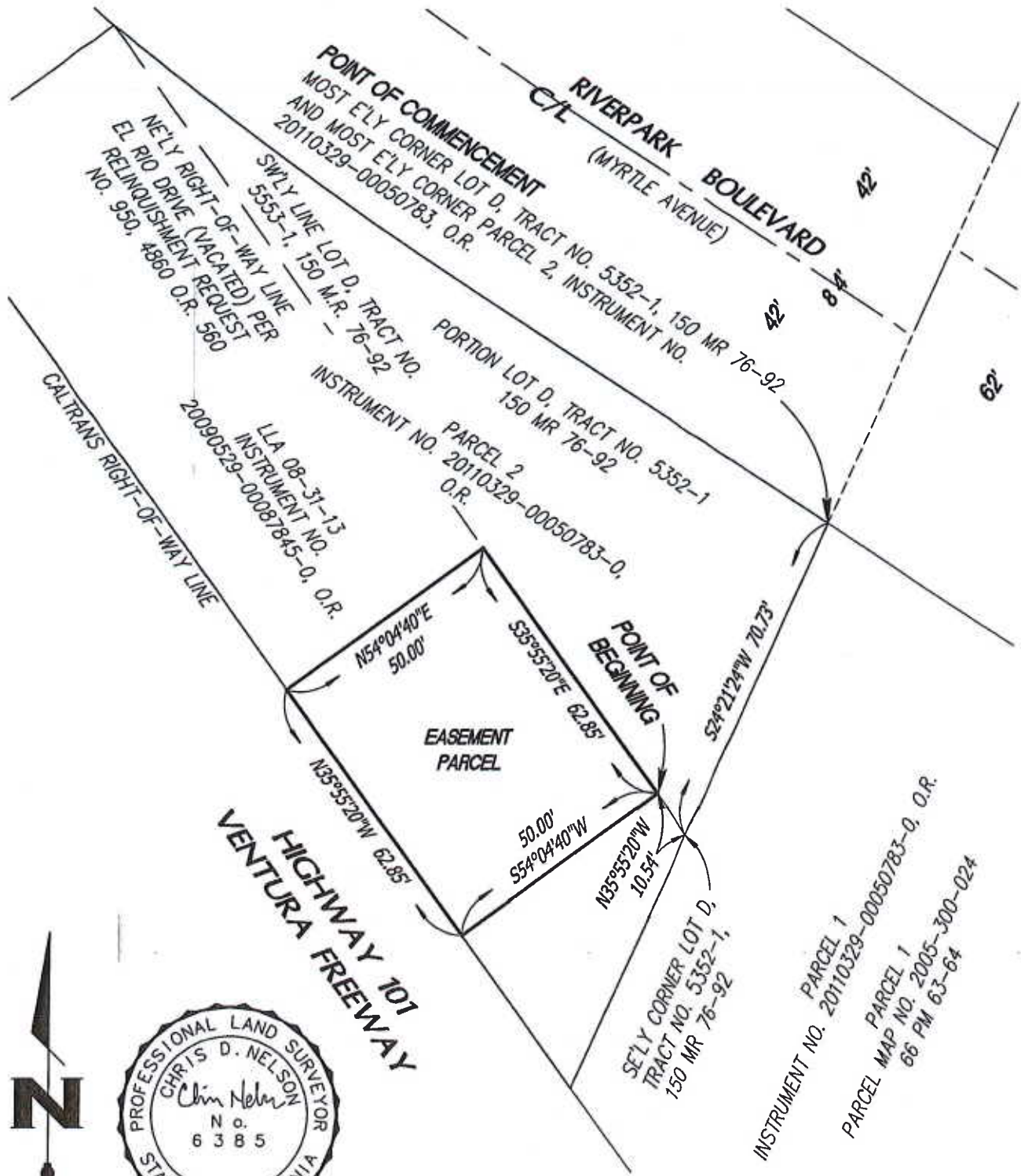


CHRIS NELSON, PLS 6385
DATED: DECEMBER 15, 2022



EASEMENT AREA:
3,143± SQ. FT

EXHIBIT 'B'



SCALE: 1" = 30'

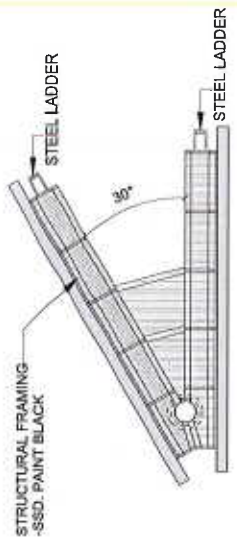
JOB NO.: 22-6505

DATED: 12/15/2022

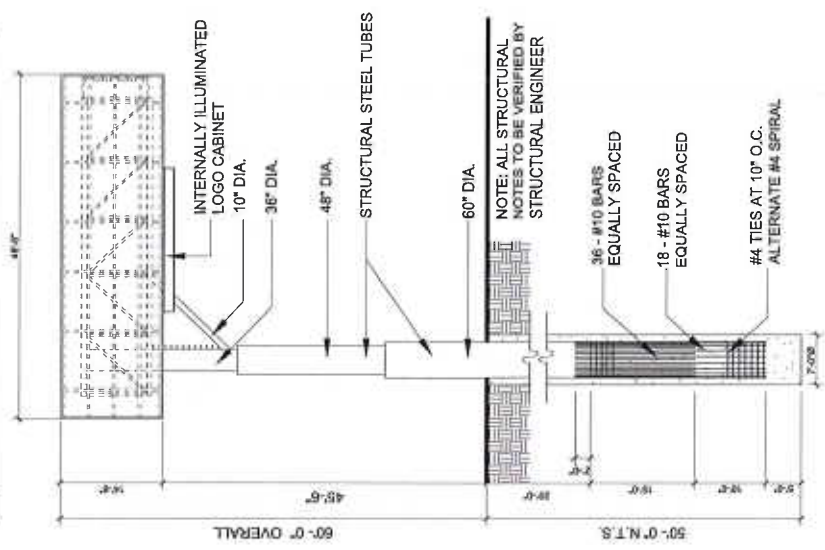
PAGE 2 OF 2

EXHIBIT "C"

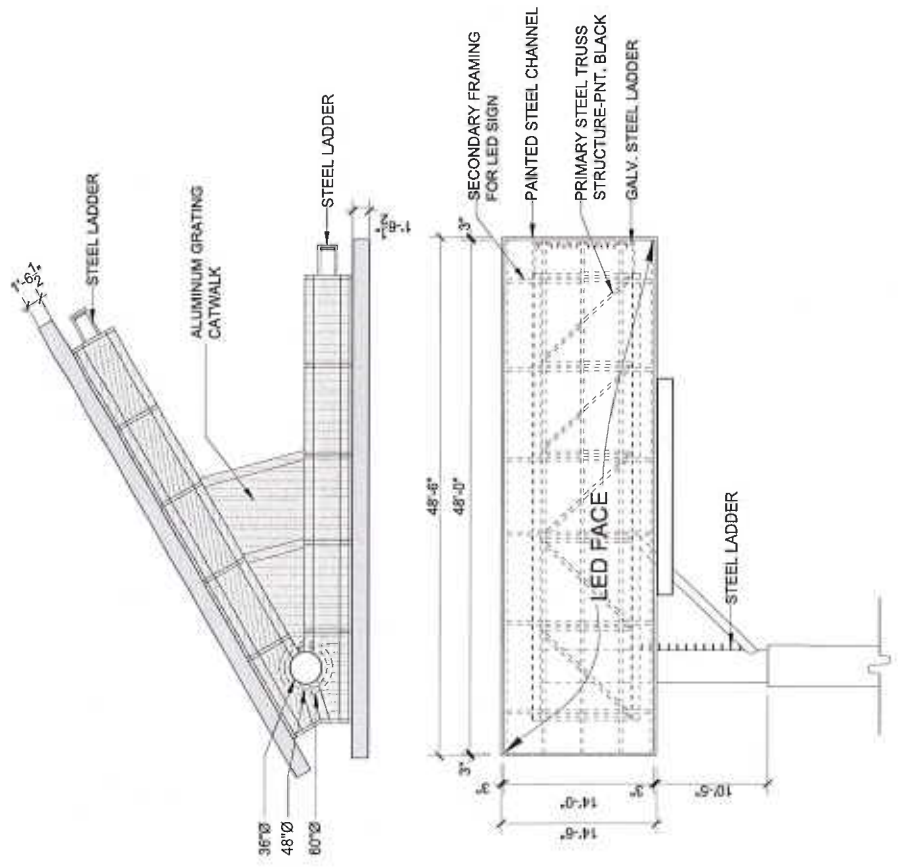
BILLBOARD



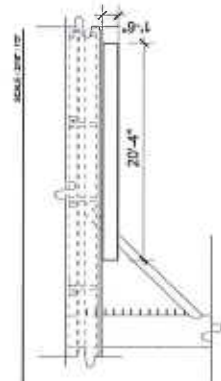
2 Plan View



1 Overall Elevation
 (See A-3.0 For Color Scheme)



5 Face Elevation



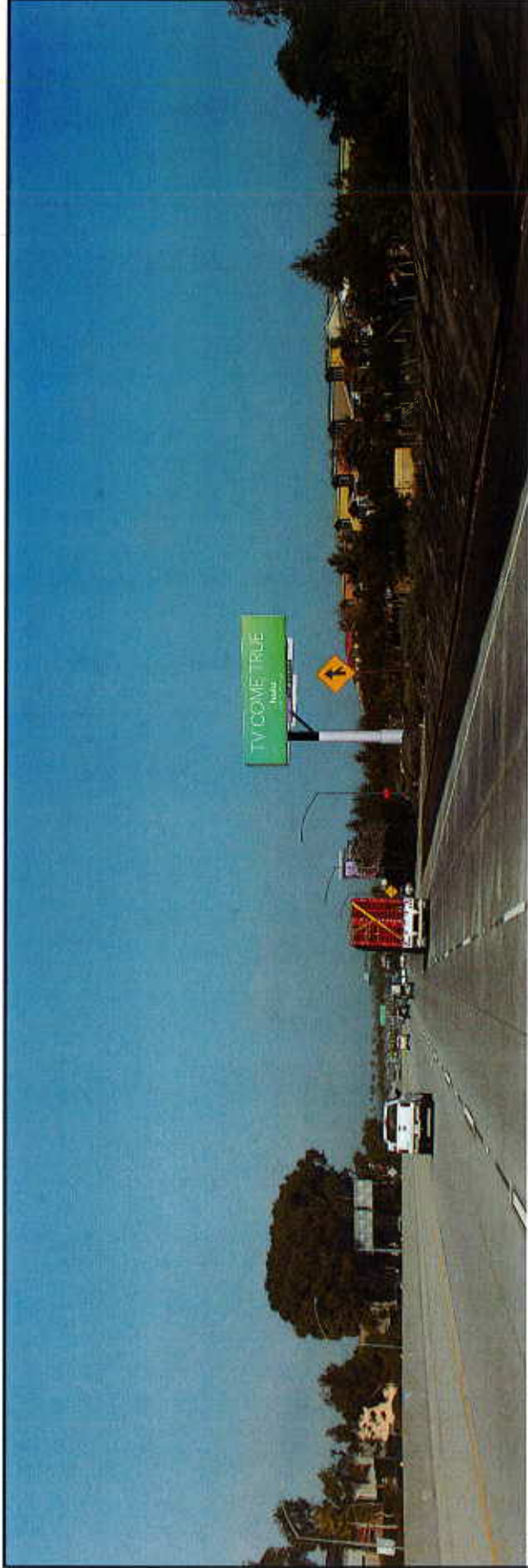
3 Logo Cabinet Elevation



4 Logo Cabinet Plan



1. **ANALYSIS OF THE PROBLEM** The problem is to determine the effect of the concentration of the solution on the rate of the reaction. The concentration of the solution is the independent variable, and the rate of the reaction is the dependent variable.
2. **DESIGN OF THE EXPERIMENT** The experiment is designed to measure the rate of the reaction by monitoring the change in the concentration of the reactants over time. The concentration of the solution is varied, and the rate of the reaction is measured for each concentration.
3. **RESULTS AND DISCUSSION** The results of the experiment show that the rate of the reaction increases with the concentration of the solution. This is expected, as the rate of the reaction is directly proportional to the concentration of the reactants.
4. **CONCLUSION** The concentration of the solution has a significant effect on the rate of the reaction. The rate of the reaction increases with the concentration of the solution.
5. **REFERENCES** The following references were used in the preparation of this report:
1. Smith, J. D. (1998). *Chemical Kinetics*. New York: Wiley.
2. Jones, A. B. (2001). *Reaction Rates and Equilibrium*. London: Chapman & Hall.



2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

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**OXNARD
SIGNAGE
PROJECT**
APN 12-0-51-076
Oxnard,
California

**OUTFRONT
FOSTER
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE REVISION



RENDERINGS

DATE	08/01/2017
SCALE	
DRAWN BY	
CHECKED BY	
DATE	12/14

A-4.0

SHEET NO.

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EXHIBIT "D"

TREE REMOVAL



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- [illegible]

...the ...

D

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL DENY ORDINANCE APPROVING PLANNING AND ZONING PERMIT NO. 20-630-02 (SPECIFIC PLAN AMENDMENT NO. 8 TO THE RIVERPARK SPECIFIC PLAN) TO AMEND THE TEXT WITHIN THE RIVERPARK SPECIFIC PLAN. FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on September 10, 2002 the City Council approved the entitlements for The RiverPark Specific Plan to guide future development on the 702-acre project site; and

WHEREAS, the City Council approved the first amendment request (PZ 02-630-05) on October 22, 2002, which amended the Specific Plan to include regulations for temporary uses; and

WHEREAS, the City Council approved the second amendment request (PZ 03-630-03) on July 27, 2004, allowing a minor change in the land use designation on a small parcel from Open Space to Commercial; and

WHEREAS, the City Council approved the third amendment request (PZ 09-630-09) on April 14, 2009, allowing a freeway-oriented pylon sign subject to approval of a Design Development Review permit (DDR) by the Development Services Director; and

WHEREAS, the City Council approved the fourth amendment (PZ 10-630-02) on June 14, 2011, and allows three freeway oriented monument signs subject to approval of a DDR, and an electronic digital display panel for the pylon sign, subject to subsequent approval of a Special Use Permit; and

WHEREAS, the City Council approved the fifth amendment (PZ 09-630-03) on June 5, 2012, which increased the maximum number of dwelling units from 2,805 to 3,043 units, and reduced the maximum amount of commercial development from 2,485,000 to 2,098,000 square feet; and

WHEREAS, the City Council approved the sixth amendment (PZ 18-630-01) on February 19, 2019, to amend the text of the RiverPark Specific Plan to allow two (2) monument signs in Planning Districts B and C in the specific plan area, subject to subsequent approval of a Development Design Review Permit; and

WHEREAS, the City Council approved the seventh amendment (PZ 20-630-01) on March 15, 2022, which allowed for the option to develop up to 1,025 additional residential units under the RiverPark Specific Plan, in exchange for a reduction of up to approximately 562,457 square feet of non-residential development potential in accordance with specified development scenarios; and

WHEREAS, the Planning Commission of the City of Oxnard has considered the proposed map and text amendment to Pages 3.7, 3.22, 5.9, and 5.23 of The RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark

Specific Plan (herein referred to as the “**Project**”); and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for Specific Plan Amendment No. 8 (PZ 20-630-02) in accordance with Chapter 16-575 of the Oxnard City Code; and

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, of the City of Oxnard recommends that the City Council deny an ordinance approving Planning and Zoning Permit No. 20-630-02 (Specific Plan Amendment No. 8 to RiverPark Specific Plan) to amend Sections Pages 3.7, 3.22, 5.9, and 5.23 of The RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan (all amendments as identified within Exhibit A).

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Planning Commission finds that the Riverpark Specific Plan Amendment is internally inconsistent with all other provisions of the City of Oxnard 2030 General Plan.

SECTION 3. The Planning Commission finds that the Riverpark Specific Plan Amendment will be detrimental to the public interest, health, safety, convenience, or welfare of the City.

SECTION 4. The Planning Commission finds that the project site associated with the Riverpark Specific Plan Amendment is not physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicle access, and public services and utilities and is served by highways and streets adequate in width and improvement to carry the kind and quantity of traffic the proposed use would likely generate, to ensure that the proposed use(s) and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

SECTION 5. The Planning Commission determines that the proposed RiverPark Specific Plan Amendment is not the best use for the subject project site.

SECTION 6. The Planning Commission determines that the RiverPark Specific Plan Amendment is not in the best interests and welfare of the City and its residents.

SECTION 7. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because the proposed Project is denied.

SECTION 8. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023:

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

EXHIBIT A

SPECIFIC PLAN AMENDMENT TEXT Changes

PROPOSED AMENDMENTS TO CITY OF OXNARD RIVERPARK SPECIFIC PLAN

KEY:	<u>Blue Underlined</u> = Proposed Additions Red Strikethrough = Proposed Deletions
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3 COMMERCIAL MASTER PLAN

SECTION 3.5 BUILDING TYPE STANDARDS

Section 3.5.2 Standards for Each Building Type

- Type 1-C-A: Large Multistory Anchor
- Type 1-C-B: Large Pad Retail
- Type 1-C-C: Multistory Mini Anchor
- Type 1-C-D: Inline Retail
- Type 1-C-E: Inline Retail With Upper Story Office/Housing
- Type 1-C-F: Pad Restaurant/Retail
- Type 1-C-G: Drive Thru Commercial
- Type 2-C-A: Food and Wine Multistory
- Type 2-C-B: Food and Wine Demo Factory/Outlet Store
- Type 2-C-C: Food and Wine Pavilion/Office Building
- Type 3-C: Office Building
- Type 4-C: Hotel With Retail
- Type 5-C: Stand Alone Kiosk
- Type 6-C: Outparcel Commercial
- Type 7-C: Freeway Adjacent Digital Display Billboards

[. . .]

TYPE 7-C: Freeway Adjacent Digital Display Billboards

The following standards apply to lots for Freeway Adjacent Digital Display Billboards. If the lot contains other building types, the lot must comply with the minimum lot dimension standards required for that building type pursuant to this section, unless otherwise modified. Additional standards pertaining to Freeway Electronic Billboards can be found in Section 5.9 (Signage Standards) and the Oxnard City Code.

LOT DIMENSIONS

Lot Area Min: 1,000 SF Max: 15,000 SF

Lot Width Min: 10' Max: 300'

Lot Depth Min: 40' Max: 100'

SIZE AND SPACING

Billboard Face Display For allowable face size refer to the Oxnard City Code

Sign Height For allowable sign height refer to the Oxnard City Code

Setbacks Min: 0' (Freeway Adjacent Digital Display Billboards only)

Spacing For minimum spacing requirements refer to the Oxnard City Code

5 LANDSCAPE MASTER PLAN

5.5 EDGES AND BUFFERS STANDARDS

5.5.2 Design Concept for Edges and Buffers

5.5.2.1 The Ventura Freeway Frontage

Landscaping of RiverPark's frontage with the Ventura freeway at Planning Districts D, B and E shall be provided in a landscaped buffer zone. Landscaping in this area shall meet the requirements at two distinct scales: the scale of the freeway, and that of slower moving vehicles and pedestrians within RiverPark. Landscaping perceptible from the Ventura freeway will consist of a single row of 30-foot tall Mexican Fan Palms (at 30 feet O.C.) along the freeway frontage. These palms will clearly differentiate and identify RiverPark not only from the freeway but from the southern approach from Oxnard. For slower-moving vehicles and pedestrians, the zone will also be planted with an appropriate mix of native and indigenous grasses, perennials, shrubs, and trees. See Exhibit 5.AA for a typical cross-section. Properties developed with a Freeway Adjacent Digital Display Billboard in Planning Districts D, B and E shall be exempt from the requirements of this subsection.

5.9 SIGNAGE STANDARDS

[. . .]

5.9.3.11 Freeway Adjacent Digital Display Billboards

Freeway Adjacent Digital Display Billboards, as defined in the Oxnard City Code (OCC) shall be allowed in Planning Districts A and E, subject solely to the applicable regulations and procedures of OCC Chapter 9 Article IX. Advertising Signs.

E

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DENYING PLANNING AND ZONING PERMIT NO. 20-500-07 (SPECIAL USE PERMIT) TO ALLOW FOR THE INSTALLATION AND OPERATION OF AN FREEWAY ORIENTED ELECTRONIC BILLBOARD AND LANDSCAPING IMPROVEMENTS, LOCATED BETWEEN THE U.S. 101 AND RIVERPARK BOULEVARD APPROXIMATELY 850 FEET NORTH OF VINEYARD AVENUE IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: 132-0-311-075). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-07 (Special Use Permit), 20-670-06 (Development Agreement), and 20-630-02 (Specific Plan Amendment) to allow for the installation and operation of an electronic billboard on an approximately 0.25-acre undeveloped site located between the U.S. 101 and Riverpark Boulevard approximately 850 feet north of Vineyard Avenue in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 60 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The Special Use Permit will also include minor landscape improvements within the adjacent Caltrans right of way. These will include the removal of the existing eucalyptus trees and the planting of alternatives, subject to Caltrans approval. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. (“Project”); and

WHEREAS, the City of Oxnard as the Lead Agency, has prepared Final IS/MND 22-02 in accordance with the requirements of the California Environmental Quality Act (CEQA, Public resources Code § 21000, et seq.), the regulations promulgated thereunder (14 California Code of Regulations, §15000, et seq., CEQA Guidelines), and the City’s Environmental Review Guidelines; and

WHEREAS, the Planning Commission is concurrently recommending the City Council deny a Development Agreement request that allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development (PZ 20-670-06), and a Specific Plan Amendment would amend the RiverPark Specific Plan to allow for Freeway Adjacent Digital Display Billboards within the RiverPark Specific Plan. (PZ 20-630-02); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, on January 19, 2023, 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 considered the Final IS/MND 22-03 pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, Sections 16-536 and 16-651 of the OCC authorize the Planning Commission to approve a Special Use Permit; and

WHEREAS, the Commission considered Final IS/MND 22-03 prior to making recommendations on the Project; and

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

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

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. 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.

The Project site has 2030 General Plan land use designations of Commercial Regional (CR) and a zoning designation of RiverPark Specific Plan (RPSP). The proposed project includes the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The Planning Commission does not find that the Project is consistent with Ordinance Amendment (PZ No. 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to

250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Additionally, the Planning Commission found that the proposed project was inconsistent with 2030 General Plan policies relating to enhancement of City gateways and view corridor preservation, as the sign would have an adverse visual impact on the view corridor. The Planning Commission also found that the project was not compatible with nearby residential uses creating conflicts and the project would not preserve the existing neighborhood identity. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies, including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard. For the reasons stated above, this Finding cannot be met.

- 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 of Commercial Regional (CR) and a zoning designation of RiverPark Specific Plan (RPSP). The proposed project includes the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The Planning Commission does not find that the Project is consistent with Ordinance Amendment (PZ No. 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to 250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies, including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard. For the reasons stated above, the Commission found the Project would adversely affect the nearby residential uses, and therefore this Finding cannot be met.

- 6. Complies with the requirements of Section 16-609 and Chapter 16 of the Oxnard City Code.**

As described in the Staff Report, the project as designed and conditioned does not meet the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). Pursuant to the Zoning Code, the Project is not consistent with the applicable development standards.

- 7. Will not create a significant traffic or other public safety hazard.**

The Project would comply with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131), the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), and this Article IX, when constructing, operating, improving, maintaining, repairing, and removing the Freeway Adjacent Digital Display Billboard. Conditions have also been added to regulate the display cycle, including limitations on the frequency of the image transitions, restrict the use of videos, flashing, blinking or any other means not providing constant illumination. The brightness has also been conditioned to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. Lastly, the Final IS/MND 22-03 includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests. However, the Planning Finds that the sign could be distracting to those on the freeway, constituting a potential safety hazard. For the reasons stated above, this Finding cannot be met.

8. Will be of appropriate size, scale, and design for the area in which it will be located.

As described in the Staff Report, the project as designed and conditioned does not meet the development standards for Freeway Oriented Electronic Billboards as described above in Finding Section 1(1). The Planning Commission does not find that the Project is consistent with Ordinance Amendment (PZ No. 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to 250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies, including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard. For the reasons stated above, this Finding cannot be met.

SECTION 3. Based on the findings set forth above, each of which provides a separate and distinct basis for denial, the Planning Commission hereby denies Planning and Zoning Permit No. 20-500-07 (Special Use Permit) as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-531 in order to grant a Special Use Permit.

SECTION 4. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because the proposed Project is denied.

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 Oxnard City Code Section 16-545.

SECTION 6. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023.

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

F.3

PZ 20-500-06



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Joe Pearson II, Planning Manager

DATE: January 19, 2023

SUBJECT: **Project Name: Ventura Road Electronic Billboard Project;** Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation); Located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. APN: N/A

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

- a)** Adopt Resolution 2023-XX recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-03; and
- b)** Adopt Resolution 2023-XX recommending that the City Council approve Planning and Zoning Permit No. 20-670-05 (Development Agreement), and
- c)** Adopt Resolution 2023-XX affirming that the City of Oxnard’s proposed Vacation of real property consisting of an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the proceed with the vacation, and
- d)** Adopt Resolution 2023-XX Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to certain findings and conditions.

2) Project Description and Applicant: The applicant requests a Special Use Permit, Development Agreement, and Street Vacation to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the

required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard.

The request includes adoption of the proposed Final Initial Study/Mitigated Negative Declaration (IS-MND) and adoption of the Mitigation Monitoring and Reporting Program (MMRP) which has been prepared pursuant to provisions of the California Environmental Quality Act (CEQA) Guidelines, Section 15063. The Project site is located within the RiverPark Specific Plan and designated as Commercial Office. The 2030 General Plan land use designation is Commercial Regional. For purposes of this staff report, the foregoing project description shall be referred to as the “Project.”. Filed by Lars Skugstad, 1111 Broadway, Suite 1515, Oakland, CA 94607 (the “Applicant”) on behalf of the City of Oxnard (the “Property Owner”).

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

- 3) Existing & Surrounding Land Uses:** The Project site is currently undeveloped Right-of-Way located within the RPSP area. The area surrounding the Project site consists of a mix of office and commercial land uses. U.S. 101 is located immediately south of the Project site. Across U.S. 101 to the South, adjacent to Ventura Road, is The Wagon Wheel development which is currently under construction with residential townhomes, condominiums, and limited commercial development. To the north and west is The Santa Clara River Basin that includes vegetation. Recently, the vegetation within the Santa Clara River Basin and adjacent to U.S. 101 was removed by the County of Ventura for maintenance purposes. Northeast of and approximately 600 feet from the Project site is a senior housing facility, and other approved commercial development including a gas station and drive through restaurants. The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated in Attachment A:

Table 1
Existing and Surrounding Land Uses

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional	The RiverPark Specific Plan (Commercial: Office)	Vacant
North	Commercial Regional	The RiverPark Specific Plan (Commercial: Office)	Light Industrial Development
South	Highway 101/Easement	Highway 101/The Village Specific Plan	Highway 101/Residential

East	Commercial Regional	The RiverPark Specific Plan (Residential: Very High or Commercial Regional)	Vacant (Approved For Apartments Project (PZ 19-200-16))
West	County Unincorporated	County Unincorporated	Santa Clara River

4) Background Information:

- a) On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites. Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties. On November 17, 2020 Council amended the ENAs to allow for an additional 6 months (until June 2021), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties. On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.
- b) Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard and a amendment to the RiverPark Specific Plan to allow the sign in accordance with the Oxnard City Code. The installation and operation of individual electronic billboards would require approval of a Special Use Permit and Development Agreement. No Freeway Adjacent Digital Billboard may be placed at a distance of less than 100 feet from the property line of any residentially zoned parcel. All Freeway Adjacent Digital Display Billboards would have a maximum face display area of 14 feet in height and 48 feet in width, would be oriented primarily for viewing from the adjacent freeway, and would have a maximum height of 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display or 80 feet to the top of the sign. Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

5) Environmental Determination: Pursuant to the California Environmental Quality Act (CEQA) Section 15060, the City of Oxnard as the Lead Agency, prepared a Mitigated

Negative Declaration (MND) in accordance with CEQA and the CEQA Guidelines. The MND identified and discussed potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas. The MND found that the implementation of the proposed Project would result in potentially significant impacts associated with biological resources, cultural resources, and noise on wildlife species. Mitigation measures have been required to reduce each potentially significant impact to less than significant. The mitigation measures that have been required within the MND would reduce potential significant impacts. These measures include: (BIO-1 and BIO-2) conducting a pre-construction survey for active bird nests and conducting focused protocol nest survey for least Bell's vireo, and (CR-1 and CR-2) monitoring and collecting, if necessary, any discovered archaeological and paleontological resources. After the implementation of the required mitigation measures, the potential significant impacts would be reduced to less than significant. No remaining significant impacts would occur. With respect to Aesthetics, although less than significant lighting impacts would occur, the MND includes mitigation measures that are recommended to further reduce less than significant light impacts. These measures include: (AES-1 and AES-2) allowing for remote shut off in the event of malfunction and conducting illumination level verification tests.

The MND was available for public review from June 30, 2022, and ended on July 29, 2022. The City of Oxnard received five comment letters on the Draft MND. The comment letters and responses to each comment have been prepared and included in the Final IS/MND. Comments provided will be considered by the decision-making body in accordance with CEQA Guidelines, Section 15074(b).

With the inclusion of the mitigations for the areas noted above, the Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) was prepared with mitigation measures and monitoring program in accordance with the provisions of CEQA (Attachment C).

6) Project Analysis:

- a) *General Discussion:*** Pursuant to Oxnard City Code (OCC) Section 2-95, the Planning Commission is an advisory body which provides land use recommendations to the City Council on items such as General Plan Amendments, Specific Plans, Ordinance Amendments and Development Agreements. The Planning Commission is the decision maker for Special Use Permit pursuant to OCC Section 16-531.

The applicant requests a Special Use Permit, Development Agreement, and Street Vacation to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The following is a summary of the requested revisions.

Special Use Permit

The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The existing ground level is at approximately the same elevation as the travel lanes along Ventura Road. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nitere (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, focused toward the freeway. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are allowed or required by the development agreement.

Street Vacation

The Project site is within the current street right-of-way and is proposed to be vacated. As the underlying property owner, the City of Oxnard will retain ownership, making it a City-owned property.

- b) **General Plan Consistency:** The City's 2030 General Plan land use designation for the subject site is Commercial Regional (CR) uses which allows retail, commercial, government and residential uses. The proposed use is Commercial. Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and

the proposed Project. The proposed Project does not conflict with General Plan land use, goals and policies. The proposed DA allows for the use of City property and outlines the required public benefits to be provided by future development. No other physical improvements are allowed or required by the development agreement, and therefore it does not conflict with General Plan land use, goals and policies. The project's consistency review with General Plan policies is included as Attachment D. The proposed Project has been determined to be consistent with the General Plan and the property's land use designation.

- c) **Conformance with Zoning Code Development Standards:** As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City. As shown in Attachment E, the proposed Project has been designed to be consistent with the proposed ordinance. As a condition, the approval of this Project is contingent upon the City's adoption of the proposed Freeway Adjacent Digital Display Billboards ordinance. Additionally, the Project must comply with the final ordinance as adopted, therefore, if any changes occur to the proposed development standards the Project would be required to be amended, to bring it into compliance.
- d) **Site Design, Circulation, and Parking:** The Project is located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The proposed site improvements include the installation of an electronic sign and traffic barrier. In the City's Bicycle and Pedestrian Master Plan, this location is identified as the possible location for the Santa Clara River multi-purpose path. City staff has reviewed proposed sign and barrier location and confirmed that there is sufficient space for the future path, should it be developed in the future. As the sign is controlled remotely, no parking is required. In the rare event onsite work is required, an encroachment permit can be obtained to allow for the use of the adjacent right of way, similar to utility companies with facilities in the right-of-way.
- e) **Sign Design:** The pole would extend approximately 40 feet below ground and approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The pole design has been kept simple with the gray color, to minimize the visual impact of the pole itself. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed the proposed Project on November 18, 2020. The comments from the DAC have been incorporated into the Project, including the studies, and MND.
- 8) Community Workshop and Public Input:** A Community Workshop on the Project was held on December 20, 2021. Public notice signs were posted onsite. Notifications were mailed to the RiverPark Neighborhood. Approximately 2,000 notices were mailed. The meeting was held online. Eight members of the community attended this meeting, and two people spoke on the items. The video from the online workshop was also posted on the City's website for members of the public to view separately. The primary concern identified at the Community Workshop was related to general allowance of electronic billboards and lighting impacts. Both aesthetics and lighting impacts were analyzed in the environmental document and it was determined that with the implementation of the project mitigations the impacts would be less than significant. There was also a request for an additional site rendering showing the sign from the adjacent side of the freeway, which was prepared and has been included in Attachment B.

Consistent with public noticing requirements, the Planning Commission Hearing was advertised with on-site postings and to property owners within 300 feet of the Project site.

- 9) Appeal Procedure:** The action of the Planning Commission on the Special Use Permit is final unless appealed in writing to the City Council no later than eighteen (18) days after the decision date (Section 16-545) of the Oxnard City Code. Appeal forms may be obtained from the City Clerk (300 West Third Street, Fourth Floor) and must be submitted with the appropriate fees before the end of the appeal period. The action of the Planning Commission on the Development Agreement and Street Vacation is a recommendation of either approval or denial to the City Council. All aspects of this Project shall not become effective unless and until the City Council approves the Development Agreement and Street Vacation.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Reduced Project Plans
- C. Final IS-MND 22-03 (December 2022)
- D. General Plan Consistency Chart
- E. Zoning Compliance Table
- F. Draft Planning Commission Resolution Recommending Adoption of Mitigated Negative Declaration (MND) 22-03
- G. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 20-670-05 (Development Agreement)
- H. Draft Planning Commission Resolution Recommending Approval of PZ Permit No. 21-660-03 (Street Vacation)

Ventura Road Electronic Billboard Project
PZ Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement),
and 21-660-03 (Street Vacation)
PC Hearing Date: January 19, 2023
Page 8 of 8

- I. Draft Planning Commission Resolution Approving PZ Permit No. 20-500-06 (Special Use Permit)
- J. Staff Presentation

ATTACHMENT

A

MAPS

(VICINITY, GENERAL PLAN, ZONING, AERIAL)

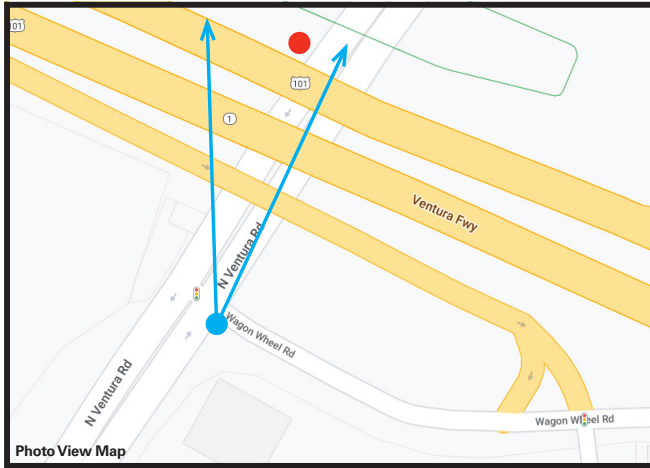
Vicinity Map





ATTACHMENT B

REDUCED PROJECT PLANS



OUTFRONT FOSTER INTERSTATE

14'h x 48'w, Double-Sided Digital Display

Site 1: View from Intersection of Ventura Rd. and Wagon Wheel

Working Draft - For Discussion Purposes Only. *Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign vis-a-vis the overall view is for illustration purposes only and is not exact.

ATTACHMENT C

FINAL IS-MND 22-03 (DECEMBER 2022)

VENTURA ROAD ELECTRONIC BILLBOARD

Response to Comments on Public Review Draft
Initial Study/Mitigated Negative Declaration
State Clearinghouse Number 2022060700

Prepared for
City of Oxnard
Community Development Department

October 2022



VENTURA ROAD ELECTRONIC BILLBOARD

Response to Comments on Public Review Draft Initial Study/Mitigated Negative Declaration

Prepared for
City of Oxnard
Community Development Department
214 South C Street
Oxnard, California 93030
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October 2022

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Irvine	Sacramento	
Los Angeles	San Diego	
Oakland	San Francisco	

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CHAPTER 1

Introduction

This Response to Comments document was prepared to respond to comments that were received on the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). The Final Initial Study/Mitigated Negative Declaration (Final IS/MND) consists of the Public Review Draft IS/MND and this Response to Comments document. The Final IS/MND has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and *CEQA Guidelines* (California Administrative Code Section 15000 et seq.). Documents relating to this Final IS/MND were cited and incorporated. All documents are available for review at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

1.1 CEQA Requirements

Before the City of Oxnard may approve the project, it must certify that the Final IS/MND: a) has been completed in compliance with CEQA; b) was presented to the Oxnard City Council who reviewed and considered it prior to approving the project; and c) reflects the City's independent judgment and analysis.

CEQA Guidelines Section 15074 states that prior to approving a project, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. Therefore, the decision making body will be considering the following documents that constitute the Final IS/MND prior to making a decision on the project.

- The Public Review Draft IS/MND
- Response to Comment Document which includes:
 - Comments and recommendations received on the Public Review Draft IS/MND;
 - A list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND;
 - The response of the Lead Agency to substantive environmental points raised in the review and consultation process.

This Response to Comments document for the Ventura Road Electronic Billboard presents the following chapters:

- Chapter 1: Introduction – this chapter includes an introduction to the Response to Comments and the CEQA process and requirements
- Chapter 2: Comment Letters – this chapter includes a list of persons, organizations, and public agencies commenting on the Public Review Draft IS/MND
- Chapter 3: Response to Comments – this chapter includes the written comments received on the Public Review Draft IS/MND as well as the written responses to each comment
- Chapter 4: Errata – this chapter includes any revisions made to the Public Review Draft IS/MND in response to comments received or initiated by the Lead Agency
- Chapter 5: Mitigation and Monitoring Program (MMRP) – this chapter includes a list of the mitigation measures, identification of the responsible implementation agency, agency responsible for monitoring, timing of implementation, and date of compliance for each mitigation measure

1.2 CEQA Process

Public Participation Process

Notice of Intent of the Public Review Draft IS/MND

The Notice of Intent (NOI) of the Public Review Draft IS/MND was posted on June 30, 2022 with the Ventura County Clerk Recorder. The Public Review Draft IS/MND was circulated for a 30-day public review until July 29, 2022. The NOI for the Public Review Draft IS/MND was circulated to state and local agencies and interested parties requesting a copy of the NOI. Copies of the Public Review Draft IS/MND were made available for review at the City of Oxnard Community Development Department located at 214 S. C Street, Oxnard, California, 93030 and at the Oxnard Public Library, 251 South “A” Street. The document was also available at the City of Oxnard website: <https://www.oxnard.org/city-department/community-development/planning/environmental-documents/>.

Evaluation and Response to Comments

In accordance with Article 6 of the *CEQA Guidelines*, the City of Oxnard, as the Lead Agency, was required to evaluate substantive environmental comments received on the Public Review Draft IS/MND. This Response to Comments document provides written responses to each comment received on the Public Review Draft IS/MND.

Final IS/MND Approval

As the Lead Agency, the City of Oxnard is required to determine the adequacy of the Final IS/MND (Public Review Draft IS/MND and Response to Comments). The City can adopt the Final IS/MND if they find on the basis of the whole record before it (including the Public Review Draft IS/MND and Response to Comments) that there is no substantial evidence that the project will have a significant effect on the environment and that the Final IS/MND reflects the City's independent judgment and analysis.

Notice of Determination

Pursuant to Section 15094 of the *CEQA Guidelines*, the City of Oxnard will file a Notice of Determination (NOD) with the Ventura County Clerk Recorder within five working days of project approval.

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CHAPTER 2

Comment Letters

The Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) for the Ventura Road Electronic Billboard was circulated for public review for 30 days (June 30, 2022 through July 29, 2022). The City of Oxnard received five comment letters from public agencies during the public review period, as listed in the table below. Each comment letter has been assigned an alphabetical designation (A through E). Each comment within each letter has been assigned a numerical designation so that each comment could be cross-referenced with an individual response. The comments and responses are provided in Chapter 3.

COMMENT LETTERS RECEIVED

Comment No.	Commenting Agency	Date of Comment
A	California Department of Fish and Wildlife	July 29, 2022
B	California Highway Patrol	July 27, 2022
C	County of Ventura Resource Management Agency, Planning Division	July 29, 2022
D	County of Ventura Resource Management Agency, Watershed Protection District	July 29, 2022
E	Ventura County Air Pollution Control District	July 26, 2022

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CHAPTER 3

Responses to Comments

Following are the comment letters and the written responses to each of the comments that were received during the public review period of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND). In some instances, in response to the comment, the City of Oxnard has made additions or deletions to the text of the Public Review Draft IS/MND; additions are included as underlined text and deletions are shown as ~~stricken text~~.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

July 29, 2022

Mr. Joe Pearson
City of Oxnard
214 South C St.
Oxnard, CA 93030
Joe.Pearson@Oxnard.org

Subject: Venture Road Electronic Billboard, Mitigated Negative Declaration, SCH No. 2022060700; City of Oxnard, Ventura County

Dear Mr. Pearson:

The California Department of Fish and Wildlife (CDFW) has reviewed the City of Oxnard's (City) Mitigated Negative Declaration (MND) for the Ventura Road Electronic Billboard (Project). The City, as Lead Agency, prepared a MND pursuant to the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 *et seq.*) with the purpose of informing decision-makers and the public regarding potential environmental effects related to the Project. Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife or be subject to Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust for the people of the state [Fish & Game Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, [§ 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). CDFW is also directed to provide biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 *et seq.*). To the extent implementation of the Project as proposed may result in "take" of any species protected under the California Endangered Species Act (CESA; Fish & Game Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

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Project Description and Summary

Objective: The City of Oxnard has proposed to erect an electronic billboard on a 1,000 square foot site adjacent to the State-Rout 101. The Billboard will extend 40 feet underground, 65.5 feet above the ground, and be illuminated on both sides. Light-emitting diodes (LEDs) will be used and will include components to block light from emitting towards the sky. Construction would occur over four days over a two-week period.

Location: The Project is located within bank and levee of the Santa Clara River, upstream of State-Rout 101 in the City of Oxnard. Surrounding land use includes office, commercial, and natural (Santa Clara River).

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating significant, or potentially significant, direct and indirect impacts on fish and wildlife biological resources based on the planned activities of this proposed Project. CDFW recommends the measures below be included in a science-based monitoring program with adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Public Resources Code, § 21081.6 and CEQA Guidelines, § 15097). Additional comments or other suggestions may also be included to improve the document.

Specific Comments

Comment #1: Impacts to Aquatic and Riparian Resources, Lake and Streambed Alteration Agreement (LSA)

Issue: The Project may result in direct or indirect impacts to Santa Clara River and associated riparian and wetland vegetation.

Specific Impacts: Within the MND it states, "[t]he Project site is located on the southeast side of the Santa Clara River southbank levee along Ventura Road..." CDFW is concerned that project activities within and surrounding Santa Paula River may result in changes to the stream and/or the associated sensitive riparian vegetation communities which are subject to Fish and Game Code.

Why impacts would occur: Project implementation includes grading, excavating, material staging, grubbing, and vegetation clearing which may result in direct mortality and loss of sensitive vegetation communities and special status wildlife.

Moreover, S3 ranked willow riparian forest and woodland and red willow riparian woodland are present within close proximity to the Project site. Riparian habitats provide important food, nesting habitat, cover, and migration corridors for wildlife. Only 5 to 10% of California's original riparian habitat exists today and much of the remaining habitat is in a degraded condition. Increased sediment deposition can bury seedlings and saplings of riparian trees, resulting in increased mortality of new recruits (Kui and Stella 2016). Construction equipment, vehicles, import of fill material, disposal piles, and staging areas can introduce and spread non-native,

A-1
(Cont)

A-2

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invasive plants. Invasive plant seeds, rhizomes, or stolons can be transported along streams and spread upstream and downstream. Impacts to sensitive vegetation communities should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive plant communities will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any special status species or sensitive vegetation community.

Evidence Impact Would Be Significant: Debris, soil, silt, sawdust, rubbish, raw cement/concrete, or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous or deleterious to aquatic life, wildlife, or riparian habitat resulting from Project related activities may enter the stream.

Mitigation Measure #1: The Project applicant (or “entity”) should provide written notification to CDFW pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW’s web site at <https://www.wildlife.ca.gov/conservation/lsa>.

If necessary, CDFW’s issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

Mitigation Measure #2: Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.

Mitigation Measure #3: If impacts to riparian habitat, such as arroyo willow thicket, mulefat thicket, and cattail marshes cannot be avoided, CDFW suggests mitigation should be achieved entirely on site if possible. CDFW recommends that impacts be mitigated at no less than 3:1. CDFW recommends that an on-site Habitat Mitigation and Monitoring Plan (HMMP) be developed. An HMMP should provide specific, detailed, and enforceable measures.

Comment #2: Potential Impacts to California Species of Special Concern due to Project Design

Issue: CDFW is concerned that Project-related activities may result in significant impacts to the following Species of Special Concern (SSC):

A-2
(Cont)

A-3

Mr. Joe Pearson
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- Birds: Yellow warbler (*Setophaga petechia*) and;
- Reptiles: Coast horned lizard (*Phrynosoma blainvillii*), and western pond turtle (*Emys marmorata*)

Specific impact: Project construction and related activities, directly or through indirect effects, may result in direct injury or mortality of SSC. The MND acknowledged the potential for these species to occur in and around the Project site.

A-3
(Cont)

Why impact would occur: Project implementation includes staging and using heavy equipment within and adjacent to the active river channel. These activities include increased ambient noise and vibration, night lighting, and other activities. These effects may result in direct mortality, population declines, or local extirpation of SSC fish, reptile, and mammal species.

Lights on elevated structures have been found to attract bird species causing them to veer off migration routes or cause avian collisions that result in mortality (Gehring 2009). Likewise, increased ambient lighting levels can increase predation risks and disorientation. This would disrupt normal behaviors of birds in adjacent feeding, breeding, and roosting habitat (Longcore and Rich 2004). The light emitted from the billboard may impact species which utilize the coastal sage scrub directly below the structure along the Santa Clara River.

A-4

Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats (Sun and Narins 2005, Patricelli and Blickley 2006, Gillam and McCracken 2007, Slabbekoorn and Ripmeester 2008). Noise has also been shown to reduce the density of nesting birds (Francis 2009) and cause increased stress that results in decreased immune responses (Kight and Swaddle 2011). Substantial noise may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55-60 dB (Barber 2009). For reference, normal conversation is approximately 60 dB, and natural ambient noise levels (e.g., forest habitat) are generally measured at less than 50dB.

A-5

Evidence impact would be significant: Project construction and activities, directly or through habitat modification, may result in direct mortality, reduced reproductive capacity, population declines, or local extirpation of SSC. CEQA provides protection not only for State and federally listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC could require a mandatory finding of significance by the City (CEQA Guidelines, § 15065).

A-6

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: Pursuant to the California Code of Regulations, title 14, section 650, the City/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's [Scientific Collection Permits](#) webpage for information. A LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.

A-7

CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & Game Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is

Mr. Joe Pearson
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required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).

A-7
(Cont)

Mitigation Measure #2: CDFW recommends including shields for the bottom of the billboard to further mitigate illumination of sensitive habitats directly below the structure. Within the MND it states, "Louvers will be located above each row of lights to prevent light from projecting upward into the sky." It is recommended that a component which will further shield light from the ground be included within the Project design. Additionally, the Project plans on using LEDs to light the billboard. CDFW suggests the Applicant avoids blue-light emitting and ultraviolet LEDs. Studies have found that LEDs emitting these spectrums of light attract a greater number of species (Longcore 2016). Birds have also been found to be especially attracted to solid full spectrum white lights and solid red lights (Gehring 2009).

A-8

Mitigation Measure #3: CDFW recommends monitoring noise generated by the Project operations during construction and post-construction operations to ensure noise from the Project does not affect wildlife in the adjacent river habitat. The MND should set acceptable noise thresholds that would be part of a daily monitoring and reporting program to ensure impact to adjacent habitat is below a threshold that would have an adverse effect.

Mitigation Measure #4: Construction equipment should use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources (e.g., generators, pumps) at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class (STC) of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off.

A-9

Mitigation Measure #5: The City should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. The qualified biologist should conduct focused surveys for SSC and suitable habitat within the appropriate season to detect presence, and again no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing (including ruderal areas), open ditches or pits, or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed and reported to the California Natural Diversity Database. The qualified biologist should provide a summary report of SSC surveys to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.

Mitigation Measure #6: Wildlife should be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with

Mr. Joe Pearson
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proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal.

Mitigation Measure #7: The City, in consultation with a qualified biologist, should prepare a worker environmental awareness training. The qualified biologist should communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only resume once a qualified biologist has determined that it is safe to do so.

A-9
(Cont)

Mitigation Measure #8: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the City within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

Comment #3: Special Status Species Survey Protocols

Issue: The MND only offers protocol surveys for nesting birds and least Bell's vireo (*Vireo bellii pusillus*) though there are multiple special status species with the potential to occur on or near the Project site.

Specific impacts: Project activities may also impact other special status species in and around the Project site.

Why impacts would occur: A lack of protocol surveys will likely result in avoidable impacts to a variety of sensitive species. Protocol surveys are necessary to sensitive listed species and supporting habitat necessary for their survival. Within the MND the Applicant suggested protocol surveys only for nesting birds and least Bell's vireo. CDFW recommends standardized protocol surveys be conducted for other special status species which may be present and impacted by Project activities.

A-10

Evidence impact would be significant: Ground clearing and construction activities could lead to the direct mortality of a listed species or SSC. The loss of occupied habitat could yield a loss of foraging potential, nesting sites, roosting sites, or refugia and would constitute a significant impact absent appropriate mitigation.

Recommended Potentially Feasible Mitigation Measure(s) For Coast Horned Lizard (*Phrynosoma blainvillii*):

Mitigation Measure #1: To disclose impacts to special-status reptiles within the MND, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of

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areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.

Mitigation Measure #2: Prior to any Project activities, a relocation plan (Plan) should be developed by a qualified biologist familiar with the respective reptile in consultation with CDFW. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the District coordinate with CDFW and/or the U.S. Fish and Wildlife Service (USFWS) prior to any ground disturbing activities within potentially occupied habitat.

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Recommended Potentially Feasible Mitigation Measure(s) For Raptors:

Mitigation Measure #1: To protect nesting birds of prey that may occur on site, CDFW recommends that construction activities be avoided from January 1 through September 15. If construction is unavoidable during January 1 through September 15, a qualified biologist should complete surveys for nesting bird activity the orders *Falconiformes* and *Strigiformes* (raptors and owls) within a 500-foot radius of the construction site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If any nests of birds of prey are observed, these nests should be designated an ecologically sensitive area and protected (while occupied) by a minimum 500-foot radius during project construction. Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey.

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Mitigation Measure #2: State-fully-protected species may not be taken or possessed at any time and no licenses or permits may be issued for its take except for collecting those species for necessary scientific research and relocation of the bird species for protection of livestock (Fish & G. Code, §§ 3511, 4700, 5050, 5515). CDFW recognizes that certain fully protected species are documented to occur on, or in, the vicinity of the Project area, or that such species have some potential to occur on, or in, the vicinity of Project, due to the presence of suitable habitat CDFW cannot authorize the take of any fully protected species as defined by state law.

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Comment #4: Impacts to Rare Plants including White Rabbit-Tobacco (*Pseudognaphalium leucocephalum*)

Issue: It is unclear if the Project will impact rare plants including California Rare Plant Ranked (CRPR) 2B.2 white rabbit-tobacco that is known to occur on site.

Specific impacts: Project activities may directly impact white rabbit-tobacco during project construction if it occurs within the Project site.

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Why impacts would occur: Within the MND it states, "Dominant vegetation around the Project site and surrounding property includes...sporadic cover of native mulefat (*Baccharis salicifolia*) saplings and rabbit tobacco (*Pseudognaphalium* sp.)." Likewise, a review of the California Natural Diversity Database (CNDDB) revealed white rabbit-tobacco has potential to occur in the area. Project implementation includes grading, vegetation clearing, soil compaction, utilities construction, site staging, and the movement of work equipment and vehicles. These and other

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activities that may result in direct mortality, population declines, or local extirpation of vegetation communities.

Evidence impact would be significant: Impacts to special status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to special status plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Likewise, plants that have a California Native Plant Society (CNPS) CRPR of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). Please see CNPS Rare Plant Ranks page for additional rank definitions.

Mitigation Measure #1: If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, the MND should provide species-specific measures to fully avoid impacts. This may include flagging all plants and/or perimeter of populations; no work buffers around plants and/or populations (e.g., flagged perimeter plus 50 feet); restrictions on ground disturbing activities within protected areas; relocation of staging and other material piling areas away from protected areas; restrictions on herbicide use and/or type of herbicide and/or application method within 100 feet of sensitive plants; and worker education and training.

Mitigation Measure #2: If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, CDFW recommends the MND provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.

1. CDFW recommends the MND be conditioned to provide a minimum mitigation ratio above 1:1 for sensitive plant species. CDFW recommends a replacement ratio of 3:1 to 10:1 depending on the population and occurrence status of the species (i.e., generally 5:1 for CRPR 3 and 4 species; 7:1 for CRPR 2; and 10:1 for CRPR 1). This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted. Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. Accordingly, mitigation for impacts to rare plants should also include habitat.
2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and

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success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.

Please note that CDFW generally does not support the use of salvaging, translocation, or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant species.

Comment #5: Impacts to Non-Game Mammals and Wildlife

Issue: Riparian and riverine areas often act as movement corridors for wildlife. As such, CDFW is concerned wildlife may still move through the Project site during the daytime or nighttime. CDFW is concerned that any wildlife potentially moving through or seeking temporary refuge on the Project site may be directly impacted during Project activities and construction.

Specific impacts: Project activities and construction equipment may directly impact wildlife and birds moving through or seeking temporary refuge on site. This could result in wildlife and bird mortality. Furthermore, depending on the final fencing design, the Project may cumulatively restrict wildlife movement opportunity.

Why impacts would occur: Direct impacts to wildlife may occur from: ground disturbing activities (e.g., staging, access, excavation, grading); wildlife being trapped or entangled in construction materials and erection of restrictive fencing; and wildlife could be trampled by heavy equipment operating in the Project site.

Evidence impact would be significant: Mammals occurring naturally in California are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & Game Code, § 4150; Cal. Code of Regs, § 251.1).

Recommended Potentially Feasible Mitigation Measure(s): CDFW recommends the following four mitigation measures to avoid and minimize direct impacts to wildlife during Project construction and activities.

Mitigation Measure #1: If fencing is proposed for use during construction or during the life of the Project, fences should be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing should also be minimized so as not to restrict free wildlife movement through habitat areas. CDFW recommends the City consider permeable fencing as part of its mitigation for Project-related impacts. Wildlife impermeable fencing is fencing that prevents or creates a barrier for the passage of wildlife from one side to the other. Los Angeles County's Significant Ecological Areas Ordinance Implementation Guide (<https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf>) offers additional information on permeable fencing as well as design standards. CDFW recommends reviewing those design standards.

Mitigation Measure #2: To avoid direct mortality, a qualified biological monitor should be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. Salvaged wildlife of low mobility should be removed and placed onto adjacent and suitable (i.e., species appropriate) habitat out of harm's way.

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It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.

Mitigation Measure #3: Grubbing and grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.

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Additional Recommendations

Mitigation and Monitoring Reporting Plan. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

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Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the County and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

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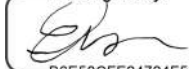
Conclusion

We appreciate the opportunity to comment on the Project to assist the City in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Angela Castanon, Environmental Scientist, at Angela.Castanon@wildlife.ca.gov

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Sincerely,

DocuSigned by:



B6E58CFE24724F5
 Erinn Wilson-Olgin

Environmental Program Manager I

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 CEQA Program Coordinator – Sacramento – CEQACommentLetters@wildlife.ca.gov

State Clearinghouse - state.clearinghouse@opr.ca.gov

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CHARLTON H. BONHAM, Director



Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

Biological Resources (BIO)		
Mitigation Measure (MM) or Recommendation (REC)	Timing	Responsible Party
MM-BIO-1-LSA The Project applicant (or "entity") should provide written notification to CDFW pursuant to section 1600 <i>et seq.</i> of the Fish and Game Code. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW's web site at https://www.wildlife.ca.gov/conservation/lisa. If necessary, CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. To minimize additional requirements by CDFW pursuant to section 1600 <i>et seq.</i> and/or under CEQA, the CEQA document should fully identify the potential impacts to streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.	Prior to Project construction and activities	City of Oxnard/ Applicant

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MM-BIO-2- LSA	Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity. If impacts to riparian habitat, such as arroyo willow thicket, mulefat thicket, and cattail marshes cannot be avoided, CDFW suggests mitigation should be achieved entirely on site if possible. CDFW recommends that impacts be mitigated at no less than 3:1. CDFW recommends that an on-site Habitat Mitigation and Monitoring Plan (HMMP) be developed. An HMMP should provide specific, detailed, and enforceable measures.	Prior to Project construction and activities	City of Oxnard/ Applicant
MM-BIO-3- LSA	Pursuant to the California Code of Regulations, title 14, section 650, the City/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2020d). A LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.	Prior to Project construction and activities	City of Oxnard/ Applicant
MM-BIO-4- Scientific Collection Permit	CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003), Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).	Prior to Project construction and activities	City of Oxnard/ Applicant

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MM-BIO-5- Impacts due to Lighting	CDFW recommends including shields for the bottom of the billboard to further mitigate illumination of the sensitive habitats directly below the structure. Within the MND it states, "Louvers will be located above each row of lights to prevent light from projecting upward into the sky." It is recommended that a component that will further shield light from the ground be included within the Project design. Additionally, the Project plans on using LEDs to light the billboard. CDFW suggests the Applicant avoids blue-light emitting and ultraviolet LEDs. Studies have found that LEDs emitting these spectrums of light attract a greater number of species (Longcore 2016). Birds have also been found to be especially attracted to solid full spectrum white lights and solid red lights (Gehring 2009).	Prior to Project construction and activities	City of Oxnard/ Applicant
MM-BIO-6- Impacts due to Noise	CDFW recommends monitoring noise generated by the Project operations during construction and post-construction operations to ensure noise from the Project does not affect wildlife in the adjacent river habitat. The MND should set acceptable noise thresholds that would be part of a daily monitoring and reporting program to ensure impact to adjacent habitat is below a threshold that would have an adverse effect.	Prior to/ During Project construction and activities	City of Oxnard/ Applicant
MM-BIO-7- Impacts due to Noise	Construction equipment should use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources (e.g., generators, pumps) at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class (STC) of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off.	During Project construction and activities	City of Oxnard/ Applicant

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MM-BIO-8-SSC	The City should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. The qualified biologist should conduct focused surveys for SSC and suitable habitat within the appropriate season to detect presence, and again no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing (including ruderal areas), open ditches or pits, or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed and reported to the California Natural Diversity Database. The qualified biologist should provide a summary report of SSC surveys to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.	Prior to/ During Project construction and activities	City of Oxnard/ Applicant
MM-BIO-9-Relocation	Wildlife should be protected, allowed to move away on its own (non- invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the City prior to implementing any Project-related ground- disturbing activities and vegetation removal.	Prior to/ During Project construction and activities	City of Oxnard/ Applicant
MM-BIO-10-Awareness Training	The City, in consultation with a qualified biologist, should prepare a worker environmental awareness training. The qualified biologist should communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only	Prior to/ During Project construction and activities	City of Oxnard/ Applicant

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	resume once a qualified biologist has determined that it is safe to do so.		
MM-BIO-11-Reporting	If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the City within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.	During Project construction and activities	City of Oxnard/ Applicant
MM-BIO-12-Impacts to Coast Horned Lizard	To disclose impacts to special-status reptiles within the MND, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.	Prior to Project construction and activities	City of Oxnard/ Applicant
MM-BIO-13-Impacts to Coast Horned Lizard	Prior to any Project activities, a relocation plan (Plan) should be developed by a qualified biologist familiar with the respective reptile in consultation with CDFW. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the District coordinate with CDFW	Prior to Project construction and activities	City of Oxnard/ Applicant

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	and/or the USFWS prior to any ground disturbing activities within potentially occupied habitat.		
MM-BIO-14- Impacts to Raptors	To protect nesting birds of prey that may occur on-site, CDFW recommends that no construction should occur from January 1 through September 15. If construction is unavoidable during January 1 through September 15, a qualified biologist should complete surveys for nesting bird activity the orders <i>Falconiformes</i> and <i>Strigiformes</i> (raptors and owls) within a 500-foot radius of the construction site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If any nests of birds of prey are observed, these nests should be designated an ecologically sensitive area and protected (while occupied) by a minimum 500-foot radius during project construction. Pursuant to FGC Sections 3503 and 3503.5, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird or bird-of-prey.	Prior to/ During Project construction and activities	City of Oxnard/ Applicant
MM-BIO-15- Impacts to Raptors	State-fully-protected species may not be taken or possessed at any time and no licenses or permits may be issued for its take except for collecting those species for necessary scientific research and relocation of the bird species for protection of livestock (Fish & G. Code, §§ 3511, 4700, 5050, 5515). CDFW recognizes that certain fully protected species are documented to occur on, or in, the vicinity of the Project area, or that such species have some potential to occur on, or in, the vicinity of Project, due to the presence of suitable habitat CDFW cannot authorize the take of any fully protected species as defined by state law.	Prior to Project construction and activities	City of Oxnard/ Applicant
MM-BIO-16- Impacts to White Rabbit- Tobacco	If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, the MND should provide species-specific measures to fully avoid impacts. This may include flagging all plants and/or perimeter of populations; no work buffers around plants and/or populations (e.g., flagged perimeter plus 50 feet); restrictions on ground disturbing activities within protected	Prior to/ During/ After Project construction and activities	City of Oxnard/ Applicant

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	areas; relocation of staging and other material piling areas away from protected areas; restrictions on herbicide use and/or type of herbicide and/or application method within 100 feet of sensitive plants; and worker education and training.		
MM-BIO-17- Impacts to Special-status Plants	If rare or sensitive plants including white rabbit-tobacco are found on or near the footprint of the Project, CDFW recommends the MND provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat. 1. CDFW recommends the MND be conditioned to provide a minimum mitigation ratio above 1:1 for sensitive plant species. CDFW recommends a replacement ratio of 3:1 to 10:1 depending on the population and occurrence status of the species (i.e., generally 5:1 for CRPR 3 and 4 species; 7:1 for CRPR 2; and 10:1 for CRPR 1). This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted. Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. Accordingly, mitigation for impacts to rare plants should also include habitat. 2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5)	Prior to/ During Project construction and activities	City of Oxnard/ Applicant

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	location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques. Please note that CDFW generally does not support the use of salvaging, translocation, or transplantation as the primary mitigation strategy for unavoidable impacts to rare, threatened, or endangered plant species.		
MM-BIO-18- Impacts to Non- Game Mammals and Wildlife	If fencing is proposed for use during construction or during the life of the Project, fences should be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing should also be minimized so as not to restrict free wildlife movement through habitat areas. Los Angeles County's Significant Ecological Areas Ordinance Implementation Guide (https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf) offers additional information on permeable fencing as well as design standards. CDFW recommends reviewing those design standards.	Prior to Project construction and activities	City of Oxnard/ Applicant
MM-BIO-19- Impacts to Non- Game Mammals and Wildlife	To avoid direct mortality, a qualified biological monitor should be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. Salvaged wildlife of low mobility should be removed and placed onto adjacent and suitable (i.e., species appropriate) habitat out of harm's way. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.	Prior to Project construction and activities	City of Oxnard/ Applicant

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MM-BIO-20- Impacts to Non- Game Mammals and Wildlife	Grubbing and grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.	Prior to Project construction and activities	City of Oxnard/ Applicant
REC-1- Mitigation and Monitoring Reporting Plan	Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan. A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.	Prior to Project construction and activities	City of Oxnard/ Applicant

Comment Letter A: California Department of Fish and Wildlife – July 29, 2022

Comment A-1

This comment states that California Department of Fish and Wildlife (CDFW) reviewed the Public Review Draft IS/MND, and that CDFW's role is California's Trustee Agency for fish and wildlife resources and a Responsible Agency for lake and streambed alteration in accordance with Fish and Game Code Section 1600. The comment also describes the CDFW role as a Responsible Agency for potential "take" of any species protected under the California Endangered Species Act (CESA). In addition, this comment provides a summary of the Project description. Furthermore, this comment provides a reference to the specific comments provided in Comments A-2 through A-17.

Response to Comment A-1

The City of Oxnard thanks CDFW for its review of the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and its recommendations. This comment does not provide specific comments on the contents of the environmental analysis provided in the Public Review Draft IS/MND. The comment indicates under what circumstances CDFW would be considered a responsible agency for which a permit may be required under the State Fish and Game Code.

The description of the Project location is not accurate. The comment states that the Project is located within the bank and levee of the Santa Clara River. This description is incorrect. The Project location is within the current right-of-way of Ventura Road and east of the existing Santa Clara River Basin levee. The base of the proposed electronic billboard would not be located on the basin side of the existing levee.

The 1,000 square foot Project site includes ornamental landscaping, and no special-status species were observed on the Project site that would require a Section 2081 "take" permit of the Fish and Game Code. In addition, since the Project is located outside of the existing Santa Clara River Basin, a lake and streambed alteration agreement in accordance with Fish and Game Code Section 1600 would not be required.

Comment A-2

This comment raises a concern that Project activities may result in changes to the stream and/or associated sensitive riparian vegetation communities which are subject to the Fish and Game Code. Specifically, the comment states grading, excavation, material staging, grubbing and vegetation clearing may result in direct mortality and loss of sensitive vegetation communities and special status wildlife. In addition, the comment includes recommended mitigation measures.

Response to Comment A-2

Appendix E of the Public Review Draft IS/MND includes a map of the existing biological resources on the Project site as well as in the vicinity of the Project site. As illustrated, the Project

site contains ornamental landscaping, and there is currently a barrier (i.e., levee) that is located between the Project site and the Santa Clara River Basin. The removal of ornamental landscaping would not constitute the loss of sensitive vegetation communities. In addition, there were no special status wildlife species observed or expected to be located within the ornamental landscaping on the Project site. Therefore, the construction activities would not result in the direct mortality or loss of sensitive vegetation communities and special-status wildlife species.

Comment A-3

This comment raises a concern that construction and related activities such as staging and using heavy equipment could result in direct injury or mortality of fish, reptile and mammal species of special concern (SSC). The comment also states that construction activities would increase ambient noise and vibration, night lighting and other activities.

Response to Comment A-3

The comment is correct regarding construction activities increasing noise, vibration, and lighting in the Project vicinity. Construction activities are not expected to result in any direct impacts on sensitive plant or wildlife species on the Project site because the ornamental landscaping that is proposed to be removed does not support sensitive plant or sensitive wildlife species. Therefore, no direct impacts to the coast horned lizard would occur. As identified in Section 3.4 of the Public Review Draft IS/MND, construction activities that are expected to occur over a two-week period could result in impacts to special-status avian species such as the least Bell's vireo and yellow warbler. However, Mitigation Measure BIO-1 is recommended to ensure construction activities occur outside the nesting season (i.e., January 1st to September 15th as revised in Chapter 4, Errata of this Response to Comments Document) for the birds in the region. If construction activities occur within the nesting season, a pre-construction survey is required for active nests and if no sign of nesting activity is observed, construction could proceed. Mitigation Measure BIO-2 is recommended to avoid impacts to nesting least Bell's vireo whose existing suitable habitat is located approximately 220 feet northwest of the Project site.

Also provided in Section 3.4 of the Public Review Draft IS/MND was a discussion of general effects of light on migrating birds. Response 3.4 d) states that "it is known that migrating birds are attracted to artificial light sources... Direct effects of migrating birds becoming attracted to artificial light sources include collisions with lighting, communication and power structures, buildings, or even the ground." As discussed in the Public Review Draft IS/MND, areas surrounding the Project site and Santa Clara River riparian area are highly developed and urbanized with commercial and residential development, all of which contribute to increased nighttime illuminance. In addition, U.S. 101 crosses over the Santa Clara River Basin immediately adjacent to and southwest of Project site and is lined on either side with street lighting. Based on a lighting study conducted for the Project, a maximum illuminance value from the proposed electronic billboard of less than 0.2 foot-candles (fc) would occur at the edge of the willow riparian woodland habitat. Although it is understood that increased ambient lighting can affect wildlife behavior, no quantitative increase in illuminance above ambient light is agreed

upon as a threshold for significant impacts to wildlife. Based on information from the International Commission on Illuminance (CIE), impacts on natural areas would occur with an illuminance of 0.2 fc or greater. Because the Project would result in an illuminance of less than 0.2 fc, the Project would result in a less than significant lighting impact.

Comment A-4

The comment asserts that lights on elevated structures have been found to attract bird species causing them to veer off migration routes or cause collisions. In addition, the comment asserts that birds in adjacent habitat such as the coastal sage scrub could be impacted from light emitted from the proposed billboard.

Response to Comment A-4

As discussed above in Response to Comment A-3, the increase in lighting onto the adjacent sensitive willow riparian woodland habitat would be limited to less than 0.2 fc which would result in a less than significant impact due to the existing illumination in the Project vicinity.

As discussed in Section 3.4 and illustrated in Appendix E of the Public Review Draft IS/MND, coastal sage scrub is located on the basin side of the existing levee. The coastal sage scrub habitat is located between the levee and an access road within the Santa Clara River Basin. The area of the coastal sage scrub habitat is approximately 60 feet wide and approximately 500 feet in length. During project operation, the proposed billboard would result in a range of illuminance onto an approximately 150 linear foot by 60-foot wide portion of the coastal sage scrub of 0.2-fc to approximately 0.9 fc. No sensitive avian species are associated with the coastal sage scrub habitat, and this habitat currently is exposed to existing lighting systems associated with the U.S. 101 freeway lights that line the U.S. 101 bridge over the Santa Clara River Basin. In addition, there are existing street lights located along Ventura Road that provide illumination of this area that is directly adjacent to the existing levee.

Comment A-5

This comment identifies that noise can disrupt wildlife species behavior such as nesting birds.

Response to Comment A-5

As discussed in Section 3.4 a) of the Public Review Draft IS/MND, the Project construction activities that are expected to extend over an approximately two-week time-frame could increase noise levels for nesting bird species in the Project vicinity. Mitigation Measures BIO-1 and BIO-2 are identified to reduce the potential noise impact to nesting birds to less than significant.

Comment A-6

This comment asserts that Project construction activities may directly or through habitat modification, result in direct mortality, reduced reproductive capacity, population declines or local extirpation of special status species. The comment also asserts that Project activities could result in a take of a special-status species.

Response to Comment A-6

As identified in Response to Comment A-2, the Project site contains ornamental landscaping, and there is currently a barrier (i.e., levee) that is located between the Project site and the Santa Clara River Basin. The removal of ornamental landscaping would not constitute the loss of sensitive vegetation communities. In addition, there were no special-status wildlife species observed or expected to be located within the ornamental landscaping on the Project site. Therefore, the construction activities would not result in the direct mortality or loss of sensitive vegetation communities and special-status wildlife or result in a take of a special-status species.

Comment A-7

This comment states that appropriate handling permits are required to capture, temporarily possess, and relocate wildlife to avoid harm or mortality from Project construction activities.

Response to Comment A-7

As stated in Response to Comment A-2, the Project site contains ornamental landscaping. Project construction activities would not result in the direct mortality or loss of sensitive vegetation communities and special-status wildlife or result in a take of a special-status species.

Comment A-8

This comment includes a recommendation to include shields for the bottom of the proposed electronic billboard to further reduce the illumination of habitats immediately adjacent to the Project site. This comment also suggest that the design of the proposed electronic billboard avoid the use of blue-light emitting and ultraviolet light-emitting diodes (LEDs).

Response to Comment A-8

As discussed in Section 1.7 of the Public Review Draft IS/MND, louvers will be located above each row of lights to prevent light from projecting upward into the sky. The recommendation of using louvers to reduce the illumination of the ground surface is not feasible because the use of louvers below each row of LED lighting would eliminate the ability of motorists to read the electronic billboard due to the viewing angle of the motorists. As discussed in Section 3.1 d) of the Public Review Draft IS/MND, light impacts on the existing willow riparian habitat area within the Santa Clara River Basin would not increase illumination by more than 0.2 fc. Therefore, the implementation of the proposed electronic billboard would result in less than significant lighting impacts on the adjacent habitat. The proposed electronic billboard includes the use of each color of LED including blue-light; however, the electronic billboard does not use ultraviolet LEDs.

Comment A-9

This comment recommends the inclusion of six mitigation measures.

Mitigation measure #3 recommends the monitoring of noise generated during Project construction activities as well as post-construction activities.

Mitigation measure #4 recommends that construction equipment should use noise reduction features. This measure also states that stationary noise sources such as generators and pumps used during construction be shielded and that vehicle use and idling time be minimized.

Mitigation measure #5 recommends that a qualified biologist is retained during vegetation removal to conduct focused surveys for species of special concern and suitable habitat.

Mitigation measure #6 recommends moving wildlife species so that there would not be a direct impact during construction activities.

Mitigation measure #7 recommends the preparation of a worker environmental awareness training for construction personnel.

Mitigation measure #8 recommends construction activities to stop if species of special concern (special-status species) are harmed during relocation or are injured or die.

Response to Comment A-9

Following are responses to each of the recommended mitigation measures.

Recommended mitigation measure #3 - Mitigation Measure BIO-1 in Section 3.4 a) of the Public Review Draft IS/MND includes conducting construction activities outside of the nesting season. The measure also includes requirements if construction activities occur during the nesting season. These requirements include a pre-construction nesting bird survey and creation of a buffer to ensure that no direct or indirect impacts to an active nest or nesting activities occur.

Recommended mitigation measure #4 - As discussed in Section 3.12 f) of the Public Review Draft IS/MND, the implementation of Mitigation Measures BIO-1 and BIO-2 would reduce potential noise impacts to nesting birds to less than significant. In addition, construction activities would not include the use of generators or pumps that could require shielding.

Recommended mitigation measure #5 – As discussed in Mitigation Measure BIO-1, a biological monitor will be required if construction activities occur during the nesting season. However, because the Project site includes only ornamental landscaping, no special-status species would be directly impacted from vegetation removal. Therefore, no natural habitat would be removed.

Recommended mitigation measure #6 – As stated previously in Response to Comment A-1, the Project site includes ornamental landscaping, and no special-status species were observed on the Project site. Therefore, no special-status species are present in the onsite ornamental landscaping and would not require relocation.

Recommended mitigation measure #7 – Because the Project site only includes ornamental landscaping, a worker environmental awareness training would not be required because the ornamental landscaping does not provide habitat for special-status species.

Recommended mitigation measure #8 – Because no special-status species are located on the Project site, special-status species would not be harmed during onsite construction activities.

Comment A-10

The comment asserts that protocol surveys for special-status species need to be conducted because ground clearing and construction activities could lead to direct mortality of listed species or species of special concern (special status species) including the coast horned lizard. In addition, this comment also infers that the Project site includes occupied habitat for listed species or species of special concern and recommends measures (mitigation measure #1 and #2) to reduce impacts.

Response to Comment A-10

Because the Project site only includes ornamental landscaping, the Project site's vegetation does not provide habitat for the coast horned lizard or any species of special concern. In addition, the habitat for the coast horned lizard is within the Santa Clara River Basin which is physically separated from the Project site by the existing levee on the east side of the River Basin. As a result, the recommended measures (mitigation measures #1 and #2) are not appropriate for the proposed removal of ornamental landscaping.

Comment A-11

This comment recommends that Mitigation Measure BIO-1 be modified to avoid nesting birds, including raptors, from January 1st through September 15th and if nests are observed that nests are protected by a minimum 500-foot radius during construction.

Response to Comment A-11

Although Mitigation Measure BIO-1 provides adequate mitigation to reduce potential impacts to active nests, the measure on page 27 is modified as follows:

Mitigation Measure BIO-1: Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and ~~December~~ January 31, outside the ~~typical~~ nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the ~~typical~~ nesting season (~~January February 1 – September 15~~ August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a ~~100 to 3~~ 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the

active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

Comment A-12

The comment states that State fully protected species such as the coast horned lizard may not be taken or possessed any time.

Response to Comment A-12

The City of Oxnard understands that a State fully protected species may not be taken or possessed any time. As discussed in Response to Comment A-1, the Project site only includes ornamental landscaping which does not provide suitable habitat for State fully protected species.

Comment A-13

The comment asserts that Project activities may directly impact rare plants and recommends mitigation measures.

Response to Comment A-13

As discussed in Response to Comment A-1, the Project site only contains ornamental landscaping. No rare plants exist on the Project site, and therefore, no mitigation measures related to rare plants are required.

Comment A-14

The comment asserts that Project activities and construction equipment may directly impact wildlife and birds moving through or seeking temporary refuge on site. The comment also recommended mitigation measures to reduce impact on wildlife movement.

Response to Comment A-14

As stated in Response to Comment A-1, the Project site includes ornamental landscaping. The Project site is located within the existing right-of-way of Ventura Road and is physically separated from the Santa Clara River Basin by an existing levee. The construction activities associated with the Project would not directly impact wildlife and birds moving through or seeking temporary refuge on site during the approximately two weeks of construction. The recommended mitigation measures related to wildlife movement are not required.

Comment A-15

This comment references mitigation measures recommended within the above comments and is provided in the form of a Mitigation Monitoring and Reporting Program provided as Attachment A to this comment letter.

Response to Comment A-15

The recommended mitigation measures have been discussed above. As identified in Response to Comment A-11, Mitigation Measures BIO-1 has been modified to address commenter's comments to further reduce less than significant impacts to nests. Chapter 5 of this Response to Comments Document includes a Mitigation Monitoring and Reporting Program as required by CEQA.

Comment A-16

This comment references the filing fee that is required to be paid when the Notice of Determination is filed.

Response to Comment A-16

The City of Oxnard acknowledges that submittal of the California Department of Fish and Wildlife fee along with the filing of the Notice of Determination is required for this Project.

Comment A-17

This comment expresses appreciation for the opportunity to comment on the Project and assist the City in identifying potential impacts to biological resources. The comment also requests an opportunity to review and comment on responses provided by the City.

Response to Comment A-17

The City of Oxnard acknowledges the appreciation. The City has reviewed each of the biological issues that were raised as well as the recommended mitigation measures. As identified above in Response to Comment A-11, the City has modified the bird nest mitigation (Mitigation Measure BIO-1) to further reduce less than significant impacts. The City of Oxnard intends to provide responses to those agencies and organizations that provided comments on the Public Review Draft IS/MND. In addition, when responses are provided, the City of Oxnard will identify the date, time and location of the public hearing that will be held by the City for the Project.



Comment Letter B

Pearson II, Joe <joe.pearson@oxnard.org>

Environmental Impact Report (SCH # 2022060700)

1 message

Primicerio, Jarod@CHP <JPrimicerio@chp.ca.gov>

Wed, Jul 27, 2022 at 12:40 PM

To: "Joe.Pearson@Oxnard.org" <Joe.Pearson@oxnard.org>

Cc: CHP-701_AA_Desk <701_AA_Desk@chp.ca.gov>, CHP-EIR <EIR@chp.ca.gov>, "state.clearinghouse@opr.ca.gov" <state.clearinghouse@opr.ca.gov>

The California Highway Patrol's (CHP) Ventura Area office received an Environmental Impact Report (SCH # 2022060700) for a proposed digital billboard adjacent to the US-101 Freeway, located within the City of Oxnard. The CHP Ventura Area was requested to evaluate the proposal; specifically, in regard to the potential impact it may have on departmental operations, public safety, increased calls to the communications center/dispatch, increased response times, and traffic congestion.

This proposed digital billboard, coupled with the two additional proposed digital billboards (SCH # 2022060701 and SCH # 2022060706), all adjacent to the US-101 Freeway within the City of Oxnard, will likely cause a drastic increase to traffic congestion already severely impacted in the region. There are currently two digital billboards adjacent to the US-101 Freeway within the City of Oxnard, thus adding three additional, there would be a total of five digital billboards within less than a four mile stretch along this portion of the Freeway. The magnitude of the project may place a greater strain on limited public safety resources with an expected increase in vehicular traffic on US-101. A potential delay of emergency response due to extended response times places the public at risk. The potential increase in traffic may cause an increase in motor services, crashes, and injuries to motorists. Consequently, these incidents will cause an increase in calls to the CHP Ventura Communications Center and dispatchers. The proposed area is currently experiencing significant growth with the construction of retail and residential properties. The digital sign(s) will exacerbate the traffic congestion and may create long-term detrimental impact to the residents, visitors, and first responders within the Ventura Area.

B-1

Should you have any questions, please contact Lieutenant Sergio Perez or myself at (805) 662-2640.

Sincerely,

Jarod Primicerio



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Comment Letter B: California Highway Patrol – July 27, 2022

Comment B-1

The comment asserts that the proposed Ventura Road Electronic Billboard along with the Riverpark Boulevard Electronic Billboard and potential additional electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance could cause a drastic increase in traffic congestion along U.S. 101 within the City of Oxnard. The comment further states that the increase in traffic volumes and congestion on U.S. 101 would result in a potential delay on emergency response and could result in an increase in motor services, crashes, and injuries.

Response to Comment B-1

The implementation of the proposed electronic billboard along Ventura Road as well as additional electronic billboards including the Riverpark Boulevard Electronic Billboard and electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance would not result in a substantial amount of traffic. The proposed Ventura Road Electronic Billboard would not generate any employment growth or population growth as discussed in Section 3.13 of the Public Review Draft IS/MND. The implementation of the cumulative electronic billboards would not increase daily operational traffic volumes along U.S. 101. As discussed in Section 3.15 of the Public Review Draft IS/MND, construction activities would generate a nominal number of construction vehicular trips over an approximately two-week construction period.

The concerns raised in this comment do not appear to be a direct result of implementing electronic billboards, but may result from cumulative development throughout the City of Oxnard. Because the Project would not result in an increase in daily or weekly operational traffic volumes, the Project would not contribute to potential cumulative traffic volume increases resulting from development of additional residential, commercial and other urban uses along U.S. 101 that would contribute to increases in motor services, crashes, and injuries to motorists.

As discussed in Section 3.15 c) in the Public Review Draft IS/MND, the proposed billboard as well as future billboards implemented under the Freeway Adjacent Digital Display Billboards Ordinance would be required to comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the proposed electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur. Furthermore, the Project will require an Outdoor Advertising Act Permit from the California Department of Transportation to ensure that the proposed electronic billboard does not represent a danger to motorists traveling along U.S. 101.



Comment Letter C

July 29, 2022

Joe Pearson II, AICP
Community Development Department, Planning Division
City of Oxnard
214 South C Street
Oxnard, CA 93030

SUBJECT: Response to Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance, a Notice of Intent to Adopt the Proposed Riverpark Boulevard Electronic Billboard MND and the proposed Notice of Intent to Adopt the Ventura Road Electronic Billboard MND

Dear Joe Pearson,

Thank you for providing the Ventura County Planning Division with the opportunity to comment regarding the following Mitigated Negative Declarations:

1. City of Oxnard (City) Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the Proposed Freeway Adjacent Digital Display Billboards Ordinance project (proposed ordinance).
2. City of Oxnard NOI to adopt an MND for the Ventura Road Electronic Billboard project
3. City of Oxnard NOI to adopt an MND for the Riverpark Boulevard Electronic Billboard project.

The proposed Freeway Adjacent Billboards ordinance would permit the siting of digital display billboards within 400 feet of the U.S. 101 right-of-way, on the City's property or in its right-of-way, and in non-residential zones. No digital display billboards may be sited less than 100 feet from the property line of any residential zoned parcel. The proposed development standards would limit billboards to a maximum face display area of 14 feet in height and 48 feet in width, require orientation primarily for viewing from the freeway, and the maximum height of the entire structure cannot exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of each display. Each digital display billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet. The permitting path process would be a Special Use Permit. Section 16-530 of the Oxnard Municipal Code describes that a Special Use Permit is authorized by the Planning Commission.

C-1

The County has calculated the distance of the proposed ordinance planning area in relationship with unincorporated area of the County. Calculating the stretch of Highway U.S. 101 from the easternmost portion of the proposed ordinance project area to the westernmost portion, the total length of the project area was estimated at 4.09 miles. Using this estimate, the total of length of unincorporated area in the ordinance planning area totaled approximately 1.3 miles or 30% of the total project planning area distance along the Highway U.S. 101. This calculation represents a significant portion of unincorporated area that may be impacted by the proposed ordinance, particularly along unincorporated areas of El Rio/ Del Norte and Nyeland Acres.

C-1
(Cont)

The project area for the proposed ordinance is located adjacent to portions of the El Rio/ Del Norte and Nyeland Acres unincorporated communities. There are also two billboards proposed. The Riverpark Boulevard Electronic Billboard project would be located approximately 1,800 feet from an unincorporated zone for residential high-density development (RHD-20 du/ac). The Ventura Road Electronic Billboard would be located near a wildlife habitat corridor that lies in the Santa Clara Riverbed. Based on these circumstances, the proposed projects may have direct and cumulative impacts on existing development and sensitive habitat in the County's jurisdiction.

Since it is difficult to evaluate cumulative impacts due to the three separate MND's for these projects; prior to taking any action on the proposed projects, the City should consolidate its review of potential environmental impacts of the Ordinance MND, Ventura Road and RiverPark project MND's into one environmental analysis and document. Given that these projects are being processed concurrently, and the fact that Ventura Road and RiverPark projects cannot be adopted until the billboard ordinance is adopted, consolidation of the three MND's will enable to the County to understand direct, indirect and cumulative environmental impacts of the ordinance programmatic and billboard projects.

C-2

The revised analysis should evaluate potential environmental impacts for the unincorporated areas adjacent to and in the vicinity of the proposed projects; , particularly residential areas in the El Rio/Del Norte and Nyeland Acres communities. Specific issue area to consider are neighborhood compatibility, scenic resources, and biological resource issues areas discussed below.

Impacts to Neighborhood Compatibility

The MNDs evaluate aesthetic impacts, and the Ordinance MND states that, "because specific electronic billboard projects are not known at this time, project-level environmental impacts cannot be assessed. As each individual electronic billboard project is proposed, a project level environmental evaluation will be required" (MND Chapter 3, Aesthetics and Urban Design). However, there are MNDs for two proposed billboards within the proposed ordinance planning area. As stated above, for adequate CEQA review, these projects should be combined onto one study and the projects should be processed in accordance with the proposed ordinance.

C-3

The proposed ordinance should require projects to be designed to meet development standards that reduce or eliminate potential impacts without deferring to an evaluation for consistency with lighting and other standards until after the billboards are authorized and built. Please consider the following amendments to the draft ordinance to reduce potential impacts:

- Clarify that setback distances to residential zones also apply to unincorporated residential zones.
- Clarify how height is measured and require height to be measured from the adjacent average grade.
- Limit the number of billboards that can be sited within the planning area.
- Clarify how the ordinance will benefit disadvantaged communities.

C-3
(Cont)

Setbacks: The ordinance should be revised to consider residential zoned unincorporated properties located adjacent to the proposed ordinance planning area where electronic billboards could be sited (see circled areas in Figure 1 below). As drafted, the ordinance could allow billboards to be sited within a few feet of residential zones in the unincorporated area.

It would be helpful if the proposed Ordinance MND, Figures 2, 2b, and 2d accurately delineate unincorporated areas relative to the planning area. As of now, the program location areas do not display the difference between the separate jurisdictional boundaries, specifically the City of Oxnard and unincorporated community planning areas and therefore potential impacts cannot be adequately evaluated. The City should update the program location index images in the proposed ordinance MND to accurately reflect the location of planning area boundaries in relation to unincorporated County boundaries.

C-4

Height: As stated in the proposed Ordinance MND, the “maximum height of any Freeway Adjacent Digital Display Billboard shall not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display” (MND Page 9). The height standards of electronic billboards in the Ordinance MND should be clarified so the public can understand maximum heights of the billboards from the top of the billboard to ground level, as slope and topography changes will site billboards lower or higher in relation to adjacent land uses and cause impacts that were not evaluated in the Ordinance MND. For example, the proposed Riverpark Boulevard Electronic Billboard (MND No.22-03) has a proposed height of 80 feet measured from the top of the billboard to the ground. This height standard used in this specific proposal is more accurate than the method of measurement proposed in the ordinance and could be inconsistent with the ordinance. One method of measurement is needed that evaluates the maximum height as measured from the adjacent grade to the top of the billboard itself. The County requests that you please verify in the Response to Comments that the height in the ordinance for billboards will not exceed 55 feet as measured from the pavement level of the adjacent freeway to the bottom of the digital display for any proposed billboard projects. If this height assumption is inaccurate, please verify the maximum height that any billboard can be pursuant to the ordinance.

C-5

Limit the Number of Billboards: Another potential cumulative impact on unincorporated areas is there are no maximum quantity of allowable digital billboard displays identified in the proposed ordinance. As of now, the Ordinance MND makes no indication for a maximum allowable number throughout the entirety of the planning area. There should be calculations to understand the potential maximum number of digital display billboards, taking into consideration that they must be placed 2,000 feet away from one another. The proposed ordinance should include reference that existing digital display billboards must comply with the all development standards, including setbacks set forth in the Caltrans Outdoor Advertising Act and Regulations.

C-6

Community Benefits: El Rio/ Del Norte and Nyeland Acres communities are identified in the County General Plan as designated disadvantaged communities. The City should take into consideration how the ordinance and billboards would affect these disadvantaged communities and update the Required Findings of Public Benefit section of the proposed Ordinance MND (page 10) to describe how public benefits will be provided to affected disadvantaged communities that could be adversely affected by the proliferation of digital display billboards.

C-7

The City and digital display billboard applicants should also meet with the El Rio/ Del Norte Municipal Advisory Council to further clarify potential public benefits and impacts from the proposed ordinance and XX project and XX project . Furthermore, the El Rio/Del Norte Area Plan includes the following policy that encourages the City to present proposed ordinances and discretionary projects to the Council for review and comment (*italics added for emphasis*):

Policy, ED-21.1- Public Review Authority

The El Rio/Del Norte Municipal Advisory Council shall continue to be the Board of Supervisors' recognized public review group for the El Rio/Del Norte area. All County *and city applications for discretionary permits* and all environmental documents for projects which would affect the El Rio/Del Norte area shall be sent to the Board of Supervisors' Office for transmittal to the El Rio/Del Norte Municipal Advisory Council as early in the process as possible.

C-8

Scenic Resources

To address concerns with light pollution, light trespass illuminance standards were discussed in the proposed Ordinance MND. However, there are still concerns with glare and light pollution, specifically in the evening with respect to the nearby residential communities. The analysis within Chapter 3 of the proposed Ordinance MND did not evaluate potential impacts from public viewing locations such as roadways in the unincorporated area of Ventura County, particularly the El Rio and Nyeland Acres communities. Since there is no numerical limit on the proliferation of billboards under the proposed ordinance, the Ordinance MND should also evaluate cumulative impacts from glare and illuminance from the perspective of public roads and hiking trails in the hillside areas with views of the Oxnard Plain.

C-9

When assessing the distance from Digital Billboard Display's to residential parcels, Los Angeles County's zoning code, Section 22.114.070 prescribes standards for outdoor advertising signs, and states that such signs shall not be permitted within 200 feet of a residential zone located on the same side of the street or highway. The City should adopt the same or greater 200-foot setback requirement from residential zones (including unincorporated residential zones) rather than the proposed 100-foot setback. The City should also include the following standard from Los Angeles County zoning code Section 22.114.050 in the MNDs and conditions of approval for light protection to surrounding premises, with the additional reference added for applicability to unincorporated areas in parenthesis:

- In no case shall a lighted sign or lighting device thereof be so placed or directed so as to permit the beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.

The proposed Ordinance MND states that, "light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for light-sensitive urban areas such as residential areas and 0.2 fc or greater for natural areas such as the Santa Clara River Basin" (MND page 19). The Ordinance MND should also include references to compliance with the Caltrans Outdoor Advertising Act and Regulations and ensure compliance with California Vehicle Code Section 21466.5 for enforcing sign brightness and reads as follows:

- No person shall place or maintain or display, upon or in view of any highway, any light of any color of such brilliance as to impair the vision of drivers upon the highway. A light source shall be considered vision impairing when its brilliance exceeds the values listed below.
- The brightness reading of an objectionable light source shall be measured with a 11/2-degree photoelectric brightness meter placed at the driver's point of view. The maximum measured brightness of the light source within 10 degrees from the driver's normal line of sight shall not be more than 1,000 times the minimum measured brightness in the driver's field of view, except that when the minimum measured brightness in the field of view is 10 foot-lamberts or less, the measured brightness of the light source in foot-lambert shall not exceed 500 plus 100 times the angle, in degrees, between the driver's line of sight and the light source.

Lastly, Federal Highway Administration guidance on off-premise changeable message signs recommend adjusting brightness in response to changes in light levels so that signs are not unreasonably bright for the safety of the motoring public. Brightness should be adjusted accordingly and if a billboard has the potential to illuminate uses in unincorporated residential zones, an evening time shut off period should be required for mitigation of potential brightness and illumination light spill.

The City should include mitigation measures and comparable brightness standards for the intensity of lighting identified in the City of Ventura's Auto Center Specific Plan Amendments for the Final Initial Study Mitigated Negative Declaration that was approved in 2017 as either mitigation measures in the Ordinance MND or development standards in the Billboard Ordinance. The City of Ventura's Auto Center electronic billboard display is routinely turned off at 10 p.m. to mitigate light emittance and nuisance in the evening time. The following measures from the Auto Center Specific Plan should also be included in the proposed ordinance, and digital display billboard projects should be conditioned as follows:

Mitigation Measure AES-1: Electronic Sign Brightness. The Auto Center Specific Plan shall include the following standards for the Auto Center freeway sign and Auto Center entry sign:

- Lighting levels on the digital sign shall not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America.
- Brightness shall not exceed 800 nits (candela per square meter) from sunset to sunrise. At all other times, brightness will not exceed 7500 nits.
- Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face.
- A light sensor shall be installed with the sign to measure ambient light levels and to adjust light intensity to respond to such conditions. The light sensor adjusts the sign's brightness in order to compete with ambient light. The darker the surrounding ambient light, the less bright the sign is.
- The sign shall not display any moving, flashing, scrolling, fading, brightening or animated text or video.
- Signage shall be controlled remotely and include remote maintenance software.
- LED lighting has a directional nature, and the projected viewing angle values for this sign shall be $\pm 30^\circ$ vertically and $\pm 60^\circ$ horizontally. Louvers shall be located above each row of lights to prevent light from projecting upward into the sky.

Mitigation Measure AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the freeway sign. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.3 foot-candle requirement is satisfied.

Biological Resources

The proposed Ordinance MND (page 32) evaluates potential impacts to critical habitat, special status plant species and avian species. The electronic billboards could impact wildlife corridor movement due to electronic light displays that deter and disorient wildlife movement. The Santa Clara River riparian area is identified by the County of Ventura as an important Habitat Connectivity and Wildlife Corridor. Without precise mapping that identifies the extent that billboards could be placed closest to the Santa Clara River basin, and the proposed approach to test billboards for impacts after they are built, there is insufficient information to determine whether there will be direct, indirect, or cumulative impacts to wildlife movement. CEQA requires protecting wildlife corridors/movement areas and the proposed ordinance development standards, environmental impact analyses, and project-specific conditions of approval should include measures to conserve the natural state of the habitat wildlife corridor and ensure species can move throughout the region. The City should consider the following mitigation measure in the Ordinance MND for impacts to biological resources. This mitigation measure should also apply to the Riverpark Boulevard MND and as needed to future digital billboard projects' conditions of approval:

AES-2: City Approval of Brightness. Within 14 days of the freeway sign being operational, annually, and as required by City staff (after maintenance, malfunctions, multiple complaints) the applicant shall submit to the satisfaction of the Community Development Director, the following information:

- A third-party test conducted after installation to verify that the billboard complies with the requirements not to exceed 0.2 foot-candle above ambient light at 250 feet from the face of the freeway sign, as measured from within the Habitat Corridor. If the value exceeds industry standards, additional lighting output reduction shall be required until the 0.2 foot-candle requirement is satisfied.

The Santa Clara River is the longest continuous river system in Southern California and runs over 100 miles in length, originating from the San Gabriel Mountains in Los Angeles County and traverses throughout Ventura County to reach the Pacific Ocean. Extensive patches of high-quality riparian habitat are present along the length of the river and its tributaries. Numerous state and federally listed species have been found in and nearby the undeveloped areas (e.g., least bell's vireo (*Vireo bellii pusillus*), mesa horkelia (*Horkelia cuneata*), California legless lizard (*Anniella pulchra*), Lyon's pentachaeta (*Pentachaeta lyonia*), and coastal California gnatcatcher (*Poliophtila californica californica*). Please see Figure 2 below for a map of the Habitat Connectivity and Wildlife Corridor in the South Coast Ventura County region. The proposed Ordinance MND should be revised to adequately analyze the impacts to the wildlife corridor and include additional mitigation measures as appropriate. Lastly, the following El Rio Area Plan Goals and Policies should be considered for standards in the proposed ordinance, and as a basis for biological mitigation measures to offset environmental impacts:

C-9
(Cont)

Goal, ED-32: To protect the biological resources of the Santa Clara River and adjoining natural habitat areas including significant stands of Southern Willow within the Santa Clara River bounding the El Rio/Del Norte area.

Goal, ED-33: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

Policy, ED-33.1: To encourage revegetation or landscaping in natural habitat areas and the Santa Clara River that incorporates native plant species in order to restore habitat in already disturbed areas.

C-9
(Cont)

In closing, thank you again for the opportunity to comment on the three MNDs for the proposed ordinance and digital display billboard projects. The County is hopeful that the City will combine these three MND's into one environmental document and recirculate for public review and comment. This action would facilitate meaningful public disclosure of the potential direct, indirect, and cumulative environmental impacts of the Ordinance MND and associated Ventura Road and RiverPark projects on the unincorporated County. If you have any questions about this letter, please contact Joel Hayes at Joel.Hayes@ventura.org or 805.654.2834.

C-10

Sincerely,



Dave Ward, AICP | Planning Director
County of Ventura, Planning Division

Figure 1. Unincorporated Residential Zones (circled in green) that need to be evaluated for direct, indirect and cumulative impacts due to the proposed ordinance and billboard projects.

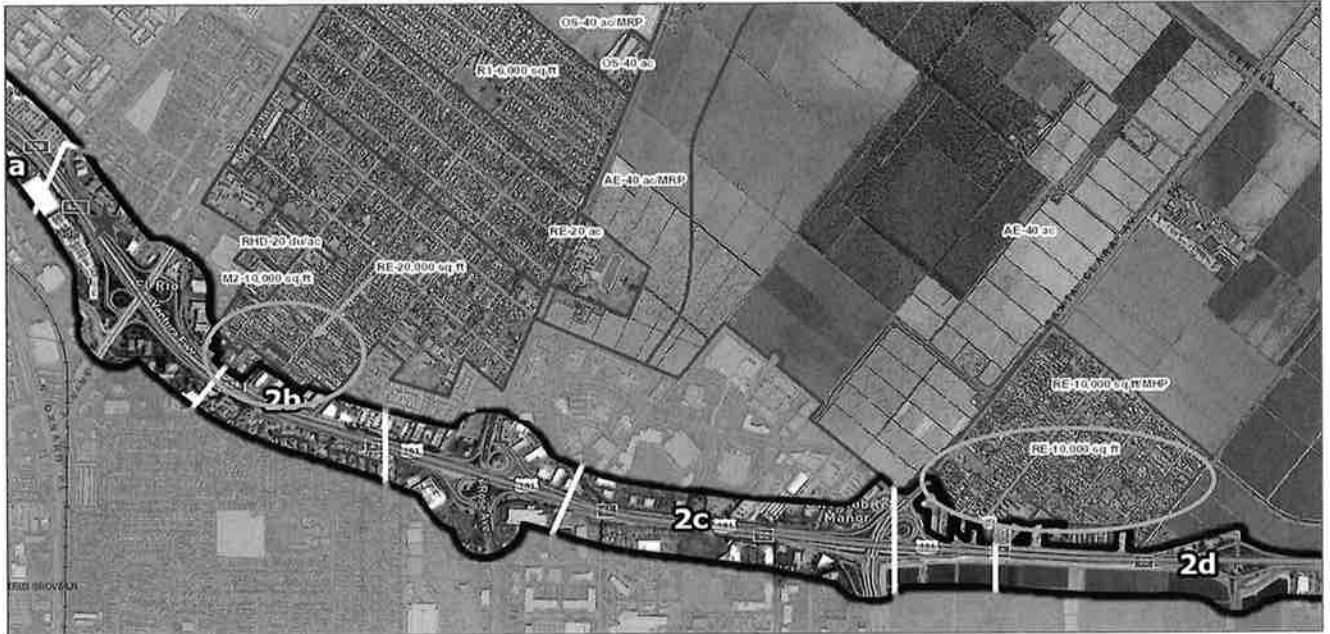
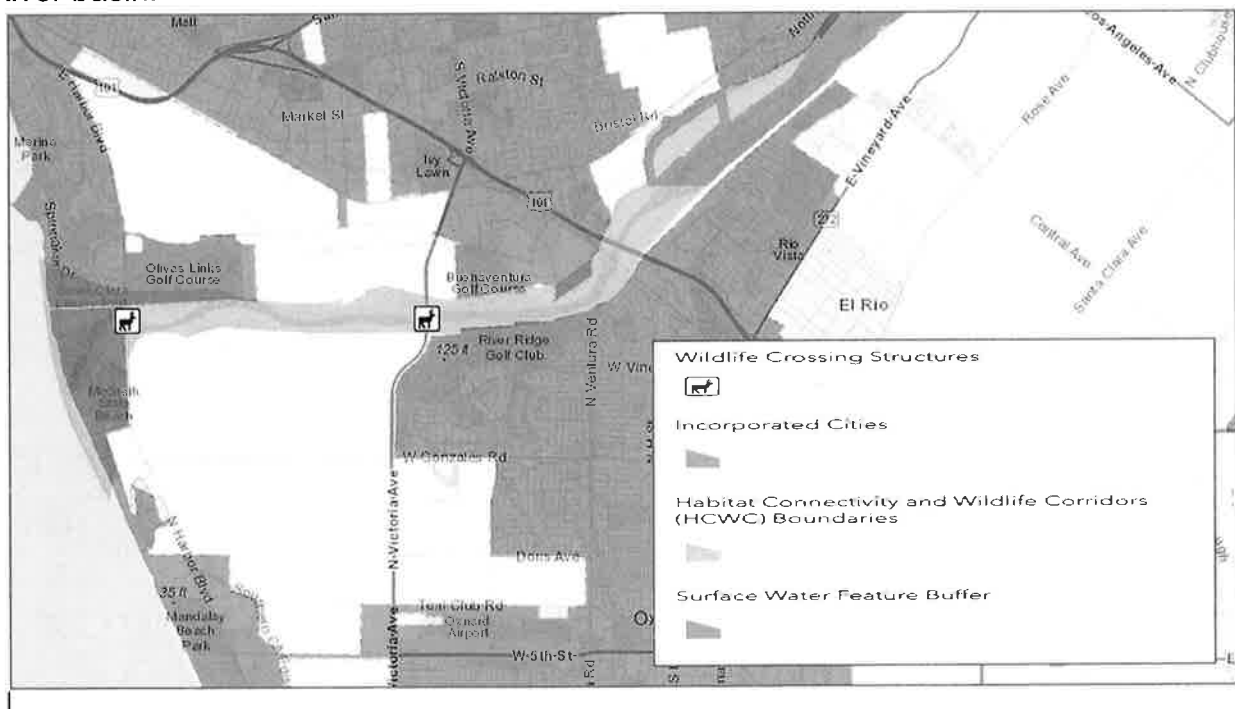


Figure 2. Map showing Habitat Connectivity and Wildlife Corridors in the Santa Clara River basin.



Comment Letter C: County of Ventura Resources Management Agency, Planning Division – July 29, 2022

Comment C-1

This comment states that the Planning Division reviewed three separate Mitigated Negative Declaration (MNDs) related to proposed Ventura Road Electronic Billboard, potential additional electronic billboards implemented under the proposed Freeway Adjacent Digital Display Billboards Ordinance and Riverpark Boulevard Electronic Billboard. The comment specifically states that the proposed Ventura Road Electronic Billboard would be located near a wildlife habitat corridor that lies in the Santa Clara Riverbed and may have direct and cumulative impacts on sensitive habitat in the County's jurisdiction.

Response to Comment C-1

The potential Ventura Road Electronic Billboard Project impacts to biological resources associated with construction and operational activities are discussed in Section 3.4 of the Public Review Draft IS/MND. As discussed, the proposed construction activities would be located outside of the existing Santa Clara River Basin and physically separated from the Basin by the existing levee that borders the eastern edge of the Basin. The Project site is located within the existing right-of-way of Ventura Road. The Project site currently contains ornamental landscaping. The analysis identifies potential impacts to birds during the nesting season and includes mitigation measures to reduce the potential impacts to less than significant (see Response to Comment A-11 for a modification to the nesting season identified in Mitigation Measure BIO-1). An operational lighting study was conducted and modifications to the design of the electronic billboard have been incorporated into the Project so that the maximum illuminance from the electronic billboard at the edge of the willow riparian habitat would be less than 0.2 foot candles. Based on recommendations from the International Commission on Illumination (CIE). The CIE identifies impacts on natural areas as an illuminance of 0.2 foot-candle (fc) or greater. Therefore, due to the absence of a current local illumination standard impact on natural areas, a significant light impact on adjacent natural areas and associated species would occur if light level increases are 0.2 fc or greater. Because the increase in light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area or associated species.

The cumulative impact of implementing the proposed electronic billboard within the existing Ventura Road right-of-way, the proposed electronic billboard along Riverpark Boulevard, and the adoption of an ordinance to allow additional electronic billboards along U.S. 101 but separated by at least 2,000 feet in distance is discussed in Section 3.18 b) of the Public Review Draft IS/MND. As discussed, the proposed Project could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, BIO-2, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related billboard projects would need to occur at least 2,000

feet from the Project site, and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

Comment C-2

This comment asserts that evaluating the cumulative impacts of the three projects that are addressed within the three separate Public Review Draft IS/MNDs is difficult and recommends that the City consolidates its review into one environmental document.

Response to Comment C-2

The potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. As stated in Response to Comment C-1, a discussion of cumulative impacts is provided for each Public Review Draft IS/MND in Section 3.18 b). The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.

Comment C-3

This comment states that an analysis of potential environmental impacts to unincorporated areas such as the El Rio/Del Norte and Nyeland Acres communities and sensitive biological resources adjacent to and in the vicinity of the proposed Project should be evaluated.

The comment also requests amendments to the draft Freeway Adjacent Digital Display Billboards Ordinance.

Response to Comment C-3

The Ventura Road Electronic Billboard Project is not located in the vicinity of the El Rio/Del Norte and Nyeland Acres communities, and therefore, the implementation of the Project would not result in impacts to these communities. The Project site is located near the Santa Clara River Basin which includes biological resources and is an unincorporated area of the County. As discussed in Response to Comment C-1, potential significant impacts associated with the implementation of the Ventura Road Electronic Billboard Project could occur to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, BIO-2, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related billboard projects (i.e., Riverpark Electronic Billboard and additional electronic billboards implemented as part of the Freeway Adjacent Digital Display Billboards Ordinance) would need to occur at least 2,000 feet from the Project site, and the

Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

This comment's recommended amendments to the Billboards Ordinance are not pertinent to the proposed Ventura Road Electronic Billboard Project. The Project's specific potential impacts are evaluated in the Public Review Draft IS/MND.

Comment C-4

This comment references the proposed Ordinance and requests setbacks.

Response to Comment C-4

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Ventura Road Electronic Billboard Public Review Draft IS/MND.

Comment C-5

This comment references the proposed Ordinance and requests more specific information on maximum heights.

Response to Comment C-5

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Ventura Road Electronic Billboard Public Review Draft IS/MND.

Comment C-6

This comment references the proposed Ordinance and requests more specific information on limiting the number of billboards.

Response to Comment C-6

Because this comment references the proposed Ordinance, it does not provide a specific comment on the Ventura Road Electronic Billboard Public Review Draft IS/MND.

Comment C-7

This comment asserts that the City should take into consideration how the ordinance and proposed billboards would affect disadvantage communities and how public benefits will be provided to affected disadvantage communities

Response to Comment C-7

The El Rio/Del Norte and Nyeland Acres communities are within the jurisdiction of the County of Ventura. These communities are outside of the City of Oxnard. Potential impacts associated with the construction and operation of the Ventura Road Electronic Billboard Project would not

impact these communities because the Project site is located more than one mile from the El Rio/Del Norte community and more than 3 miles from the Nyeland Acres community.

Comment C-8

This comment asserts that all County and City applications for discretionary permits and all environmental documents for Projects should be sent to the Board of Supervisor's Office for transmittal to the El Rio/Del Norte Municipal Advisory Council.

Response to Comment C-8

A Notice of Intent to Adopt a Mitigated Negative Declaration was mailed to the County of Ventura for distribution. Potential impacts associated with the construction and operation of the Ventura Road Electronic Billboard Project would not impact El Rio/Del Norte community because the Project site is located approximately one mile from this unincorporated community.

Comment C-9

This comment addresses evaluations of scenic resources and biological resources provided in the Freeway Adjacent Digital Display Billboards Ordinance Public Review Draft IS/MND.

Response to Comment C-9

This comment does not address contents within the Ventura Road Electronic Billboard Public Review Draft IS/MND. Therefore, no further response is required.

Comment C-10

This comment thanks the City for providing an opportunity to comment on the three Public Review Draft IS/MNDs for the proposed Ordinance and the electronic billboard projects. The County reiterated the request to provide the environmental documentation for the IS/MNDs into one environmental document.

Response to Comment C-10

As discussed in Response to Comment C-2, the potential effects resulting from the Freeway Adjacent Digital Display Billboards Ordinance is evaluated at a Program-level and as each individual electronic billboard project is proposed, a project-level environmental evaluation will be required. The Riverpark Boulevard and Ventura Road Electronic Billboard Projects are evaluated at a Project-level, and specific impacts and applicable mitigation measures are provided in their respective Public Review Draft IS/MND. The City thanks the County for their input, but will proceed with the separate IS/MNDs for the program and two specific projects.



Comment Letter D

Pearson II, Joe <joe.pearson@oxnard.org>

FW: Ventura County Agency Comments for Proposed Billboard Ordinance & Projects

1 message

Ciuffetelli, Anthony <Anthony.Ciuffetelli@ventura.org>
To: "joe.pearson@oxnard.org" <joe.pearson@oxnard.org>

Fri, Jul 29, 2022 at 3:47 PM

Good Afternoon,

Attached to this e-mail are the following comments regarding the proposed ordinance and projects:

- VC Air Pollution Control District (Ordinance & projects)
- VC Watershed Protection District (Ventura rd project)

Please feel free to contact me with any questions regarding this submission. Responses to these comments should be sent directly to the commenter with a copy to me. Additional comments are expected from the VC Planning Division and will be sent directly from staff.

Regards,

-Tony C.

Anthony Ciuffetelli

Ventura County Planning Division

Planning Programs

(805)654-2443



4 attachments



RMA 22-018_APCD.pdf
152K



RMA 22-019_APCD.pdf
149K



RMA 22-020_APCD.pdf
149K



RMA 22-020_WPD.pdf
316K

Hello Anthony,

Watershed has the following conditions. Please let us know if you have any questions.

Encroachment Permit

Purpose: To comply with the *Ventura County Watershed Protection District (County) Ordinance*, and mitigate potential impacts such as obstructing, impairing, diverting, impeding, or altering the characteristics of the flow of water to jurisdictional channels by designing and constructing appropriate surface drainage and flood control facilities to protect life and property from damage or destruction from flood and storm waters. Facilities requiring permits may include, but are not limited to, channel improvements, and lateral storm drain connections. Permits are also required for any activities in, on, over, under, or across a jurisdictional red-line channel or within District Right of Way.

Requirement: The Permittee shall obtain an Encroachment Permit. The permit application shall include the following:

- a. Construction plans prepared, signed, and stamped by a California licensed civil engineer including but not limited to, a site plan depicting general drainage trends, existing and proposed topography with elevations, proposed improvements in both plan and profile, and construction details that meet the standards of the County and the WP.
- b. Site specific hydrology for existing and proposed conditions that conforms to the Watershed Protection District's Hydrology Manual.
- c. Hydraulics using a methodology and/or computer model applicable to the proposed improvements and acceptable to the Watershed Protection District. The final model shall confirm there are no adverse impacts to Stroube Drain and Santa Clara River including no loss of storage volume and no increase in water surface elevation for the 1-percent chance flood peak discharge on adjacent parcels.
- d. Any other information or studies required by the Permit Section to administer the requirements of watershed Ordinance WP-2.

D-1

Documentation: A WP Permit application package shall be prepared and signed by the Permittee or a duly authorized agent and submitted to and logged by the WP Permit Section.

Timing: The applicant shall obtain an encroachment permit prior to obtaining a building permit or grading permit or prior to project start date if no grading or building permits are required.

Monitoring and Reporting: Prior to permit closure, WP staff shall inspect the improvements to assure that construction was completed, in accordance with the approved plans and the Permit.

Thank you,

Dawn Husted

Management Assistant II

Watershed Protection – Planning & Permits



800 S. Victoria Ave. / #1610

Ventura, CA 93009

P: 805.662-6882

[VCPWA Online](#) | [Facebook](#) | [Twitter](#)

Comment Letter D: County of Ventura Resources Management Agency, Watershed Protection District – July 29, 2022

Comment D-1

This comment states that permits are required for activities in, on, over, under, or across a jurisdictional red-line channel or within District right-of-way.

Response to Comment D-1

Because the Project is located on a site that is within the City of Oxnard and within the Ventura Road right-of-way as well as physically separated from the Santa Clara River Basin by the existing levee, the Project would not encroach upon jurisdictional channels or within District right-of-way. Therefore, a permit from the Watershed Protection District is not required for the Project.



**VENTURA COUNTY
AIR POLLUTION CONTROL DISTRICT**
Memorandum

TO: Joe Pearson II, Sr. Planner, City of Oxnard

DATE: July 26, 2022

FROM: Nicole Collazo, Air Quality Specialist, Planning Division

A handwritten signature in black ink, appearing to read 'NC', followed by a horizontal line.

SUBJECT: Draft Mitigated Negative Declaration for the Ventura Road Electronic Billboard
(RMA 22-020)

Air Pollution Control District (APCD) staff have reviewed the subject mitigated negative declaration (MND) of the Ventura Road Electronic Billboard project (project). The proposed project includes a request for approval of a Special Use Permit for the installation and operation of an LED electronic billboard. The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The project is located on the north side of the U.S. 101 and immediately west of Ventura Road. The Lead Agency is the City of Oxnard. APCD submits the following comments for the project's MND.

GENERAL COMMENTS

Air Quality Section

1) Item a, Page 17. VCOG is no longer responsible for developing the AQMP. This is language contained in our 2003 Ventura County Air Quality Assessment Guidelines and no longer applies. The AQMP is developed by the APCD using SCAG's population growth forecasts in its air quality modeling and forecasting. We recommend amending this section. We also note that our 2022 AQMP is currently in development and scheduled to be adopted at the end of 2022.

Thank you for the opportunity to comment on the project's MND. If you have any questions, you may contact me at nicole@vcapcd.org.

Comment Letter E: Ventura County Air Pollution Control District – July 26, 2022

Comment E-1

This comment states that the Ventura Council of Governments (VCOG) no longer responsible for developing the Ventura County Air Quality Management Plan (VCAQMP) but Ventura County APCD is responsible.

Response to Comment E-1

The City of Oxnard thanks the Ventura County Air Pollution Control District in clarifying that the VCOG no longer provides forecasted regional population, housing, and employment for the VCAQMP.

The fourth sentence of the first paragraph on page 17 is revised as follows:

~~VCOG and the Ventura Council Association of Governments (VCOG)~~ are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

The second paragraph on page 17 of the Public Review Draft IS/MND is revised as follows:

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

CHAPTER 4

Errata

The following text changes are made to the Public Review Draft Initial Study/Mitigated Negative Declaration (Public Review Draft IS/MND) and incorporated as part of the Final Initial Study/Mitigated Negative Declaration (Final IS/MND). These changes are minor and do not alter the conclusions of the Public Review Draft IS/MND. Changes to the text are noted with underline (for added text) or ~~strikeout~~ (for deleted text).

Page 17, fourth sentence of the first paragraph

~~VCAPCD and the Ventura Council Association of Governments (VCOG) are~~ is responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements.

Page 17, second paragraph

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by the VCAPCD ~~VCOG~~ are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCAPCD ~~VCOG~~ forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCAPCD's ~~VCOG's~~ regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCAPCD's ~~VCOG's~~ regional forecast projections, and thus also with the AQMP growth projections.

Page 27, second and third paragraphs

Mitigation Measure BIO-1: Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and ~~December~~ January 31, outside the ~~typical~~ nesting season for birds and raptors in the region. If vegetation removal or installation must occur during the ~~typical~~ nesting season (~~January~~ February 1 – ~~September 15~~ August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a ~~100 to 3~~ 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests

within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

CHAPTER 5

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
AES-1: The proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.	Prior to construction completion	Project Construction Contractor	Community Development Department	
AES-2: Within 14 days of the proposed electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), the Applicant shall submit to the satisfaction of the Community Development Director the following information: A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at natural areas.	Ongoing	Applicant	Community Development Department	
BIO-1: Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 16 and December 31, outside the nesting season for birds in the region. If vegetation removal or installation must occur during the nesting season (January 1 – September 15), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 500-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can	Survey prior to construction and monitoring during construction	Applicant, Project Construction Contractor, and Project Biologist	Community Development Department	

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds. If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.				
BIO-2: To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS. If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.	Survey prior to construction and monitoring during construction	Applicant, Project Construction Contractor, and Project Biologist	Community Development Department	

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.				
CUL-1: Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor. In the event that historic or archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All historic and archaeological resources unearthed by construction activities associated with the proposed Program shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.	Retain Archaeologist and Native American Monitor prior to ground disturbance and halt or divert activities if resources are found until they are evaluated	Applicant, Project Archaeologist, and Native American Monitor	Community Development Department	

Mitigation Measures	Timing	Responsible for Implementation	Responsible for Enforcement	Date of Compliance
CUL-2: Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.	Retain Paleontologist prior to ground disturbance and halt or divert activities if resources are found until they are evaluated	Applicant and Project Paleontologist	Community Development Department	

VENTURA ROAD ELECTRONIC BILLBOARD

Initial Study/Mitigated Negative Declaration

Prepared for
City of Oxnard
Community Development Department

June 2022



VENTURA ROAD ELECTRONIC BILLBOARD

Initial Study/Mitigated Negative Declaration

Prepared for
City of Oxnard
Community Development Department
214 South C Street
Oxnard, California 93030
805.385.8272

June 2022

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ENVIRONMENTAL CHECKLIST

Initial Study

1.0 Project Information

1. **Project Title:** Ventura Road Electronic Billboard
2. **City of Oxnard Contact Person and Phone Number and Address:**

City of Oxnard
Community Development Department
Planning Division
214 South C Street
Oxnard, California 93030
Joe Pearson, II, Senior Planner
805-385-8272
3. **Project Location:**

The Project site is located on an approximately 1,000 square foot site located in the northern portion of the City of Oxnard within the County of Ventura (**Figure 1**). Specifically, the site is located on the north side of the U.S. 101 and immediately west of Ventura Road (**Figure 2**). The Project site is currently undeveloped.
4. **Project Sponsor's Name and Address:**

Foster Interstate Media, Inc.
1111 Broadway, Suite 1515
Oakland, CA 94607
T: 510-832-7070 x 1103
F: 510-832-7071
C: 415.385.1781
5. **General Plan Designation(s):**

The Project site is designated under the City of Oxnard 2030 General Plan as Regional Commercial, according to the General Plan Land Use Map. The proposed Project conforms to the 2030 General Plan land use designation.
6. **Zoning:**

The zoning designation for the proposed Project is RiverPark Specific Plan with a Commercial Retail Land Use.

7. Description of Project:

The Ventura Road Electronic Billboard is located on the north side of U.S. 101 and immediately west of Ventura Road. The Project site is located within the RiverPark Specific Plan and designated as Commercial Retail. The implementation of the proposed Ventura Road Electronic Billboard would require the approval of a Special Use Permit, a Development Agreement, and Street Vacation. The Project plans are provided in **Appendix A**.

Special Use Permit

The proposed Project includes a request for approval of a Special Use Permit for the installation and operation of an electronic billboard (**Figure 3**). The electronic billboard would include a digital display of advertisements of various businesses, activities, services or products. The proposed billboard would be supported by a pole that ranges in diameter from approximately 7 feet to 3 feet. The pole would extend approximately 40 feet below ground and approximately 65.5 feet above ground. The portion of the pole above ground would be painted primarily gray except for the upper 10.5 feet that would be painted black. The top of the billboard would be approximately 80 feet in height above the ground and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width (**Figure 4**). The existing ground level is at approximately the same elevation as the travel lanes along Ventura Road. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Electricity for the electronic billboard will be provided by electrical service located immediately adjacent to the Project site and require approximately 200 feet of trenching along the west side of Ventura Road right-of-way to an existing Edison electrical box for the electrical connection. The average electricity use is approximately 150 kilowatt hour (kwh) per day and approximately 54,000 kwh per year. Lighting levels on the digital sign will not exceed 0.3 foot candles above ambient light from a distance of 250 feet, as measured according to standards of the Outdoor Advertising Association of America. Brightness shall not exceed 300 nitere (nits) or candela per square meter from sunset to sunrise. At all other times, brightness will not exceed 7,500 nits. Illumination shall be directed such that minimal light spill will occur on either side or the top or bottom of the sign face. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness based on ambient conditions. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. LED lighting has a directional nature, and the projected viewing angle values for the proposed sign will be +14.9°/-34.6° vertically and ±45° horizontally. Louvers will be located above each row of lights to prevent light from projecting upward into the sky.

Construction activities would occur in approximately four days over a two-week period. There is ornamental landscaping located along Ventura Road right-of-way. Up to two days will be required to drill the footing and haul/dispose of excess dirt and pour concrete to set the column. After the concrete sets, the structure is built. Finally, the digital displays are built and set.

Development Agreement

The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement would also outline the required public benefits to be provided by the future development, including fiscal benefits to the City, such as revenue sharing. No other physical improvements are allowed or required by the development agreement.

Street Vacation

The Project site is within the current street right-of-way and is proposed to be vacated. As the underlying property owner, the City of Oxnard will retain ownership, making it a City-owned property.

8. Surrounding Land Uses and Setting.

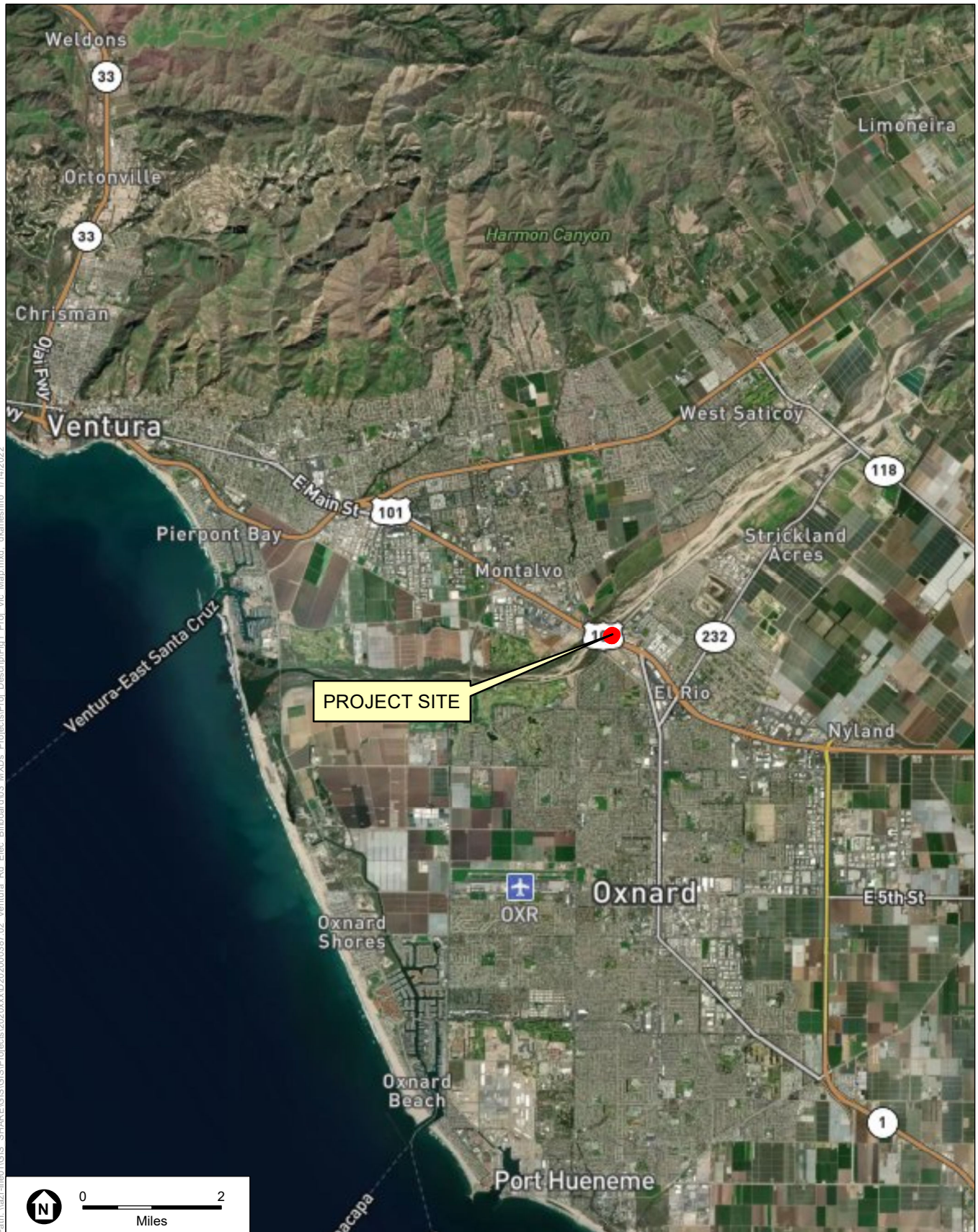
The area surrounding the Project site consists of a mix of office and commercial land uses. U.S. 101 is located immediately south of the Project site. Across U.S. 101 to the South, adjacent to Ventura Road, is The Wagon Wheel development which is currently under construction with residential townhomes, condominiums, and limited commercial development. To the north and west is The Santa Clara River Basin that includes vegetation. Recently, the vegetation within the Santa Clara River Basin and adjacent to U.S. 101 was removed by the County of Ventura for maintenance purposes. Northeast of and approximately 600 feet from the Project site is a senior housing facility, and other approved commercial development including a gas station and drive through restaurants.

9. Other public agencies whose approval is required.

The proposed Project will require an Outdoor Advertising Act Permit from the California Department of Transportation to ensure the proposed electronic sign does not represent a danger to motorists traveling along U.S. 101. No additional permits, financing approval or participation agreement will be required from other public agencies.

10. Have California Native American tribes traditionally and culturally affiliated with the Project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (**Appendix B**). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52. The Barbareno/Ventureno Band of Mission Indians did not request consultation with the City of Oxnard regarding the proposed Project.



SOURCE: OpenStreetMap, 2022

Ventura Road Electronic Billboard Project

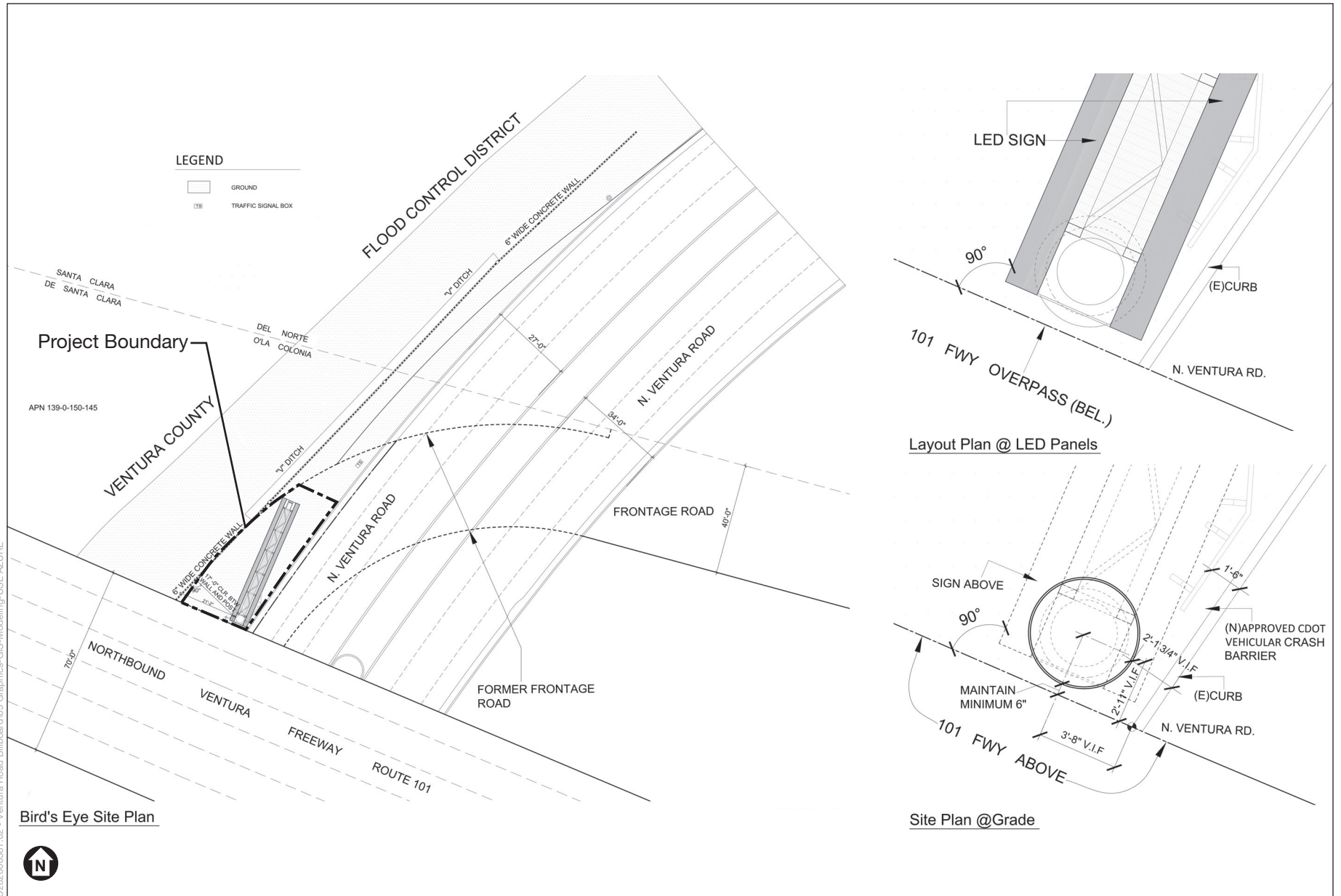
Figure 1
Project Vicinity Map



SOURCE: OpenStreetMap, 2022

Ventura Road Electronic Billboard Project

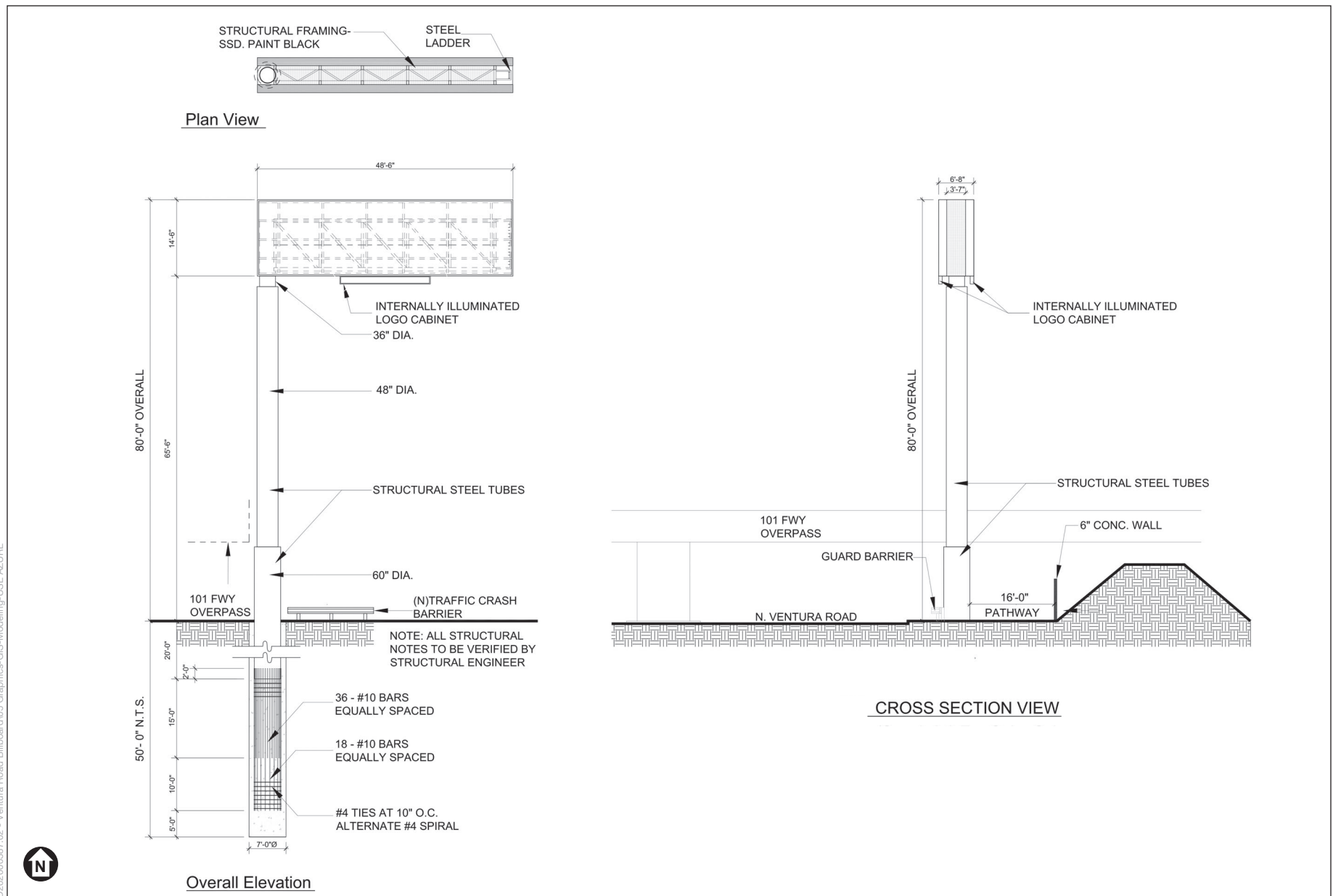
Figure 2
Project Site Location Map



SOURCE: ib+a architecture, 2020

Ventura Road Electronic Billboard Project

Figure 3
Project Site Plan



SOURCE: ib+a architecture, 2020

Ventura Road Electronic Billboard Project

Figure 4
Electronic Billboard Elevation and Plan Views

2.0 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact” or “Less than Significant with Mitigation Incorporated” as indicated by the checklist on the following pages.

- | | | | |
|--|--|---|--|
| ☐ Aesthetics and Urban Design | ☒ Cultural Resources and Tribal Cultural Resources | ☐ Mineral Resources | ☐ Utilities and Energy |
| ☐ Agricultural Resources | ☐ Geology and Soils | ☒ Noise | ☐ Wildfire |
| ☐ Air Quality | ☐ Hazards and Hazardous Materials | ☐ Population, Education, and Housing | ☒ Mandatory Findings of Significance |
| ☒ Biological Resources | ☐ Hydrology and Water Quality | ☐ Public Services and Recreation | |
| ☐ Climate Change and Greenhouse Gas Emissions | ☐ Land Use and Planning | ☐ Transportation and Circulation | |

DETERMINATION:

On the basis of this initial study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

For

3.0 Environmental Checklist

3.1 Aesthetics and Urban Design

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project have a substantial adverse effect on a scenic vista such as an ocean or mountain view from an important view corridor or location as identified in the 2030 General Plan or other City planning documents?	☐	☐	☒	☐
b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway, or route identified as scenic by the County of Ventura or City of Oxnard?	☐	☐	☒	☐
c) Would the project substantially degrade the existing visual character or quality of the site or its surroundings such as by creating new development or other physical changes that are visually incompatible with surrounding areas or that conflict with visual resource policies contained in the 2030 General Plan or other City planning documents?	☐	☐	☒	☐
d) Would the project add to or compound an existing negative visual character associated with the project site?	☐	☐	☒	☐
e) Would the project create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	☐	☐	☒	☐

Discussion

- a) **Less than Significant Impact.** Based on a review of the Oxnard General Plan Background Report (City of Oxnard, 2006), there are scenic areas and view corridors within the City of Oxnard. The scenic areas and view corridors include local waterways, agricultural open space, beaches and coastline, scenic highways/roadways, and urban landscapes that maintain original historic architectural features and contain park/plaza features.

The proposed Project is located adjacent to U.S. 101 that is identified as part of the City's Scenic Highway System along the entire length of U.S. 101 from the eastern city limits to the western city limits at Ventura Road. The current views from U.S. 101 in the vicinity of the Project site include urban development such as commercial and residential uses as well as vegetation associated with the Santa Clara River Basin. The view from motorists traveling northbound on U.S. 101 from Oxnard Boulevard includes urban development on the north side of the freeway and construction activities for commercial and residential development on the south side of the freeway. Caltrans billboard signs are located along the north and south sides of the freeway, and limited landscaping is located on both sides of the freeway. Background views include the Coastal Mountain Range. The view from motorists traveling southbound on U.S. 101 from Johnson Drive and across the Santa Clara River Basin includes vegetation that is located within the Basin and includes Caltrans billboard signs. The bridge includes light poles that are spaced approximately 60 to 65 feet

apart from each other along the north side of the bridge and along the entire length of the approximately 1,700-foot long bridge. As southbound U.S. 101 motorists approach Ventura Road, views include urban development as well as construction areas. An advertisement billboard with a width of approximately 48 feet is on the south side of the freeway and immediately adjacent to the Ventura Road right-of-way. Background views from the southbound lanes include the Morgan Stanley Bank Tower and hills of Point Mugu State Park that bound the southeastern portion of the City of Oxnard.

The implementation of the Development Agreement, Street Vacation, and placement of the proposed electronic billboard on the Project site would include the placement of an 80-foot high pole (approximately 60 feet high as seen by motorists along U.S. 101) with an electronic billboard that would be 14.5 feet in height and 48.5 feet in width. A visual simulation of the proposed electronic billboard is provided in the Project Plans located in Appendix A. The implementation of the Project would result in an impact on motorist views traveling along U.S. 101. Northbound views of the Project area from U.S. 101 consist of urban development and background views include a portion of the Coastal Mountain Range. Southbound motorists' who approach Ventura Road from the U.S. 101 bridge over the Santa Clara River Basin include urbanized views in the Project area. Northbound and southbound motorists' views of the proposed electronic billboard would add another typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101 outside of the Santa Clara River Basin views obtained by motorists traveling on the U.S. 101 bridge. Due to the urbanized setting of the Project area, Project impacts on northbound motorists' views that include an urban landscape as well as partial distant views of the Coastal Mountain Range would not be considered a substantial adverse effect on a scenic vista. Southbound motorists' views also include an urban landscape and minimal background views of the hills of Point Mugu State Park. The southbound motorists' views would be minimally impacted with the implementation of the proposed electronic billboard, and the impact would not be considered a substantial adverse effect on a scenic vista. Therefore, implementation of the proposed electronic billboard would result in less than significant effects on a scenic vista.

- b) **Less than Significant Impact.** The Project site is located along the north side of U.S. 101. Currently, U.S. 101 is an eligible State scenic highway; however, it is not an official State-designated scenic highway (Caltrans, 2019). The nearest officially State-designated highway is State Route 33 located approximately 7 miles west of the Project site. Oxnard Boulevard is also an eligible State scenic highway as well as a City-designated scenic highway to U.S. 101. However, Oxnard Boulevard is approximately 0.4 mile east of the Project site and due to existing terrain as well as existing development, very limited views of the upper elevations of the proposed electronic billboard would be viewable. These limited views would not substantially alter the characteristics of existing views from Oxnard Boulevard. Therefore, the implementation of the proposed Project would result in a less than significant impact on existing scenic resources within a state or local scenic highway.

- c) **Less than Significant Impact.** As discussed above, the Project would add a structure to motorists' view along the U.S. 101. The addition of the proposed electronic billboard would alter the existing visual characteristics along U.S. 101; however, because the area contains urban development and the proposed electronic billboard provides a typical view of an urban landscape (i.e., billboards and Caltrans signs) that occurs along U.S. 101, the visual alteration caused by the Project would not be considered a substantial change. Therefore, potential impacts from the visual alteration of adding the proposed electronic billboard to the visual landscape would be less than significant.

The City of Oxnard 2030 General Plan includes aesthetic policies to protect and enhance natural setting and scenic resources. A discussion of the Project's consistency with the applicable aesthetic policies is provided below.

Policy ER-6.1 includes the incorporation of views in new development. This policy requires development to provide physical breaks to allow views into scenic vistas and view corridors. Because the proposed Project includes a free-standing electronic billboard, the implementation of the Project would not conflict with this policy because motorists would briefly view the proposed billboard as they travel along U.S. 101. Therefore, the Project would be consistent with this policy.

Policy ER-6.2 includes the protection and enhancement of major scenic resources including the surrounding mountains. As discussed above, motorists traveling northbound along U.S. 101 would have a background view of the Coastal Mountain Range as well as partial views of the vegetation located within the Santa Clara River Basin; however, this background view would be bordered by foreground urban development for northbound U.S. 101 motorists. For southbound U.S. 101 motorists, the vegetation within the Santa Clara River provides a foreground view; however, this foreground view also includes urban development as the motorists' travel toward Ventura Road. Therefore, the addition of the proposed electronic billboard would not substantially impact the background views of the Coastal Mountain Range and Santa Clara River Basin or the foreground views of the Santa Clara River Basin. Thus, the Project would not conflict with this policy, and the Project would be consistent with this policy.

Policy ER-6.5 includes the control of light and glare. The policy requires advertising displays and billboards to use low-energy, shielded light fixtures which direct light downward and, where public safety would not be compromised, encourage the use of low-pressure sodium lighting for all outdoor fixtures. The proposed electronic billboard would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology. The lighting of the proposed electronic billboard would be designed to allow the message on the display visible to passing motorists. The digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions. The proposed electronic billboard would require a California Department of Transportation Outdoor Advertising Act Permit from Caltrans. The

proposed billboard would comply with the brightness requirements outlined in the Outdoor Advertising Act in that the illumination shall not be of such brilliance or so positioned as to cause a hazardous condition on adjacent highways. The implementation of the proposed electronic billboard would not conflict with this policy. Therefore, the Project would be consistent with this policy.

Based on a review of the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code, the proposed electronic billboard is not currently an allowed use within the City of Oxnard. However, as discussed above, the implementation of the proposed electronic billboard would result in less than significant impact to scenic vistas, scenic resources, and scenic highways, and the Project would result in a less than significant visual alteration of the existing visual characteristics as well as less than significant light and glare.

- d) **Less than Significant Impact.** Currently, the Project site includes ornamental shrubs of oleander within the existing Ventura Road right-of-way. The Project site is landscaped and does not represent an existing negative view from the surrounding areas. The addition of the proposed electronic billboard would alter the existing visual characteristics of the Project area; however, as discussed above, this alteration would be considered less than significant. Therefore, the addition of the proposed electronic billboard would not add to or compound to an existing negative view of the Project site, and as a result the Project's impact would be less than significant.
- e) **Less than Significant Impact.** The operation of the proposed Project would increase nighttime lighting in the Project vicinity. Currently, the City of Oxnard does not have a quantitative exterior light standard. Typically, lighting is quantified using footcandles which is the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

Light pollution or obtrusive light is highly subjective. To address concerns with light pollution, recommendations to limit light trespass onto adjacent properties from the International Commission on Illumination (CIE) were reviewed. The CIE identifies a light trespass illuminance of 0.5 fc or greater for urban areas such as the Project site and 0.2 fc or greater for natural areas such as the Santa Clara River Basin (CIE, 2003). Therefore, due to the absence of a current local light pollution standard, a significant light impact on the adjacent residents would occur if light levels are 0.5 fc or greater and a significant impact on adjacent natural areas would occur if light levels are 0.2 fc or greater.

The lighting associated with the proposed electronic billboard would be directed toward the travel lanes along U.S. 101. Louvers will be located above each row of lights to prevent light from projecting upward into the sky. As discussed above, the digital LED billboard technology allows sign brightness to be adjusted automatically depending on ambient weather conditions. The display, for example, would be brighter in the daytime than at night-time and responds to changes in the ambient light conditions.

The nearest current multifamily residential use is located approximately 600 feet east of the site; however, the City is processing an amendment to the RiverPark Specific Plan to allow for high density multifamily residential uses approximately 200 feet east of the Project site. Based on the Photometric Analysis provided in **Appendix C**, the light levels at the existing multifamily residential uses and the current multifamily uses that are currently being processed would be 0.1 fc or less. Because the light level would be less than 0.5 fc, the Project would result in a less than significant lighting impact on the existing and future adjacent residential uses. The sensitive willow riparian habitat area is located approximately 135 feet west of the Project site (i.e., west of the access road within the Santa Clara River Basin) and would result in an illumination of less than 0.2 fc based on the Photometric Analysis provided in Appendix C. Because the light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area.

To ensure that the images on the electronic billboard do not cause hazardous conditions to motorists, the billboard may show a series of still images, each displayed for at least eight seconds. The still images may not move or present the appearance of motion and may not use flashing or blinking lights or any other means not providing constant illumination. Transition or blank screen time between one still image and the next may not exceed one second. The implementation of these design features as well as complying with all applicable federal, state, and local laws, including the Highway Beautification Act of 1965 (23 United States Code Section 131) and the Outdoor Advertising Act (California Business and Professions Code Section 5200 et seq.), when constructing, operating, improving, maintaining, and repairing the proposed billboard would reduce potential light and glare impacts from the proposed electronic billboard to less than significant.

Although less than significant lighting impacts would occur, the following mitigation measures are recommended to further reduce less than significant light impacts.

Mitigation Measure AES-1: The proposed light emitting diode (LED) billboard shall include an operating mechanism (hardware or software controlled) that turns off the display or turns it to all black in the event of a malfunction or failure in any system or subsystem that results in the display wholly or partly appearing to flash.

Mitigation Measure AES-2: Within 14 days of the proposed electronic billboard being operational, annually, and as required by City staff (i.e., after maintenance, malfunctions, multiple complaints), the Applicant shall submit to the satisfaction of the Community Development Director the following information:

- A third party test conducted after installation to verify that the electronic billboard complies with the requirements not to exceed 0.3 foot-candle above ambient light at 250 feet from the face of the electronic billboard or exceed the 0.5 foot-candle at any residential uses or 0.2 fc at the sensitive willow riparian habitat.

As identified above, the implementation of the above mitigation measures would further reduce a less than significant impact.

References

- Caltrans. 2019. California State Scenic Highways. Available at:
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- exp. 2020. Digital Billboards Photometric Analysis. December 7, 2020. Appendix C of this IS/MND.
- International Commission on Illumination (CIE). 2003. Guide on the Illumination of the Effects of Obtrusive Light from Outdoor Lighting Installations.
-

3.2 Agricultural Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use?	☐	☐	☐	☒
b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Would the project involve other changes in the existing environment that, due to their location or nature, could result in conversion of off-site farmland to non-agricultural use?	☐	☐	☐	☒

Discussion

- a) **No Impact.** The Project site is currently identified as Urban and Built-Up Land and not designated as Prime Farmland, Unique Farmland, Farmland, or Statewide Importance based on a review of the California Department of Conservation's California Important Farmland Finder (CDC, 2016). Therefore, the implementation of the proposed Project would not convert farmland to an urban use, and no impact to farmland would occur.
- b) **No Impact.** Williamson Act contracts are formed between a county or city and a landowner for the purposes of restricting specific parcels of land to agricultural preserve areas. The Project site does not contain any agricultural uses. It is currently zoned for Specific Plan with a Commercial Retail land use. Because there are no active Williamson Act contracts associated with the Project site, the Project would not conflict with existing agricultural zoning or a Williamson Act contract. No Project impact would occur.
- c) **No Impact.** Because there are no agricultural or forest lands located in the immediate vicinity of the Project site, the construction and operation of the proposed electronic billboard would not involve other changes in the existing environment that would result in the conversion of agricultural or forest lands. No impacts would occur.

References

California Department of Conservation (CDC), 2016. Available at: California Important Farmland Finder <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed on February 10, 2022.

3.3 Air Quality

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project conflict with or obstruct implementation of the Ventura County AQMP?	☐	☐	☒	☐
b) Would the project result in a cumulatively considerable net increase of any criteria pollutant in excess of quantitative thresholds recommended by the VCAPCD?	☐	☐	☒	☐
c) Would the project expose sensitive receptors to substantial pollutant concentrations exceeding state or federal standards or in excess of applicable health risk criteria for toxic air contaminants?	☐	☐	☒	☐
d) Would the project create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion

- a) **Less than Significant Impact.** Ventura County Air Pollution Control District (VCAPCD) is responsible for attaining and maintaining air quality standards in the Ventura County portion of the South Central Coast Air Basin (SCCAB) through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues. The clean air strategy of VCAPCD includes preparation of plans for attainment of ambient air quality standards, adoption and enforcement of rules and regulations concerning sources of air pollution, and issuance of permits for stationary sources of air pollution. The Ventura County portion of the SCCAB is designated as nonattainment for ozone for the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) and for respirable particulate matter 10 micrometers in diameter and smaller (PM10) for the CAAQS. VCAPCD and the Ventura Council Association of Governments (VCOG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The VCAPCD has adopted Air Quality Management Plans (AQMPs) to meet the CAAQS and NAAQS. The VCAPCD Governing Board adopted the 2016 AQMP on February 14, 2017. The goals of the VCAQMP are to ensure that city and county population growth do not interfere with emission reductions and progress in meeting the state and national ambient air quality standards.

The proposed Project is located within the Ventura County portion of the SCCAB, which is under the jurisdiction of the VCAPCD for air quality planning and control. As such, VCAPCD's 2016 AQMP is the applicable air quality plan for the proposed Project. Projects that are consistent with the regional population, housing, and employment forecasts identified by VCOG are deemed consistent with the AQMP growth projections, since the forecast assumptions by VCOG forms the basis of the land use and transportation control portions of the AQMP. Additionally, because VCOG's regional growth forecasts are based upon, among other things, land uses designated in general plans, a project that is consistent with the land use designated in a general plan would also be consistent with the VCOG's regional forecast projections, and thus also with the AQMP growth projections.

The billboard Project would generate temporary emissions that would occur during the construction associated with installation activities. These emissions would be short-term in nature (approximately 4 days of construction for the billboard installation) over a two-week period. The billboard operations would not generate additional employment or population growth or transportation impacts from increased vehicle trips. Ongoing operation of the billboards would require power in the form of purchased electricity and would not generate any direct emissions of criteria pollutants or ozone precursors at the Project site, aside from minimal emissions from occasional site visits for maintenance or repairs.

The VCAPCD Ventura County Air Quality Assessment Guidelines exempts projects with de minimis emissions from Consistency Assessments. According to Section 4.2.1, Projects Exempt from Consistency Assessments, a project that conforms to the applicable General Plan designation and has emissions below two pounds per day of reactive organic compounds (ROC), and below two pounds per day of nitrogen oxides (NO_x), is not required to assess consistency with the AQMP. According to Section 5.2, Calculating Ozone Precursor Emissions from Project Construction, the VCAPCD does not consider emissions from construction activities towards VCAPCD thresholds since construction emissions are temporary.

The Project would not generate air pollutant emissions during operations, and is thus not required to assess consistency with the AQMP. Further, as discussed above, the billboard operations would not generate additional employment or population growth or transportation impacts from increased vehicle trips. Therefore, the Project would have no impact with respect to conflicts with or obstruction of implementation of the applicable air quality plan.

- b) **Less than Significant Impact.** The City of Oxnard has not developed specific air quality thresholds for air quality impacts. However, as stated in Appendix G of the CEQA Guidelines, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, the significance thresholds and analysis methodologies in VCAPCD's CEQA Air Quality Handbook are used in evaluating Project impacts. The VCAPCD's CEQA Air Quality Handbook focuses on reducing ozone precursor emissions, which includes ROCs (also referred to as volatile organic compounds [VOCs]) and NO_x because emissions of these pollutants could jeopardize attainment of the NAAQS and CAAQS for ozone in Ventura County. The other criteria pollutants of concern include: carbon monoxide (CO), which is a colorless and odorless gas and can cause dizziness, confusion, unconsciousness or even death at high levels; sulfur dioxide (SO₂), which is also colorless and can cause asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation, such as wheezing, shortness of breath and chest tightness; and PM₁₀ and fine particulate matter 2.5 micrometers or less in diameter (PM_{2.5}), which can worsen respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits and respiratory mortality. The

VCAPCD has not established mass emission significance thresholds for CO, SO₂, PM₁₀ or PM_{2.5}.

Construction

Construction emissions from projects are considered short term and temporary but could adversely affect air quality. Emissions of ozone precursors and particulate matter are a potential concern in the Ventura County portion of the SCCAB since the area is designated as nonattainment for ozone (NAAQS and CAAQA) and PM₁₀ (CAAQS). Emissions of ozone precursors ROC and NO_x are primarily generated from heavy-duty equipment and motor vehicle exhaust and vary as a function of vehicle trips per day associated with soil hauling, delivery of construction materials, and worker commute trips, and the types and number of heavy-duty, off-road equipment used and the intensity and frequency of their operation. Particulate matter (i.e., PM₁₀ and PM_{2.5}) is among the pollutants of greatest localized concern with respect to construction activities given that particulate concentrations tend to be higher near the source of the emissions. Particulate emissions from construction activities can lead to adverse health effects and nuisance concerns, such as reduced visibility and soiling of exposed surfaces. Particulate emissions can result from a variety of construction activities, including drilling/excavation, vehicle travel on paved and unpaved surfaces, and vehicle and equipment exhaust. Construction emissions of PM can vary greatly depending on the level of activity, the specific operations taking place, the number and types of equipment operated, local soil conditions, weather conditions, and the amount of earth disturbance.

Proposed construction activities associated with billboard installations would generate temporary pollutant emissions from the following construction activities: (1) drilling and haul of excavated soil; (2) column set/concrete pour; (3) build and set of the billboard structure; and (4) build & set digital displays. These construction activities would create emissions of dust, fumes, equipment exhaust, and other air contaminants. The daily quantity of emissions generated would vary, depending on the intensity and types of construction activities occurring during each task.

Construction emissions from the proposed billboard Project is estimated to require four days of construction activity. For the purposes of the air quality analysis, the construction activities were modeled for the earliest potential time frame to provide for a conservative analysis. Construction of the Project is assumed to occur in 2022. If construction occurs subsequent to 2022, the emissions presented in this IS/MND would be conservative as emissions occurring in future years would be lower than those calculated for 2022 due to the use of a more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to State regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. Assumptions, including information on equipment horsepower, hours of operation, vehicle trip distances and the model output, are included in **Appendix D**. CalEEMod version 2020.4.0 was used with Ventura County defaults whenever appropriate to ensure a location specific, but generic emission model that would apply to a range of installation scenarios. **Table AQ-1, Construction Schedule and**

Equipment, below summarizes the basic construction schedule, equipment and on-road vehicle types and trips.

TABLE AQ-1
CONSTRUCTION SCHEDULE AND EQUIPMENT

	Days	Equipment	Daily Haul / Equipment Delivery Trips^a	Daily Worker Trips^a
Drilling / Haul Soil	1	Excavator/Drill Skid Steer Loader Dump Trucks	12	8
Column Set / Concrete Pour	1	Crane Truck mounted Aerial Lift Concrete Pump Concrete Mixers (trucks)	12	10
Build & Set Structure	1	Crane Truck Mounted Aerial Lift Air Compressor	8	10
Build & Set Digital Displays	1	Crane Truck Mounted Aerial Lift	8	10

^a Haul and construction worker trips are inbound and outbound trips, with one inbound and one outbound trip comprising a roundtrip. Haul and delivery trips are for the export of soil, import of cement and delivery of the billboard columns, display, and associated materials.

SOURCE: City of Oxnard, 2022

It is mandatory for all construction projects in the SCCAB to comply with VCAPCD Rule 55 for controlling fugitive dust. Incorporating Rule 55 into the proposed Project reduces regional PM10 and PM2.5 emissions from construction activities. Specific Rule 55 control requirements may include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12 inches, and maintaining effective cover over exposed areas. Compliance with Rule 55 was accounted for in the construction emissions modeling.

Ventura County Guidance specifies that construction-related emissions are not counted towards the significance thresholds for the ozone precursors (ROC and NO_x) since the emissions are temporary. However, they should be mitigated if they are predicted to exceed the threshold level (25 pounds per day of ROC or NO_x in the Project area).

The VCAPCD has not established a quantitative threshold for fugitive dust emissions, but provides qualitative criteria in its Air Quality Assessment Guidelines.

A project that may be reasonably expected to generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which may endanger the comfort, repose, health, or safety of any such person or the public, or which may cause, or have a natural tendency to cause,

injury or damage to business or property (see California Health and Safety Code, Division 26, §41700) will have a significant adverse air quality impact.

Table AQ-2, *Maximum Daily Total Construction Emissions*, summarizes the estimated emissions of criteria air pollutants and ozone precursors associated with a typical billboard installation for each individual construction phase (day) along with the maximum daily emissions. These emissions are compared to VCAPCD's daily operational significance threshold for ROG and NO_x emissions to determine if mitigation should be implemented. As shown, the maximum daily emissions would be below the operational thresholds. Therefore, the proposed Project would not result in any significant construction emission impacts for these nonattainment pollutants, nor require any mitigation measures beyond those incorporated into the Project design (e.g., fugitive dust control according to VCAPCD Rule 55, compliance with state truck regulations).

TABLE AQ-2
MAXIMUM DAILY TOTAL CONSTRUCTION EMISSIONS

	Maximum Regional Emissions (lbs/day)					
	ROG	NO _x	CO	SO ₂	PM ¹⁰	PM ^{2.5}
Drilling / Haul Soil	<1	5.5	6.1	<1	<1	<1
Column Set / Concrete Pour	<1	8.1	5.6	<1	<1	<1
Build & Set Structure	<1	7.9	6.0	<1	<1	<1
Build & Set Digital Displays	<1	6.0	3.6	<1	4	4
Maximum Daily Emissions^a	<1	8.1	6.1	<1	<1	<1
<i>Operational Significance Thresholds / Screening Levels</i>	25 ^b	25 ^b	—	—	—	—
Significant Impact?	No	No	NA	NA	NA	NA

^a Maximum daily emissions are for each individual pollutant that results in the greatest emissions on a peak day of construction.
Note: All emissions shown above include VCAPCD Rule 55 fugitive dust reduction measures.

^b VCAPCD operational significance thresholds.

SOURCE: ESA, 2022

Operation

Proposed operational activities associated with the operation of the proposed electronic billboard would not generate any direct emissions of criteria pollutant and ozone precursors. Furthermore, the operation of the billboard would not generate any employment or population growth and related emissions nor any additional daily vehicle trips or transportation related emissions of criteria pollutants or ozone precursors (minimal emissions from occasional site visits for maintenance or repairs may occur periodically).

The operation of the billboard would not result in emissions of ozone precursors in excess of the ROG and NO_x operational significance thresholds, and impacts from these pollutants would be less than significant. Operation of the billboard would also not generate PM10 or PM2.5 emissions from fugitive dust are minimal and would not cause injury, nuisance

or health impacts to a significant number of persons of the public. Therefore, impacts from fugitive dust (PM10 and PM2.5) emissions would be less than significant.

Cumulative

The geographic scope for regional air quality impacts consists of the air basin(s) in which Project emissions would occur. The VCAPCD's approach for assessing cumulative impacts is based on attainment of ambient air quality standards in accordance with the requirements of the CAA and California Clean Air Act. As discussed earlier, the VCAPCD has developed a comprehensive plan, the 2016 AQMP, which addresses the region's cumulative air quality condition. CEQA Guidelines Section 15064(h)(3) provides guidance in determining the significance of cumulative impacts, stating in part that:

A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency.

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the proposed Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the VCAPCD's adopted 2016 AQMP. With respect to the Project's short-term construction-related air quality emissions and cumulative conditions, VCAPCD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal CAA mandates. Construction of the Project would comply with VCAPCD Rule 55 fugitive dust control requirements and the ATCM to limit heavy duty diesel motor vehicle idling to no more than five minutes at any location. These measures would also be imposed on trucks used for construction in the State, which would include the cumulative projects in the Project area. Additionally, with respect to operational emissions, the Project's emissions would be less than the significance thresholds, and the Project would not conflict with the AQMP. Since the Project's construction and operational emissions would not exceed the VCAPCD's regional significance thresholds, and the proposed Project would not conflict with the AQMP, cumulative construction and operational impacts would be less than significant.

- c) **Less than Significant Impact.** Sensitive receptors are individuals who are considered more sensitive to air pollutants than others. The reasons for greater than average sensitivity may include pre-existing health problems, proximity to emissions sources, or duration of exposure to air pollutants. Schools, hospitals, and convalescent homes are considered as relatively sensitive to poor air quality because children, elderly people, and the infirm are more susceptible to respiratory distress and other air quality-related health problems than the general public. Residential areas are considered sensitive to poor air quality because

people usually stay home for extended periods of time, with associated greater exposure to ambient air quality. Because the installation of the proposed billboard would occur approximately 600 feet from an existing residence, construction air emissions would disperse in the environment and decrease with distance from the source. The limited emissions from construction activities would not cause a significant impact to sensitive receptors as discussed below.

Carbon Monoxide Hotspots

Emissions of carbon monoxide (CO) are generated in greatest quantities from motor vehicle combustion of fossil fuels and are usually concentrated at or near ground level because they do not readily disperse into the atmosphere, particularly under cool, stable (i.e., low or no wind) atmospheric conditions. Localized areas where ambient concentrations exceed State and/or federal standards are termed CO hotspots. Traffic impacts and the potential for CO hot spots from the operation of motor vehicles related construction of the proposed Project would be minimal as there are less than 20 additional one-way trips per day from construction related haul vehicles and construction worker automobiles combined. In fact, the VCAPCD requires a screening analysis to determine the potential for CO Hotspots for any Project with indirect emissions greater than the applicable ozone (ROG and NO_x) Project significance levels as analyzed Section 3.3 b) above where roadway intersections are currently operating at or are expected to operate at a Level of Service (LOS) of E or F. As indicated in Table AQ-2 above, the proposed Project would be below significance thresholds for ROG and NO_x, indicating the low potential for Project impacts.

Operation of the billboards would not result in any regular vehicular activity, though there may be the occasional site visit for maintenance or repairs. These would result in negligible emissions and result in a negligible impact on traffic, and impacts would be less than significant.

Localized Air Quality Impacts – TACs

Project construction would result in short-term emissions of diesel PM, a TAC. Diesel particulate matter poses a carcinogenic health risk that is measured using an exposure period of 70 years for a lifetime exposure or 30 years for a residential exposure. The exhaust of off-road heavy-duty diesel equipment would emit diesel particulate matter from off-road construction vehicles and from on-road cement trucks and haul trucks, delivery tractor trailers during the short construction phase for the proposed billboard. The dose to which receptors are exposed is the primary factor used to determine health risk (i.e., the potential exposure to TACs to be compared to applicable standards). Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Dose is positively correlated with time, meaning that a longer exposure period would result in a higher exposure level for the maximally exposed individual. Thus, the risks estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment (OEHHA), carcinogenic health risk assessments, which

determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period for a lifetime exposure or 30 years for a residential exposure; however, such assessments should be limited to the period or duration of activities associated with the proposed Project.

The construction period for the proposed billboard installation is approximately four days in duration over approximately two weeks and would not represent a significant dose. Additionally, the billboard would be located approximately 600 feet from the nearest residence. Given the short duration of the construction activities, and the distance of the sensitive receptors from the Project, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts would be less than significant.

Operation of the billboard would not result in any direct emissions, as it would utilize purchased electricity to power for lighting. Further, operation of the billboard would not generate daily vehicle trips or transportation related emissions of criteria pollutants or ozone precursors (minimal emissions from occasional site visits for maintenance or repairs may occur periodically). Therefore, implementation of the proposed electronic billboard would not result in emissions of TACs that would substantially impact sensitive receptors, and the impact would be less than significant.

- d) **Less than Significant Impact.** During installation of billboard, diesel exhaust from diesel trucks and off-road construction equipment construction equipment may emit odors. Such odors would be a temporary source of nuisance to adjacent uses but would not affect a substantial number of people. As odors associated with Project construction would be temporary and intermittent in nature, the odors would not be considered as a significant environmental impact. Therefore, construction activities would result in less than significant impacts with respect to other emissions, including those leading to odors.

There are no direct emissions associated with the operation of the billboard, and operational impacts would not result in any odor impacts and, therefore, would be less than significant with respect to odors. The Project would not generate other emissions that would adversely affect a substantial number of people as discussed in Section 3.3 b) and c) above, and impacts would be less than significant.

References

City of Oxnard. 2022. Construction Assumptions for Electronic Billboard.

VCAPCD 2003. *Ventura County Air Quality Assessment Guidelines*. October. Available: <http://www.vcapcd.org/environmental-review.htm>.

VCAPCD 2017. *Final 2016 Ventura County Air Quality Management Plan*. February 14. Available: <http://www.vcapcd.org/pubs/Planning/AQMP/2016/Final/Final-2016-Ventura-County-AQMP.pdf>

3.4 Biological Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Would the project have a substantial adverse effect on federally protected waters of the U.S. as defined by Section 404 of the federal Clean Water Act or protected waters of the state as defined by Section 1600 et seq. of the California Fish and Game Code (including, but not limited to, marshes, vernal pools, coastal wetlands) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Would the project conflict with any local policies or ordinances protecting biological resources?	☐	☐	☐	☒
f) Would the project conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

- a) **Less than Significant with Mitigation Incorporated.** The Project site is located on the southeast side of the Santa Clara River southbank levee along Ventura Road in the City of Oxnard. The Project site is planted with ornamental shrubs of oleander (*Nerium oleander*). Dominant vegetation around the Project site and surrounding property includes non-native grasses and herbaceous species along with sparse, sporadic cover of native mulefat (*Baccharis salicifolia*) saplings and rabbit tobacco (*Pseudognaphalium* sp.). The Santa Clara River is located on the opposite side of the levee from the Project site, and approximately 135 feet to the northwest is where riparian habitat was observed. The active channel of the Santa Clara River is greater than 380 feet from the Project site. Willow riparian woodland habitat dominates the southbank of the river and transitions to coastal sage scrub habitat located between the northwest side of the levee and the southeast side of the Santa Clara River Basin access road (**Appendix E**). During a site visit on February 16, 2022, an ESA biologist observed large patches of both willow riparian woodland habitat and coastal sage scrub habitat had been recently removed. Willow riparian woodland habitat that had once been located along U.S. 101 has been removed. There was approximately 0.5 acre of willow riparian woodland along U.S. 101 that has been removed.

Upstream of the approximately 0.5 acre, the willow riparian habitat previously extended approximately 200 feet from the mainstem of the Santa Clara River; however, now extends approximately 100 feet from the mainstem because of recent vegetation removal (Appendix E).

A database review showed that the Project site itself is not overlain within U.S. Fish and Wildlife Service (USFWS)-designated Critical Habitat for any special-status plant or wildlife species (USFWS 2022a); however, southwestern willow flycatcher (*Empidonax traillii extimus*) Critical Habitat is mapped as occurring throughout the Santa Clara River riparian area. Additionally, the California Natural Diversity Data Base (CNDDB) and California Native Plant Society (CNPS) Rare Plant Inventory identified 25 special-status species being recorded within the Oxnard USGS 7.5-minute quadrangle (CDFW 2022; CNPS 2022). Based on the results of the CNDDB search and presence of willow riparian habitat adjacent to and northwest of the Project site, special-status avian species with a high potential to occur within or surrounding the Project site include least Bell's vireo (*Vireo bellii pusillus*) and yellow warbler (*Setophaga petechia*). Additionally, State-protected reptile species, coast horned lizard (*Phrynosoma blainvillii*) and western pond turtle (*Emys marmorata*), and special-status plant species (California Rare Plant Rank [CRPR] 2B.2), white rabbit-tobacco (*Pseudognaphalium leucocephalum*), were recorded by CNDDB as occurring in close proximity to the Project site.

Both southwestern willow flycatcher and least Bell's vireo are listed as Endangered by the USFWS. In 2013, southwestern willow flycatcher and least Bell's vireo protocol surveys were conducted by Werner Biological Consulting along a 7-mile stretch of the Santa Clara River, including adjacent to and northwest of the Project site, as part of the Ventura County Watershed Protection District's (VCWPD) Levee Maintenance Program. Although no southwestern willow flycatcher territories were identified near the Project site during the protocol surveys, one least Bell's vireo territory was identified within the willow riparian habitat located approximately 220 feet northwest of the Project site and in an area that did not have recent vegetation removed in 2013 (Werner 2013a, b).

Direct Effects of Billboard Installation

The Project site and immediately surrounding area has limited native vegetation present as the Project site is located immediately adjacent to a constructed and maintained levee adjacent to busy roadways. Plant and animal species that are most likely to use the area surrounding the Project site would include common species that are associated with urban developed conditions as habitat likely to support special-status species is limited. However, native riparian habitat important for various plant and wildlife species is present approximately 50 feet away on the northwest side of the levee and the willow habitat suitable to support least Bell's vireo starts approximately 220 feet from the Project site.

While no special-status species are expected to use the Project site, all native bird species that occur adjacent to or surrounding the Project site are protected from 'take' by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFGF). The proposed Project has the potential to affect nesting birds, including special-status species,

because suitable habitat occurs for nesting birds such as least Bell's vireo surrounding the Project site. As a result, the implementation of the proposed Project would result in potentially significant impacts.

Mitigation Measure BIO-1: Construction activities involving vegetation removal as well as installation of the proposed billboard shall be conducted between September 1 and January 31, outside the typical nesting season for birds in the region. If vegetation removal or installation must occur during the typical nesting season (February 1 – August 31), a qualified biologist shall conduct a pre-construction survey for active nests within areas that will be subject to vegetation removal, construction noise, and/or ground disturbances, including a 100 to 300-foot buffer around existing trees and landscaped areas, to identify any potential active nests within seven days prior to work activities. Buffer distances can be adjusted at the discretion of the biologist based on the location of the nest, species, and surrounding land uses. If no sign of nesting activity is observed, construction may proceed without potential impacts to nesting birds.

If an active nest is observed during the pre-construction clearance survey, an adequate buffer determined by the City-approved qualified biologist shall be established around the active nest depending on sensitivity of the species and proximity to construction activity and impact areas. Onsite construction monitoring may also be required to ensure that no direct or indirect impacts occur to the active nest or nesting activities. Construction activities shall be avoided within the buffer, unless otherwise approved by the City-approved monitoring biologist (e.g., vehicles could pass through buffer areas while jackhammering would be restricted). Buffers shall be clearly marked and defined to restrict certain activities where they could result in nest failure, and shall remain in place until nests are no longer active, as determined by the City-approved monitoring biologist.

Mitigation Measure BIO-2: To avoid impacts to nesting least Bell's vireo, construction activities within 500 feet of suitable nesting habitat shall be timed to avoid the season when nests may be active for this species (March 15 to September 15). If avoidance of work activities within this time period is not feasible, a focused nest survey for least Bell's vireo shall be conducted within suitable nesting habitat the season prior to initiation of work activities, to determine their presence or absence within 500 feet of proposed work limits. In accordance with the USFWS survey protocol, eight focused surveys spaced a minimum of 10 days apart shall be conducted during the period of April 10 to July 31. The results shall be submitted in a report to the USFWS.

If the focused protocol nest surveys do not indicate the presence of least Bell's vireo, no further mitigation is required. A negative finding is considered valid until the following breeding season. Additional surveys shall be required each year that work is conducted in least Bell's vireo breeding habitat during the breeding season. If focused surveys indicate the presence of least Bell's vireo, a formal Endangered Species Act consultation with the USFWS shall occur prior to disturbance of this species or its habitat.

If occupied habitat and/or nesting individuals are determined to be present based on the focused survey, and work cannot be avoided during the nesting season, a

preconstruction clearance survey shall be performed by a qualified City-approved biologist within 7 days prior to work activities to determine the approximate location of nesting territories within 500 feet of work areas. Surveys shall be conducted by a biologist approved by the USFWS and CDFW for conducting least Bell's vireo nest surveys, or by a biologist with least Bell's vireo survey experience, so long as the nest is not approached and/or disturbed. If a nest is detected or active breeding is determined, work shall halt within 500 feet of the nesting territory, and the area shall be monitored on a weekly basis until a City-approved qualified biologist determines the nest is no longer active and the young have fledged.

Implementation of Mitigation Measure BIO-1 and BIO-2 would reduce potentially significant impacts to special-status and nesting birds during construction to less than significant.

Indirect Effects of Electronic Billboard Lighting on Off Site Areas

Many wildlife species have evolved physiological and behavioral responses to light cues from day-night cycles, moon phases, and seasonal light levels. The intensity, duration, spectral quality (distribution of light spectrum colors emitted by light source), and periodicity of light exposure affects the biochemistry, physiology, and behavior of organisms (Royal Commission on Environmental Pollution 2009). Processes, such as movement patterns, breeding behavior, feeding, growth, and many more, can be affected by light for birds, mammals, and other wildlife species (de Molenaar et al. 2006). Therefore, it is suggested that increased ambient lighting, including artificial lighting, may interfere with these natural processes ultimately impacting wildlife populations (Royal Commission on Environmental Pollution 2009). It was found that habitat availability and quality was negatively affected by increased artificial lighting as it caused birds to avoid the well-lit areas (de Molenaar et al. 2006).

Areas surrounding the Project site and Santa Clara River riparian area are highly developed and urbanized with commercial and residential development, all of which contribute to increased nighttime illuminance. Additionally, the U.S. 101 crosses over the Santa Clara River Basin immediately adjacent to and southwest of the Project site and is lined on either side with freeway street lighting. While most of the surrounding developed areas do not support special-status species, the Santa Clara River riparian habitat is known to support least Bell's vireo, yellow warbler, coast horned lizard, western pond turtle, and white rabbit-tobacco.

A study of existing lighting levels and proposed lighting levels after the installation of the electronic billboard was conducted by lighting specialist, exp, in 2020 (Appendix C). The study determined that illuminance from the billboard will have a maximum illuminance value of 0.2 foot candles (fc) at the edge of the willow riparian woodland habitat (exp, 2022). Although it is understood that increased ambient lighting can affect wildlife behavior, no quantitative increase in illuminance above ambient light is agreed upon as a threshold for significant impacts to wildlife.

As discussed in Section 3.1 e) above, illuminance impacts on natural areas are based on recommendations from the International Commission on Illumination (CIE). The CIE identifies impacts on natural areas as an illuminance of 0.2 foot-candle (fc) or greater (CIE, 2003). Therefore, due to the absence of a current local illumination standard impact on natural areas, a significant light impact on adjacent natural areas and associated species would occur if light levels are 0.2 fc or greater. Based on the Photometric Analysis provided in Appendix C and the Biological Site Visit Field Map provided in Appendix E, the sensitive willow riparian habitat area is located approximately 135 feet west of the Project site (i.e., west of the access road within the Santa Clara River Basin) and would result in an illumination of less than 0.2 fc. Because the light level would be less than 0.2 fc, the Project would result in a less than significant lighting impact on the existing sensitive willow riparian habitat area or associated species. Therefore, due to the relatively low illuminance resulting from the proposed electronic billboard, a less than significant impact on wildlife behavior, physiological processes, decreased habitat availability, or increased predation would occur.

- b) **No Impact.** No riparian habitat or other sensitive natural communities are present within the Project site. The Santa Clara River, which supports the sensitive willow riparian natural community, is located on the opposite side of the levee from the Project site, approximately 115 feet to the northwest. Additionally, the Stroube Drain outflow enters the willow riparian woodland habitat associated with the Santa Clara River approximately 450 feet northeast of the Project site and flows meanders through the willow riparian woodland habitat for approximately 600 feet before entering the Santa Clara River mainstem near the US-101 overpass. Since construction of the billboard would not extend into riparian habitat, no impacts are expected from construction or operation of the billboard.
- c) **No Impact.** Wetlands (including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas) are considered waters of the U.S., and are defined by USACE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b]; 40 CFR 230.3[t]). No wetland features are identified by the National Wetlands Inventory (NWI) as occurring within or immediately adjacent to the Project site (USFWS 2022b), and no wetlands were observed within the immediate Project site. As mentioned above, the Santa Clara River is located on the opposite side of the levee from the Project site and contains a large swath of willow riparian woodland habitat that may contain wetlands. Since construction of the billboard would not extend into riparian habitat and standard measures will be taken to avoid potential impacts on water quality as a result of increased erosion or sedimentation from construction, no impacts would occur.
- d) **Less than Significant Impact.** While the physical structure of the billboard itself would not impact the movement of wildlife species, the electronic billboard illuminance could affect the movement of birds and mammals in and around the Project site. It is known that migrating birds are attracted to artificial light sources and hundreds of species migrate nocturnally, including least Bell’s vireo (Gauthreaux and Belser 2006). Direct effects of

migrating birds becoming attracted to artificial light sources include collisions with lighting, communication, and power structures, buildings, or even the ground; while orientation mistakes and increased migration lengths are indirect effects of artificial lighting (Gauthreaux and Belser 2006). Additionally, migrating birds are especially susceptible to disorienting effects of billboard illuminance when visibility is poor during fog or rain events (Gauthreaux and Belser 2006). Research also shows that birds have the ability to orient to the Earth's magnetic field under certain colors of light: monochromatic blue or green light, but not under red or white light (van de Laar 2007; Poot et al. 2008; Ritz et al. 2009). Local movement by passerine birds, including those songbirds migrating along the Pacific Flyway, could also be attracted to the increased illuminance within the Santa Clara River riparian area. Studies have shown passerine birds foraging nocturnally and displaying territorial defense behaviors as a result of increased artificial illuminance (de Molenaar et al. 2006).

The beam angle of the proposed electronic billboard relative to the flight lines of birds and brightness of the billboard perceived by the bird results in the risk the electronic billboard poses to birds in flight. The projected viewing angle values of the proposed billboard are $\pm 45^\circ$ vertically and $\pm 90^\circ$ horizontally, potentially being narrow enough during clear nights to prevent attracting migrating birds as they will be flying high enough to be outside of the viewing angle of the billboard. A light sensor will be installed with the sign to measure ambient light levels and adjust light intensity and brightness. The electronic sign will not display any moving, flashing, scrolling, fading, brightening or animated text or video. The signage will be controlled remotely and include remote maintenance software. Louvers will be located above each row of lights to prevent light from projecting upward into the sky. Therefore, birds flying more than 45° above the center of the beam angle on either side of the billboard will not be attracted or affected by the billboard luminance. However, fog and rain conditions could force migrating birds to fly low, potentially bringing them into the billboard's beam angle.

It is possible that some birds moving locally within the nearby riparian habitat at night may end up near the center of the billboard's beam angle and be attracted to it. However, this would be uncommon and limited as majority of the species using the riparian habitat are diurnal and not typically active at night, including least Bell's vireo. Additionally, the willow riparian woodland habitat is relatively low in stature (10-15 feet in height) and is located much lower in elevation than the planned electronic billboard, with the top of the planned billboard being 80 feet in height. Birds moving locally at any time of the day or night would be at these lower elevations, rarely rising the height of the billboard's center beam angle.

While it is possible the birds could be attracted to the billboard while flying at the appropriate beam angle, it is not expected to substantially interfere with bird movement or result in increased bird-strike mortalities as the billboard will be oriented toward the US-101 freeway and not on airspace above the freeway. Additionally, the surrounding area is heavily urbanized with a substantial amount of lighting including the residences, business parks and commercial uses immediately east and south of the Project site as well as existing

street and freeway lighting and billboard lighting. The surrounding area is not known to support large numbers of migrating seabirds or shorebirds. Therefore, it is not expected that migrating birds and birds moving locally will be attracted to the proposed electronic billboard for a long enough duration to result in direct impacts. The projected viewing angle, light sensor, louvers, and location of bird habitat in relation to the billboard will reduce any impacts on avian flight behavior to less than significant.

- e) **No Impact.** The proposed Project will remove ornamental landscaping and will not involve the removal of trees. Therefore, there are no applicable local (City of Oxnard) policies or ordinances protecting biological resources associated with the proposed Project. As a result, no impact would occur.
- f) **No Impact.** The Project site does not occur within any habitat conservation plan or natural community conservation plan areas. Therefore, the proposed Project would not conflict with provisions of an adopted natural community conservation plan or other approved local, regional, or state habitat conservation plan, and no impact would occur.

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3.5 Climate Change and Greenhouse Gas Emissions

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases or otherwise conflict with the state goal for reducing greenhouse gas emissions in California?	☐	☐	☒	☐
c) Would the project contribute or be subject to potential secondary effects of climate change (e.g., sea level rise, increase fire hazard)?	☐	☐	☒	☐

Discussion

- a, b) **Less than Significant Impact.** State regulated GHGs include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF₃), and sulfur hexafluoride (SF₆). CO₂ is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO₂, denoted as CO₂e. Mass emissions are calculated by converting pollutant specific emissions to CO₂e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, Project related CO₂e emissions can be tabulated in metric tons per year.

Neither the City nor the VCAPCD have adopted a numerical significance threshold for assessing impacts related to GHG emissions from a project, and the City has not formally adopted a local plan for reducing GHG emissions. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.¹ In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officers Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency.

Amendments to Section 15064.4 of the CEQA Guidelines were adopted to assist lead agencies in determining the significance of the impacts of GHG emissions. Consistent with

¹ See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 99 (upholding use of regulatory agency performance standard).

existing CEQA practice, Section 15064.4 gives lead agencies the discretion to determine whether to assess those emissions quantitatively or qualitatively. If a qualitative analysis is used, in addition to quantification, this section recommends certain qualitative factors that may be used in the determination of significance (i.e., extent to which the Project may increase or reduce GHG emissions compared to the existing environment; whether the Project exceeds an applicable significance threshold; and extent to which the Project complies with regulations or requirements adopted to implement a reduction or mitigation of GHGs). The amendments do not establish a threshold of significance; rather, lead agencies are granted discretion to establish significance thresholds for their respective jurisdictions, including looking to thresholds developed by other public agencies, or suggested by other experts, such as CAPCOA, so long as any threshold chosen is supported by substantial evidence (see Section 15064.7(c)). The California Natural Resources Agency has also clarified that the CEQA Guidelines amendments focus on the effects of GHG emissions as cumulative impacts, and that they should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see Section 15064(h)(3)).²

Although GHG emissions can be quantified, CARB, VCAPCD and the City of Oxnard have not adopted Project-level significance thresholds for GHG emissions that would be applicable to the Project. The Governor's Office of Planning and Research (OPR) released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that "lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice," and that while "climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment."³ Furthermore, the technical advisory states that "CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to a less than significant level as a means to avoid or substantially reduce the cumulative impact of a project."⁴

Per CEQA Guidelines Section 15064(h)(3), a project's incremental contribution to a cumulative impact can be found not cumulatively considerable if the Project would comply with an approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area of the project.⁵ To qualify, such a plan or program must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process

² See generally California Natural Resources Agency, Final Statement of Reasons for Regulatory Action (December 2009), pp. 11-13, 14, 16. http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf, accessed November 2019; see also Letter from Cynthia Bryant, Director of the Office of Planning and Research to Mike Chrisman, Secretary for Natural Resources, April 13, 2009. Available at: http://www.valleyair.org/Programs/CCAP/documents/Transmittal_LetterOPRApril2009.pdf http://opr.ca.gov/docs/Transmittal_Letter.pdf, accessed November 2019.

³ Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

⁴ Governor's Office of Planning and Research, Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review, (2008).

⁵ 14 CCR § 15064(h)(3).

to implement, interpret, or make specific the law enforced or administered by the public agency.⁶ Examples of such programs include a “water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, [and] plans or regulations for the reduction of greenhouse gas emissions.”⁷ Thus, CEQA Guidelines Section 15064(h)(3) allows a lead agency to make a finding of non-significance for GHG emissions if a project complies with a program and/or other regulatory schemes to reduce GHG emissions.⁸

In the absence of any adopted, quantitative threshold, the Project would not have a significant effect on the environment if the Project is found to be consistent with the applicable regulatory plans and policies to reduce GHG emissions, including the emissions reduction measures discussed within CARB’s Climate Change Scoping Plan and City of Oxnard’s policies established for the purpose of increasing energy efficiency and reducing GHG emissions. The proposed Project would generate GHG emissions during construction of the Project from the use of off-road construction equipment and on-road trucks and construction worker vehicles. Once fully installed, the Project’s operations would generate GHG emissions from electrical consumption for the billboard lighting. The proposed electronic billboard is estimated to consume an average of approximately 150 kWh per day and approximately 54,000 kWh per year.

Emissions Estimates

Consistent with calculations in Section 3.3, Air Quality, construction emissions were forecasted by assuming a conservative estimate of construction activities (i.e., assuming all construction occurs at the earliest feasible date) and applying the mobile source emissions factors. The emissions were estimated using the CalEEMod software and EMFAC2017. The output values used in this analysis were adjusted to be Project-specific based on equipment types and the construction schedule. These values were then applied to the same construction phasing assumptions used in the criteria pollutant analysis in Section 3.3, Air Quality, to generate GHG emissions values for the proposed Project (**Appendix F** includes the assumptions and modeling). Industry standards recommend that construction Project GHG emissions should be “amortized over a 30-year Project lifetime, so that construction GHG emissions are included as part of the operational GHG life cycle. In accordance with

⁶ 14 CCR § 15064(h)(3).

⁷ 14 CCR § 15064(h)(3).

⁸ See, for example, San Joaquin Valley Air Pollution Control District (SJVAPCD), CEQA Determinations of Significance for Projects Subject to ARB’s GHG Cap-and-Trade Regulation, APR-2025 (June 25, 2014), in which the SJVAPCD “determined that GHG emissions increases that are covered under ABR’s Cap-and-Trade regulation cannot constitute significant increases under CEQA...” Furthermore, the SCAQMD has taken this position in CEQA documents it has produced as a lead agency. The SCAQMD has prepared three Negative Declarations and one Draft Environmental Impact Report that demonstrate the SCAQMD has applied its 10,000 MTCO₂e/yr significance threshold in such a way that GHG emissions covered by the Cap-and-Trade Program do not constitute emissions that must be measured against the threshold. See SCAQMD, Final Negative Declaration for Ultramar Inc. Wilmington Refinery Cogeneration Project, SHC No. 2012041014 (October 2014); SCAQMD Final Negative Declaration for Phillips 99 Los Angeles Refinery Carson Plant—Crude Oil Storage Capacity Project, SCH No. 2013091029 (December 2014); SCAQMD Final Mitigated Negative Declaration for Toxic Air Contaminant Reduction for Compliance with SCAQMD Rules 1420.1 and 1402 at the Exide Technologies Facility in Vernon, CA, SCH No. 2014101040 (December 2014); and SCAQMD Final Environmental Impact Report for the Breitburn Santa Fe Springs Blocks 400/700 Upgrade Project, SCH No. 2014121014 (August 2015).

this, GHG emissions from construction have been amortized over the 30-year lifetime of the Project and are added to the operational emissions for the determination of significance. Total estimated construction-related GHG emissions for the Project are estimated at 1.77 metric tons of CO₂e (MTCO₂e) for off-road construction equipment and 1.38 MTCO₂e per year for on-road vehicles for a total of 3.1 MTCO₂e. This would equal to approximately 0.1 MTCO₂e per year after amortization over 30 years. The construction related GHG emissions are summarized in **Table GHG-1, GHG Emissions from Project Construction**.

Emissions of GHGs were estimated for operation of the proposed electronic billboard from electricity usage in base year 2022 (based on 2021 energy intensity factor where renewable sources are projected to account for approximately 35 percent of SCEs overall energy mix) and were extrapolated for several milestone years (2030 based on 60 percent renewable sources as required by Senate Bill 100 and (2040 based on 85 percent renewable energy sources) based on a linear projection of 100 percent renewable in 2045 as targeted in SB 100. GHG emissions from construction activities are not adjusted for future year GHG reductions that will occur from medium- and heavy-duty emissions regulations at the federal and state level that will phase in lower emitting, and potentially electric-powered, trucks and equipment over time. This analysis conservatively assumed that the construction equipment and on-road vehicles would be diesel fueled in future years. The operational related GHG emissions are summarized in **Table GHG-2, GHG Emissions from Project Operations**.

TABLE GHG-1
GHG EMISSIONS FROM PROJECT CONSTRUCTION

Single Billboard Installation GHG Emissions (MT CO ₂ e/year)			
Source	2022	2030	2040
Construction On-Road	1.38	1.38	1.38
Construction (off-Road)	1.77	1.77	1.77
Total Construction	3.1	3.1	3.1
Amortized Construction: ^a	0.1	0.1	0.1
^a Construction Emissions are amortized over 30 years SOURCE: ESA, 2022			

TABLE GHG-2
GHG EMISSIONS FROM PROJECT OPERATIONS

Single Billboard Installation GHG Emissions (MT CO₂e/year)

Source	2022	2030	2040
Operational (lighting)	9.6	7.3	2.4
Amortized Construction:	0.1	0.1	0.1
Total Project:	9.7	7.4	2.5

SOURCE: ESA, 2022

Compliance with Applicable Plans, Policies, or Regulations

Assembly Bill 32/Senate Bill 32 and Executive Order B-30-15

In support of Assembly Bill 32 and Senate Bill 32, the state has promulgated specific laws aimed at GHG reductions applicable to the Project. Executive Order B-30-15 sets a goal of Statewide GHG emissions 40 percent less than 1990 levels by 2030 (this goal was codified in Senate Bill 32). In order to achieve the Statewide GHG reduction target, CARB is required to adopt a Climate Change Scoping Plan that outlines GHG reduction strategies.

The Project would generate GHG emissions due to construction and operational activities; however, its annual GHG emissions would be minimized due to the utilization of fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations. The Project would also utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). The Project's potential to generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs is discussed below.

2017 Climate Change Scoping Plan

According to the CARB 2017 Climate Change Scoping Plan, reductions needed to achieve the 2030 goal are expected to be achieved by targeting specific emission sectors, including those sectors that are not directly controlled or influenced by the Project, but nonetheless contribute to Project-related GHG emissions. **Table GHG-3, *Project Compliance with Applicable 2017 Climate Change Scoping Plan Actions and Strategies***, contains a list of GHG emission reduction actions and strategies from the 2017 Climate Change Scoping Plan that would be applicable and relevant to the Project and describes the Project's compliance with those applicable actions and strategies.

TABLE GHG-3
PROJECT COMPLIANCE WITH APPLICABLE
2017 CLIMATE CHANGE SCOPING PLAN ACTIONS AND STRATEGIES

Actions and Strategies	Responsible Party(ies)	Compliance Analysis
Senate Bill 350 (SB 350): The Clean Energy and Pollution Reduction Act of 2015 increases the standards of the California Renewable Portfolio Standard (RPS) program by requiring that the amount of electricity generated and sold to retail customers per year from eligible renewable energy resources be increased to 50 percent by 2030.^a Required measures include: Increase RPS to 50 percent of retail sales by 2030. Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030. Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in IRPs to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.	CPUC, CEC, CARB	No Conflict. The Project would use electricity provided by Southern California Edison (SCE), which is required to meet the energy performance standard of 60 percent renewable energy by 2030 pursuant to Senate Bill 100 (which was adopted after SB 350 and is a more stringent target). The Project would not conflict with this action and strategy.
Implement Mobile Source Strategy (Cleaner Technology and Fuels): Implementation of federal phase 2 standards for medium- and heavy-duty vehicles.	CARB, CalSTA, SGC, Caltrans, CEC, OPR, Local Agencies	No Conflict. In 2011 the U.S. Environmental Protection Agency (USEPA) and National Highway Transportation Safety Administration (NHTSA) announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO₂ emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the USEPA, this regulatory program would reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baseline. Building on the first phase of standards, in August 2016, the USEPA and NHTSA finalized Phase 2 standards for medium and heavy-duty vehicles through model year 2027 that will improve fuel efficiency and cut carbon pollution. The Phase 2 standards are expected to lower CO₂ emissions by approximately 1.1 billion metric tons. Project-related heavy-duty mobile source GHG emissions would be reduced accordingly as the phase-in of lower emitting trucks occurs in compliance with the regulation. The Project would not conflict with this action and strategy.

Actions and Strategies	Responsible Party(ies)	Compliance Analysis
Adopt a Low Carbon Fuel Standard with a CI reduction of 18 percent.	CARB	No Conflict. This regulatory program applies to fuel suppliers, not directly to land use development. GHG emissions related to vehicular travel associated with the Project would benefit from this regulation because fuel used by Project-related vehicles would be required to comply with Low Carbon Fuel Standard (LCFS). Mobile source GHG emissions provided in Table GHG-1 were calculated using CalEEMod and EMFAC. However, CalEEMod and EMFAC do not fully include implementation of the LCFS into mobile source emission factors. Thus, Table GHG-1 provides conservatively estimated GHG emissions. On September 27, 2018, CARB approved an amendment to the LCFS regulation to require a 20 percent reduction in carbon intensity from a 2010 baseline by 2030. Reductions in carbon intensity are phased in starting in 2019 with a reduction of 6.25 percent and increases by 1.25 percent each year. Thus, in 2021, LCFS emissions reductions are 8.75 percent reduced carbon intensity relative to the 2010 baseline. Project-related mobile source GHG emissions would be reduced accordingly, and would increase as LCFS compliance increases to 20 percent reduce carbon intensity by 2030 relative to the 2010 baseline year. The Project would not conflict with this action and strategy.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	No Conflict. Assembly Bill 398 (AB 398) was enacted in 2017 to extend and clarify the role of the State's Cap-and-Trade Program from January 1, 2021, through December 31, 2030. As part of AB 398, refinements were made to the Cap-and-Trade program to establish updated protocols and allocation of proceeds to reduce GHG emissions. Under the Cap-and-Trade program, entities such as power generation companies and natural gas processing plants would be required to limit or reduce GHG emissions. While the Project itself is not a regulated entity under the Cap-and-Trade Program, it would result in a reduction of GHG emissions associated with the Project's energy usage, since energy supplied to the Project would be from a regulated entity. As the Project would not impede the Program's progress, the Project is considered compliant. The Project would not conflict with this action and strategy.

^a Senate Bill 350 (2015–2016 Regular Session) Stats 2015, Ch. 547.

SOURCE: ESA, 2022

City of Oxnard 2030 General Plan and Energy Action Plan

The City of Oxnard adopted its 2030 General Plan in October 2011 and includes amendments through December 2016. The 2030 General Plan includes the following applicable goals and implementing policies aimed to reduce GHG emissions.

- **Goal SC-3 Energy Generation and Increased Efficiency.** Energy efficiency performance standards and generation from renewable sources.

- **General Plan Policy SC-3.10, Alternatives to Power Plant Generation:** Evaluate the feasibility of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants.

The Oxnard General Plan Goal SC-3 addresses energy efficiency performance standards and generation from renewable sources and includes Policy SC-3.10, which has the goal of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants. This policy would support the availability of progressively clean forms of electricity, which would minimize the energy impact and GHG emissions from the Project. The Project would not conflict with this action and strategy.

As discussed above, GHG emissions for the Project have been analyzed and disclosed demonstrating that the Project would not generate GHG emissions that would have a significant impact and that the Project would not conflict with applicable plans, policies, and regulations adopted for the purpose of reducing the emissions of GHGs. Therefore, impacts would be less than significant.

- c) **Less than Significant Impact.** As discussed above, the proposed electronic billboard would result in the annual generation of greenhouse gas emissions that would contribute to potential secondary effects of climate change; however, due to the relatively small amount of annual greenhouse gas emissions (less than 10 MTCO₂e and progressively reducing in future years as shown in Table GHG-2), the Project's contribution to climate change impacts is nominal and considered less than significant.

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3.6 Cultural Resources and Tribal Cultural Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒
b) Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to State CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c) Would the project directly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐
e) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).	☐	☐	☐	☒
f) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

Discussion

- a) **No Impact.** The Project site is located within the RiverPark Specific Plan that encompasses 701 acres. An archival and historic records search was conducted as part of the RiverPark Specific Plan EIR that was prepared in 2001. Two prehistoric archaeological sites were identified within one-half mile radius of the 701-acre RiverPark Specific Plan. No archaeological sites were recorded within the 701-acre site. A Phase I Archaeological Survey was conducted in 2000 as part of the RiverPark Specific Plan EIR. In 2000, the ground surface was examined by walking transects across the 701-acre RiverPark Specific Plan site. The transects were spaced at 15-meter intervals to identify artifacts that might be present on the ground surface. No archaeological artifacts were found in the vicinity of the Project site during the Phase I survey, but a mixed scatter of historical debris was found in the extreme southeastern portion of the RiverPark Specific Plan area approximately one mile southeast of the Project site. The survey did not find evidence of an intact historical

deposit or site within this area (W&S Consultants, 2000 and Impact Sciences, Inc. 2001). In 2016, the area of the previously known historical debris was developed as a commercial center in 2016.

In 2001, buildings and structures within the RiverPark Specific Plan were also evaluated to determine if they were eligible for the National or the California Registers. There were no buildings or structures in the immediate vicinity of the Project site. Therefore, no impacts to historical resources would occur with Project implementation.

- b) **Less than Significant with Mitigation Incorporated.** As discussed above, no archaeological resources were found in the immediate vicinity of the Project site. Although no known resources were discovered, there could be an inadvertent discovery. Therefore, there is a negligible potential for archaeological resources to be found and if they are found, construction activities could cause significant impacts to the unknown resources.

Mitigation Measure CUL-1: Prior to ground disturbance, the applicant is required to retain a City-approved archaeologist and Native American Monitor for monitoring of ground disturbing activities. In the event that archaeological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by a qualified professional archaeologist who meets the U.S. Secretary of Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be historic, Native American Tribes/Individuals shall be contacted and consulted and Native American construction monitoring shall be initiated. The Applicant and the City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.

Implementation of the above mitigation measure would reduce the potential impacts on unknown archaeological resources to less than significant.

- c) **Less than Significant with Mitigation Incorporated.** Based on a review of the U.S. Geological Survey map for Oxnard, the Project site is underlain by Holocene alluvial deposits (CDC, 2003). Holocene alluvium is thought to be too young to contain significant paleontological resources. Therefore, near surface grading would result in less than significant impacts to paleontological resources. However, based on the drilling depth of 40 feet for the proposed billboard pole, the Holocene alluvium could be underlain by more sensitive geologic sediment that could have a high potential to contain paleontological resources. Therefore, construction activities associated with the proposed billboard pole, could result in significant impacts to paleontological resources.

Mitigation Measure CUL-2: Prior to ground disturbance, the applicant is required to retain a paleontologist for monitoring of ground disturbing activities. In the event that paleontological resources are unearthed during ground-disturbing activities, these activities shall be halted or diverted away from the vicinity of the find until it is assessed for scientific significance and collected. Monitoring shall include matrix screening for the presence of microfossils; however, monitoring is largely a visual inspection of sediment.

With the implementation of Mitigation Measure CUL-2, potential impacts on paleontological resources would be reduced to less than significant.

- d) **Less than Significant.** No human remains are known to exist on or in the immediate vicinity of the Project site. If human remains are inadvertently encountered, all work is required to halt, and the Ventura County Coroner is required to be contacted in accordance with California Public Resources Code 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines that the remains are Native American, the California Native American Heritage Commission (NAHC) would be notified in accordance with State law. Compliance with the State law would ensure that potential impacts on human remains would be reduced to less than significant.
- e, f) **No Impact.** The City of Oxnard sent a notification letter on November 23, 2021 to the Native American tribe that is on the City's Assembly Bill (AB) 52 list (Appendix B). This list includes only one tribe, Barbareno/Ventureno Band of Mission Indians, that has requested notification of projects within the City in accordance with AB 52.

The act amended California Public Resources Code (PRC) Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a NOP or a Notice of Intent to Adopt a Negative Declaration or MND will be filed on or after July 1, 2015. The primary intent of AB 52 was to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the CEQA, known as tribal cultural resources (as defined in PRC Section 21074(a)). On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources update to *CEQA Guidelines* Appendix G, which was approved by the Office of Administrative Law on September 27, 2016.

PRC Section 21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency (PRC Section 21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin

consultation within 30 days of receiving the tribe's request for consultation (PRC Sections 21080.3.1(d) and 21080.3.1(e)).

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the Project's impacts on the tribal cultural resources; Project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC Section 21080.3.2(b)).

If a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or otherwise failed to engage in the consultation process, or if the lead agency has complied with Section 21080.3.1(d) and the California Native American tribe has failed to request consultation within 30 days, the lead agency may certify an EIR or adopt a Mitigated Negative Declaration (PRC Section 21082.3(d)(2) and (3)).

The Barbareno/Ventureno Band of Mission Indians was notified of the Project, but did not request consultation with the City of Oxnard regarding the proposed Project. There are no known tribal cultural resources located on the Project site, and therefore, no impacts to known tribal cultural resources would occur.

References

California Department of Conservation (CDC), California Geological Survey. 2003. Geologic Map of the Oxnard 7.5' Quadrangle, Ventura County, California: A Digital Database, Version 1.0.

Impact Sciences, Inc. 2001. RiverPark Specific Plan Draft EIR. Available at: <https://www.oxnard.org/environmental-document-archives/>. Accessed on February 11, 2022.

W&S Consultants. 2000. Phase I Archaeological Survey for the RiverPark Specific Plan Area. December 14.

3.7 Geology and Soils

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii) Strong seismic ground shaking that cannot be addressed through compliance with standard Code requirements?	☐	☐	☒	☐
b) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse that cannot be addressed through compliance with standard Code requirements?	☐	☐	☒	☐
c) Would the project be located on expansive soil, creating substantial risk to life or property that cannot be addressed through compliance with standard Code requirements?	☐	☐	☒	☐
d) Would the project expose people or structures to inundation by seiche or tsunami?	☐	☐	☐	☒
e) Would the project rely on dredging or other maintenance activity by another agency that is not guaranteed to continue?	☐	☐	☐	☒

Discussion

- a.i) **Less than Significant Impact.** A fault is a plane or surface in the earth along which failure has occurred and materials on opposite sides have moved relative to one another in response to the accumulation and release of stress. The U.S. Geological Survey defines active faults as those that have had surface displacements within Holocene time (about the last 11,000 years). Potentially active faults are those that have had surface displacement during Quaternary time, within the last 1.6 million years. Based on a review of the City of Oxnard General Plan Background Report, the most regionally active faults in the vicinity of the City of Oxnard are the Oak Ridge, Pitas Point-Ventura, Red Mountain, Anacapa, and Malibu Coast faults. The nearest active fault to the Project site is the Pitas Point-Ventura fault which is located approximately three miles north of the Project site (Matrix Design Group, Inc., 2006). Due to the distance to the nearest active fault, impacts from a fault rupture at the Project site would be less than significant.
- a.ii) **Less than Significant Impact.** The Project site is located in Southern California, an area that is subject to strong seismic ground shaking. Seismically induced ground acceleration is the shaking motion that is produced by an earthquake. As noted in Section 3.7 a.i) above, there are regionally active faults in the vicinity of the City of Oxnard. Earthquake activity associated with these faults could cause ground shaking at the Project site. The proposed

Project is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code. The criteria contain seismic safety provisions with the aim of preventing building and structural collapse during an earthquake. Adherence to these criteria would result in less than significant seismic ground shaking impacts on the proposed Project.

- b) **Less than Significant Impact.** Unstable geologic units or soils commonly occur when there are landslides, lateral spreading, subsidence/collapse, or liquefaction.

Landslides

Because the Project site is located on relatively flat terrain, the Project would not be subject to potential unstable soils due to landslides.

Lateral Spreading

Lateral spreading movement occurs when a soil mass slides laterally on liquefied soil layers, moving downslope or towards a free face. Based on a review of the RiverPark Specific Plan EIR, the potential for lateral spreading in the Project area appears to be low. Therefore, less than significant lateral spreading impacts would occur on the Project site.

Subsidence/Collapse

Subsidence or collapse is the sinking of the ground surface caused by the compression of earth materials resulting from manmade activities, such as groundwater or oil and gas withdrawal. The resulting compression typically occurs only once within affected soils and cannot be repeated during fluctuations of the groundwater level or from peat oxidation. Historic groundwater withdrawals have caused some regional subsidence. There are no known active groundwater wells in the immediate vicinity of the Project site, therefore, there is a low potential for subsidence/collapse at the site. As a result, potential effects from land subsidence/collapse would be less than significant. The potential for subsidence/collapse from peat oxidation on the Project site is not likely because of the absence of peat deposits in the borings that were taken as part of the RiverPark Specific Plan. Similarly, subsidence/collapse from oil and gas withdrawal is not likely because there are no known active oil or natural gas wells in the Project vicinity over the past 20 years. Overall, effects from land subsidence/collapse on the Project would be less than significant.

Liquefaction

Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly soils in the medium sand to silt range) are located over a high groundwater table. A high groundwater table is described as one within 50 feet of the surface. Because the proposed Project is subject to the seismic design criteria of the most recent California Building Code (CBC) which has been adopted within the Oxnard City Code and the CBC includes provisions to prevent liquefaction impacts, the potential liquefaction impacts to the Project would be less than significant.

- c) **Less than Significant Impact.** Expansive soil is characterized by a clay composition whereby clay particles expand dramatically upon wetting. Structures constructed on expansive soils require special design considerations that are identified within the CBC. Based on a review of the RiverPark Specific Plan EIR, the Specific Plan area generally consists of granular materials (silty sand, well-graded sand, sandy silt, and some clayey silt) that are not expected to be expansive. Conformance with the design criteria within the CBC would prevent substantive expansive soils. Therefore, potential expansive soil impact to the Project would be less than significant.
- d) **No Impact.** Seiches and tsunamis are caused by earthquakes. Seiches are waves caused by large-scale, short-duration oscillation of confined bodies of water (such as reservoirs and lakes) during earthquakes that may damage low-lying adjacent areas, although not as severely as a tsunami. The closest enclosed body of water that could result in earthquake-induced seiche is Lake Piru which is approximately 30 miles northeast of the Project site. Due to the distance of Lake Piru, potential seiches in the lake would not impact the Project site. Tsunamis are earthquake-induced surge waves that can cause severe coastal flooding. Because the Project site is located approximately five miles from the coast and at approximately elevation 60 feet above mean sea level, the Project site is not at risk from a tsunami. Implementation of the Project would not be impacted by seiches or tsunamis.
- e) **No Impact.** The Project is located in a developed area adjacent to U.S. 101, and the Project would be located on a city-owned parcel. The operation of the Project would not rely on maintenance activities under the purview of other agencies aside from the City of Oxnard. The Project would have no impact.

References

- Matrix Design Group, Inc. 2006. City of Oxnard General Plan Draft Background Report. Available at https://www.oxnard.org/wp-content/uploads/2016/08/OxnardDraftBackgroundReport2006_04.21.06.pdf. Accessed on February 16, 2022.

3.8 Hazards and Hazardous Materials

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Would the project emit hazardous substances or involve handling hazardous or acutely hazardous substances, or waste within one-quarter mile of an existing or proposed school in quantities or a manner that would create a substantial hazard?	☐	☐	☒	☐
d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐

Discussion

- a) **Less than Significant Impact.** Construction activities required for the proposed electronic billboard would involve site clearing, grading, drilling, trenching and other ground-disturbing activities. The trenching would be required to connect the proposed electronic billboard to an existing Southern California Edison facility. The trenching would extend approximately 200 feet northeast of the Project site along the dirt portion of Ventura Road right-of-way. The Project's construction activities would temporarily require the use of equipment such as trucks, drill, concrete mixer, crane, and other powered equipment, and would use potentially hazardous materials, such as fuels (gasoline and diesel) and lubricants (oil and grease). In addition, construction may use hazardous materials, such as solvents, paints, thinners, or other chemicals. Such materials would be used only in small quantities based on the minimal activities associated with the installation of an electronic billboard. These materials would be transported, handled, stored and disposed of in accordance with applicable laws and regulations and manufacturers' instructions. Compliance with these existing regulations would result in a less than significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. As such, impacts during construction would be less than significant.

Operation of the proposed electronic billboard would result in periodic maintenance activities of the billboard. These activities may include the limited use of paints, solvents and other chemicals. However, given the periodic nature of maintenance, the potential to create a hazard to the public or the environment through the routine transport, use or disposal of hazardous materials during operational activities would be less than significant.

- b) **Less than Significant Impact.** As stated above, the maintenance activities associated with the proposed new electronic billboard may use a limited quantity of hazardous materials such as paints, solvents and other chemicals. However, because these activities are periodic and the use of potential hazardous materials is limited, the Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Project would result in a less than significant impact.
- c) **Less than Significant Impact.** There are no existing or proposed schools within 0.25-mile of the Project site. The nearest school is Rio Del Sol School that is located approximately 0.5-mile northeast of the Project site. Since there are no schools within 0.25-mile of the Project site, construction and operational activities associated with the Project are not expected to cause risk to the public or nearby attendees of schools. Therefore, impacts would be less than significant.
- d) **No Impact.** Government Code Section 65962.5 requires CalEPA to develop and annually update the Hazardous Waste and Substances Sites (Cortese) List. The information contained in the Cortese List is provided by the Department of Toxic Substances Control (DTSC) and other state and local government agencies. A review of the DTSC EnviroStor and State Water Resources Control Board (SWRCB) GeoTracker databases did not indicate any hazardous materials sites within the Project site. A Leaking Underground Storage Tank (LUST) cleanup site was identified approximately 350 feet southeast of the Project site, where existing commercial retail buildings are located. The site was investigated for potential contamination of underlying groundwater due to the accidental release of diesel and the case for the LUST was closed by the Los Angeles Regional Water Quality Control Board (RWQCB) in 1998, indicating that the LUST no longer poses a threat for groundwater contamination (SWRCB 1998). The proposed Project would not require ground disturbing activities in close proximity to the closed LUST cleanup site. Therefore, the proposed Project would not create a significant hazard to the public or the environment. The Project site is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.19. Therefore, the proposed Project would not create a significant hazard to the public or the environment.
- e) **Less than Significant Impact.** The Project site is located within the existing right-of-way of Ventura Road immediately north of U.S. 101. Project construction activities may require temporary partial lane closure along Ventura Road during the drilling for the electronic billboard pole and the trenching along the Ventura Road right-of-way to connect an electrical line from the Project site to a Southern California Edison facility located approximately 200 feet to the northeast. Ventura Road currently has two southbound lanes and an approximately 6-foot wide paved shoulder lane. If a closure of the shoulder lane and a portion of one of the southbound lanes occurs, the painted median could allow emergency vehicles to pass. Operational activities occurring on the Project site would not result in changes to the transportation circulation. Therefore, construction and operational

activities associated with the Project would result in less than significant impacts to an existing emergency response plan, or evacuation plan.

References

State Water Resources Control Board (SWRCB), 1998. GeoTracker Database. MacValley/McCaslin Oil (T0611100537). Available at: http://geotracker.waterboards.ca.gov/profile_report?global_id=T0611100537. Accessed on February 28, 2022.

3.9 Hydrology and Water Quality

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in on- or off-site flooding or exceed the capacity of existing or planned stormwater drainage systems?	☐	☐	☐	☒
a) Would the project place new structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
b) Would the project impede or redirect flood flows such that it would increase on- or off-site flood potential?	☐	☐	☐	☒
c) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
d) Would the project be exposed to a substantial risk related to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion

- a) **Less than Significant Impact.** Construction activities associated with the Project could result in short-term surface water quality impacts. These potential impacts could occur from construction-related activities such as drilling for the electronic sign pole foundation and pouring concrete as well as the trenching for the electrical line. Runoff of loose soils and/or construction wastes and fuel during a rainstorm could flow into local storm drains as a result of Project construction. Such contaminated runoff could potentially threaten downstream water resources that receive runoff from the local drainage network. Standard construction BMPs such as silt fencing, storm drain inlet protection, and proper material and waste storage will ensure surface water quality is not substantially degraded during construction. Compliance with the City's standard stormwater runoff provisions for construction activities, such as runoff control and other measures set forth in the City of Oxnard Code Section 22-222 would ensure that the Project does not violate any water quality standards or any waste discharge requirements during construction (City of Oxnard, nd). Due to the lack of significant grading, earth-moving activities, and paving as part of the Project, the potential water quality impact from construction activities would be less than significant.

Operation activities associated with the electronic billboard would not involve the use of water or the generation of wastewater. Therefore, no violation of any water quality standards or any waste discharge requirements would occur, and thus no water quality impact would result.

- b) **Less than Significant Impact.** The proposed Project includes construction activities to install an electronic billboard, the trenching for an electrical line and the placement of landscaping. The proposed billboard would not require water to operate. The proposed billboard will include an approximately 7-foot diameter hole for the proposed 5-foot diameter pole that will be set into concrete. The Project also includes the trenching for an electrical line from the Project site for approximately 200 feet. The Project site currently provides little to no infiltration of water into groundwater aquifers. The Project site does not support any groundwater production systems, and construction and operation of the proposed electronic billboard would not interfere with the operation of any production system. The proposed Project would not substantially change the amount of existing impervious surface area and would not have a substantial impact on groundwater recharge. The Project includes trenching for the proposed electric power line to connect with the existing line and would extend approximately 200 linear feet. The construction of the 7-foot diameter hole that would extend approximately 50 feet into the ground may encounter groundwater that would need to be extracted for construction of the pole location. The extraction of the groundwater would not be substantial because it would be limited for a 7-foot diameter pole. Implementation of the proposed Project would result in less than significant groundwater impacts.
- c) **No Impact.** The Project site is undeveloped and has relatively flat topography. No stream or water resource features occur on the Project site. In addition, the proposed Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of a course, stream or river, or through the addition of impervious surfaces as the installation of the proposed electronic billboard would nominally increase impervious surfaces on the site. As such, no impact would occur.
- d) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Project site is not located in a flood prone area including a 100-year flood zone (FEMA, 2010). Therefore, the Project would not place the pole for the electronic billboard or trench for the proposed electrical line within a flood prone area. No impact would occur.
- e) **No Impact.** The implementation of the Project includes the placement of a 5-foot diameter pole within a 7-foot diameter hole on the Project site and includes approximately 200 linear feet of trenching for the placement of an electrical line. The placement of the pole and electrical line would not impede or redirect existing surface drainage flows from the Project site.
- f) **Less than Significant Impact.** Based on a review of the Ventura County Multi-Hazard Mitigation Plan, the majority of the City of Oxnard including the Project site is within a dam inundation area (AECOM, 2015). Although the Project site is subject to inundation

due to a failure of a dam upstream along the Santa Clara River, the probability of dam failure inundation is not known but such an event would likely be the result of an extreme storm. The Division of Safety and Dams periodically checks the conditions of dams so that the likelihood for a dam failure is further reduced. The existing levee along the Santa Clara River is currently being evaluated to be reconstructed to provide greater protection for urban uses. There is a potential for a breach of the levee prior to reconstruction of the levee. Because the proposed electronic billboard would be installed with concrete approximately 40 feet below ground surface, a potential breach of the levee would result in a less than significant impact on the proposed electronic billboard. Overall, the potential inundation at the Project site would result in a less than significant impact on the proposed electronic billboard and would not result in exposing people to injury or death.

- g) **No Impact.** Based on a review of the Flood Insurance Rate Map, the Project site is not located in a flood prone area (FEMA, 2010). As discussed in Section 3.9 d) above, the Project site would not be subject to seiches or tsunamis. The Project site and surrounding area contain relatively flat terrain and are not subject to mudflows. Therefore, the Project would not be exposed to substantial risk related to inundation by a seiche, tsunami or mudflow at the Project site.

References

- AECOM. 2015. Ventura County Multi-Hazard Mitigation Plan. Available at: <https://www.vcfloodinfo.com/pdf/2015%20Ventura%20County%20Multi-Hazard%20Mitigation%20Plan%20and%20Appendices.pdf>. Accessed on February 18, 2022.
- City of Oxnard. Nd. City of Oxnard Code of Ordinances, Section 22-222, Construction Development. Available at: https://codelibrary.amlegal.com/codes/oxnard/latest/oxnard_ca/0-0-0-45944. Accessed on February 17, 2022.
- Federal Emergency Management Agency. 2010. Flood Insurance Rate Map, Ventura County, California, Panel 910 of 1275, Map Number 06111C0910E. Available at: <https://msc.fema.gov/portal/search?AddressQuery=Riverpark%20Oxnard%20Ca#searchresultsanchor>. Accessed on February 18, 2022.

3.10 Land Use and Planning

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project conflict with an applicable land use plan, policy or regulation of the City or other agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating a significant environmental effect?	☐	☐	☒	☐
b) Would the project involve land uses that are not allowed under any applicable airport land use compatibility plan?	☐	☐	☒	☐
a) Would the project conflict with an applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
b) Would the project physically divide an established community?	☐	☐	☐	☒

Discussion

- a) **Less than Significant Impact.** As discussed in Section 3.1 c), based on a review of the existing City of Oxnard sign regulations within the City of Oxnard Municipal Code, the proposed electronic billboard is not currently an allowed use within the City of Oxnard. However, as discussed within Section 3.1, Aesthetics, the implementation of the proposed electronic billboard would result in less than significant impacts to scenic vistas, scenic resources, and scenic highways, and the Project would result a less than significant visual alteration of the existing visual characteristics as well as less than significant light and glare. In addition, the City is currently processing a separate Ordinance amendment to allow electronic billboards prior to approval of the Project. The Project includes a Development Agreement, Street Vacation and a design that complies with the proposed Ordinance regulations. Therefore, the proposed Project would not conflict with a regulation of the City (i.e., the City of Oxnard Municipal Code) that was adopted for the purpose of avoiding or mitigating a significant environmental effect.
- b) **Less Than Significant Impact.** The Project is located approximately 2.8 miles from the Oxnard Airport. According to the Oxnard Airport Master Plan, obstructions to air navigation in the vicinity of the Project site would occur if structures exceeded 350 feet in elevation (Coffman Associates, Inc., 2004). Because the Project includes an electronic billboard that will include a height of 80 feet above the ground, the implementation of the Project would not impact air navigation.
- c) **No Impact.** According to the City of Oxnard 2030 General Plan EIR, no established or planned Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan exists within the City of Oxnard (Matrix Design Group, 2009). Therefore, the Project would not result in any impact associated with these plans.
- d) **No Impact.** Construction of the proposed electronic billboard includes the placement of a pole in the ground. The proposed billboard would not physically divide the surrounding

community since the proposed sign would not obstruct or in any way change access to the existing community. The Project site is along an existing roadway right-of-way and would not impact any roadways or traffic circulation patterns within the existing community. The proposed electronic billboard Project would not create any barriers to access to a community or require removal of any housing. As such, the proposed Project would have no impact.

References

- Coffman Associates, Inc. 2004. Airport Master Plan for Oxnard Airport. Available at: https://vcportal.ventura.org/AIRPORTS/docs/document_library/Master_Plan_OXR_2004.pdf. Accessed on February 18, 2022.
- Matrix Design Group. 2009. City of Oxnard General Plan Program Environmental Impact Report. Available at: <https://www.oxnard.org/city-department/community-development/planning/2030-general-plan/>. Accessed on February 18, 2022.
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3.11 Mineral Resources

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project result in the loss of availability of a known mineral resource of value to the region or state?	☐	☐	☐	☒
b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated in the 2030 General Plan or other adopted land use plan?	☐	☐	☐	☒

Discussion

- a) **No Impact.** Based on a review of the RiverPark Specific Plan EIR, the Project site is located in an area identified as RiverPark Specific Plan Area ‘A’. The City has designated this area for urban uses since 1986 and mining within this area, including the Project site, would be economically infeasible due to its location and expected poor quality of materials recovered (Impact Sciences, 2001). The proposed Project would not result in the loss of availability of important mineral resources. No impacts to mineral resources would occur with the implementation of the proposed Project.
- b) **No Impact.** Because the Project site has been designated for urban development since 1986 and currently designated Regional Commercial uses, the City of Oxnard General Plan has not designated the Project site as a mineral resource recovery area (City of Oxnard, 2014). Therefore, the implementation of the Project would not impact a locally-important mineral resource recovery site.

References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at:
<https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 22, 2022.

Impact Sciences. RiverPark Specific Plan Draft EIR. 2001. Available at:
<https://www.oxnard.org/environmental-document-archives/>. Accessed on February 22, 2022.

3.12 Noise

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project generate or expose persons to noise levels exceeding standards established in the Oxnard 2030 General Plan or Noise Ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Would the project generate or expose persons to excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) Would the project generate a substantial temporary or periodic increase in ambient noise in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) Would the project generate a substantial permanent increase in ambient noise in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within the airport land use plan for Oxnard Airport or within two miles of Naval Base, Ventura County at Point Mugu, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) Would the project expose non-human species to excessive noise?	☐	☒	☐	☐

Discussion

- a) **Less than Significant Impact.** Implementation of the proposed electronic billboard would result in noise increases during construction activities and noise increases during operation due to periodic maintenance activities.

Construction activities will include the placement of a pole 50 feet into the ground and extension of the pole 80 feet above the ground as well as trenching for the proposed electrical line. The placement of the proposed pole will result in the highest noise levels during construction and would require the following construction equipment for each construction activity:

Drill footing/haul and dispose dirt (1 to 2 days)

- 48' Flatbed Truck & Trailer
- Caterpillar 262D Skid Steer Loader
- LoDril HT Drill Mounted on a John Deere 270D
- 5 Super 10 Dump Trucks rotating dumps

Column Set/Concrete Pour (1 to 2 days)

- Link Belt HTC8690 90 Ton Mobile Crane Truck
- Elliott L140 Hireach Crane Truck

- 4 Concrete Mixing Trucks
- Concrete Rock Pump Trailer

Set Top of Column and Build & Set Structure (1 to 2 days)

- 2 - 48' Flatbed Truck & Trailer
- Grove GMK5275 – 275 Ton Mobile Crane Truck
- Elliott L140 Hireach Crane Truck
- Ingersoll Rand P-1000-W-D Towable Air Compressor

Build and Set Digital Displays (1 to 2 days)

- 2 - 48' Flatbed Truck & Trailer
- Link Belt HTC8690 90 Ton Crane Mounted on flatbed truck
- Elliott L140 Hireach Crane Truck

As a worst-case evaluation, there is an assumption that the drill footing/haul and dirt disposal as well as the column set/concrete pour activities could occur in one day. **Table N-1** provides estimated construction noise levels at 50 feet, 100 feet and 200 feet.

TABLE N-1
CONSTRUCTION NOISE LEVEL^a

Activity	Noise Level, dBA Leq
Drill Footing/Haul and Dispose Dirt, and Column Set/Concrete Pour	
At 50 feet	82/83
At 100 feet	76/77
At 200 feet	70/71
Set Top of Column and Build & Set Structure	
At 50 feet	80
At 100 feet	74
At 200 feet	68
Build and Set Digital Displays	
At 50 feet	79
At 100 feet	73
At 200 feet	67

^a Based on equipment identified above that was provided by the Project applicant.

SOURCE: Client and ESA 2022

The nearest existing residences to the Project site is approximately 600 feet east of the site. As shown above, the highest construction noise levels at 200 feet would be approximately 71 dBA Leq. Based on a distance attenuation of 6 dBA for each doubling of distance, construction noise levels at 400 feet would be approximately 65 dBA Leq. Because the

existing residences would be approximately 600 feet east from the proposed construction activities, noise levels at these existing residences would be less than 65 dBA Leq. Based on the Community Noise Exposure standards for residential uses and specifically multi-family uses that are located approximately 600 feet from the Project site, normally acceptable noise exposure is less than 65 dB.

Construction noise levels are considered significant if noise levels are not consistent with the City of Oxnard Noise Ordinance or are not consistent with the 2030 General Plan noise policies.

City of Oxnard Noise Ordinance

In accordance with Section 7-188 of the City's Municipal Code, sound sources associated with or created by construction, repair, remodeling or grading of any real property are exempt, provided the activities occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Because the Project would include construction activities between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday, the construction noise levels are considered less than significant.

Operational noise levels would occur during periodic maintenance activities. These activities would be required to repair and maintain the proposed electronic billboard. These maintenance activities would include a nominal number of trucks traveling to the Project site and result in less than significant truck traffic noise. In addition, the repair and maintenance activities that would periodically occur onsite would be considered exempt and result in nominal increases in noise levels to the surrounding uses. These periodic maintenance activities would only occur during the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Therefore, long-term operational activities associated with the proposed electronic billboard would result in less than significant noise impacts.

City of Oxnard Safety & Hazards Element

The Safety & Hazards Element includes noise policies. The applicable policies are related to construction noise (City of Oxnard, 2016). Because the operational activities would include periodic maintenance activities that would generate nominal noise levels, the operational-related noise policies are not applicable to the Project. The following construction noise policies are applicable to the Project.

SH-6.1 Construction Noise Control – Provide best practices guidelines to developers for reducing potential noise impacts on surrounding land uses.

As described above, noise levels associated with construction activities at the nearest residences would be less than 65 dBA Leq which is considered a normally acceptable noise exposure for multi-family residences. Therefore, construction activities would not require best practices to reduce anticipated construction noise.

SH-6.2 Limiting Construction Activities – Continue to limit construction activities to the hours of 7 am to 7 pm, Monday through Saturday. No construction shall occur after hours, on Sundays, or national holidays without permission from the city.

As also described above, construction activities would be limited to the hours of 7:00 a.m. and 6:00 p.m. on weekdays, including Saturday. Therefore, the Project would be consistent with this goal.

- b) **Less than Significant Impact.** Construction equipment generates ground vibration. Operational activities associated with the Project would generate ground vibration with vehicles traveling on roadways.

The City of Oxnard does not have vibration criteria standards; however, there are federal vibration criteria that have been adopted by the Federal Transit Administration (FTA). The vibration damage criteria for structures in the Project vicinity is 0.5 peak particle velocity (PPV). The vibration criteria for human annoyance is 72 vibration decibels (VdB) (Federal Transit Authority, 2018). Based on the review of the FTA vibration levels by type of equipment, the highest level of vibration from a piece of equipment that would be used during the Project construction activities would occur from a loaded truck that generates 0.076 PPV and 86 VdB at 25 feet. At the nearest residence, located at approximately 600 feet east of the Project site, the residence would be exposed to 0.0007 PPV and 45 VdB that are less than the 0.5 PPV vibration damage criteria and less than the 72 VdB human annoyance criteria. Therefore, construction activities associated with the Project would result in less than significant vibration impacts.

Long-term maintenance activities would result in periodic trucks accessing the Project site; however, trucks accessing the site would result in nominal increases in the typical vibration levels that are experienced from daily vehicles traveling along Ventura Road. Therefore, long-term vibration impacts associated with the Project would be less than significant.

- c) **Less than Significant Impact.** The implementation of the Project would result in temporary and periodic increases in noise levels. As discussed above, temporary noise levels would occur during construction activities associated with the electronic billboard and the trenching for the electrical line. As a worst-case assumption, noise levels at the nearest residence would be less than 65 dBA Leq which would be considered less than significant for multi-family residences. In addition, the City considers construction activities as significant if construction noise does not occur within the Noise Ordinance timing restriction. Because the Project would include construction activities within the allowed times of day, the Project would result in a less than significant temporary noise impact.

As discussed above, long-term maintenance activities associated with the proposed electronic billboard would occur. However, these periodic activities would result in nominal increases in noise and would be considered less than significant.

- d) **No Impact.** Operation of the proposed electronic billboard would not generate permanent noise. Therefore, the implementation of the Project would result in no long-term permanent noise impact.
- e) **No Impact.** There are no public airports or private airstrips within two miles of the Project site. The closest airport is the Oxnard Airport located approximately 2.8 miles southwest of the Project site in the City of Oxnard. The next closest airport is the Camarillo Airport which is located approximately 4.9 miles southeast of the Project site. Because the Project does not include people residing on the site, and the site is over two miles from the nearest airport, the Project would not expose people to excessive airport noise levels. Therefore, no impact would occur.
- f) **Less than Significant with Mitigation Incorporated.** As discussed in Section 3.4 a) above, construction activities from the implementation of the Project could increase noise levels for nesting bird species in the Project vicinity. This increase in noise could result in a significant noise impact to nesting birds.

Implementation of Mitigation Measures BIO-1 and BIO-2 from Section 3.4 a) is required.

With the implementation of Mitigation Measures BIO-1 and BIO-2 for nesting birds, potential impacts to nesting birds would be reduced to less than significant.

References

City of Oxnard. 2016. 2030 General Plan Goals and Policies, Safety & Hazards Element. Available at: <https://www.oxnard.org/wp-content/uploads/2017/06/Oxnard-2030-General-Plan-Amend-06.2017-SM.pdf>. Accessed on February 28, 2022.

Federal Transit Administration. 2018. Transit Noise and Vibration Impact Analysis.

3.13 Population, Education, and Housing

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project involve a General Plan amendment that could result in an increase in population beyond that projected in the 2030 General Plan that may result in one or more significant physical environmental effects?	☐	☐	☐	☒
b) Would the project induce substantial growth on the project site or surrounding area, resulting in one or more significant physical environmental effects?	☐	☐	☐	☒
c) Would the project result in a substantial (15 single-family or 25 multi-family dwelling units – about one-half block) net loss of housing units through demolition, conversion, or other means that may necessitate the development of replacement housing?	☐	☐	☐	☒
d) Would the project result in a net loss of existing housing units affordable to very low- or low-income households (as defined by federal and/or City standards), through demolition, conversion, or other means that may necessitate the development of replacement housing?	☐	☐	☐	☒
e) Would the project cause an increase in enrollment at local public schools that would exceed capacity and necessitate the construction of new or expanded facilities?	☐	☐	☐	☒
f) Would the project directly or indirect interfere with the operation of an existing or planned school?	☐	☐	☐	☒

Discussion

- a) **No Impact.** The proposed Project includes the installation of a digital electronic billboard on a site that currently is designated Regional Commercial within the 2030 General Plan (City of Oxnard, 2014). The placement of the billboard does not require a general plan amendment and would not increase population beyond that projected in the 2030 General Plan. Therefore, the Project would result in no impact on population.
- b) **No Impact.** The proposed Project includes the installation of a digital electronic billboard. The operation of the billboard would not result in the inducement of growth on the Project site or surrounding area because the operation would not require an onsite employee to operate the billboard.
- c) **No Impact.** The implementation of the electronic billboard is on a site that does not contain any existing housing. Therefore, the implementation of the Project would result in no impact on existing housing.
- d) **No Impact.** As stated above, the implementation of the electronic billboard is on a site that does not contain any existing housing. Therefore, the implementation of the Project would result in no impact on existing housing, including existing affordable housing units.

- e) **No Impact.** Because the Project would not result in new housing or employment opportunities, the implementation of the Project would not impact enrollment at local public schools.
- f) **No Impact.** The nearest school to the Project site is Rio del Sol School located approximately 0.5-mile northeast of the Project site. Construction and operation of the proposed billboard would not directly or indirectly interfere with the operation of a school.

References

City of Oxnard. 2014. City of Oxnard 2030 General Plan Map. Available at:
<https://www.oxnard.org/wp-content/uploads/2016/03/203020GENERAL20PLAN2030x402009.14V3-1.pdf>. Accessed on February 28, 2022.

3.14 Public Services and Recreation

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project increase demand for fire protection service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	☐	☐	☐	☒
b) Would the project increase demand for law enforcement service such that new or expanded facilities would be needed to maintain acceptable service levels, the construction of which may have significant environmental effects?	☐	☐	☐	☒
c) Would the project increase the use of existing park facilities such that substantial physical deterioration of the facilities would occur or be accelerated or that new or expanded park facilities would be needed to maintain acceptable service levels?	☐	☐	☐	☒
d) Would the project increase the need for or use of existing library or other community facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☐	☒

Discussion

- a) **No Impact.** The operation of the proposed electronic billboard would add a structure that would be served by the City of Oxnard Fire Department Station 7 that is located approximately 1.6 miles east of the Project site (City of Oxnard, 2022a). No employees would be located on the Project site, and therefore, the addition of the proposed billboard would not require the addition of a new fire station or modifications to an existing fire station to serve the Project site. Therefore, the proposed Project would have no impact on fire protection services.
- b) **No Impact.** The Project site is located approximately 3 miles north of the City of Oxnard Police Department and located within Neighborhood Policing Beat 14 (City of Oxnard, 2022b). The proposed Project includes an electronic billboard that would not result in a demand for police protection services because there are no employees that would be located on the Project site. Therefore, the Project would have no impact on police protection services.
- c) **No Impact.** The proposed Project would not generate employees and would not increase the use of existing park facilities. Therefore, the Project would not result in the physical deterioration of existing park facilities.
- d) **No Impact.** The proposed Project would not generate employees and would not increase the use of existing libraries or other community facilities. Therefore, the Project would not impact libraries or community facilities.

References

City of Oxnard. 2022a. City of Oxnard Fire Department, Fire Station Locations. Available at: <https://www.oxnard.org/fire-station-locations-fire-department/>. Accessed on February 28, 2022.

City of Oxnard. 2022b. Oxnard Police Department, Neighborhood Policing Beat Coordinator Map. Available at: <https://sites.google.com/oxnardpd.org/2020-beat-map/police-beat-map> Accessed on February 28, 2022.

3.15 Transportation and Circulation

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☐	☒
c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Would the project result in inadequate emergency access?	☐	☐	☒	☐

Discussion

- a) **Less than Significant Impact.** Construction of the proposed electronic billboard would generate a nominal number of construction vehicle trips for the activities to place the electronic billboard on the Project site and trench for approximately 200 feet to an existing Southern California Edison electrical facility north of the Project site along Ventura Road. Project construction activities would result in a nominal number of trips and may require a temporary partial lane closure along Ventura Road. However, these activities would occur over a short term, and the existing painted median could be used for access. Construction activities would not substantially conflict with the circulation system. Therefore, potential impacts would be less than significant impacts. In addition, long-term activities associated with the Project include periodic visits to the site for maintenance. These periodic visits would also result in less than significant impacts to the surrounding circulation system.
- b) **No Impact.** The proposed Project would include periodic maintenance vehicle trips to the site and would not require daily vehicle trips to the site for operation of the electronic billboard. Therefore, the Project would have no impact on vehicle miles traveled.
- c) **Less than Significant Impact.** The proposed Project includes the placement of an electronic billboard adjacent to U.S. 101. The proposed billboard will be oriented for viewing primarily from U.S. 101. The proposed billboard will comply with all applicable laws and regulations concerning brightness, including, without limitation, California Building and Professions Code Section 5403(g) and California Vehicle Code Section 21466.5. The billboard proposes to include different images, but each image will be displayed for at least eight seconds and the images would not move or present the appearance of motion and would not flash or blink or any other means that does not provide a constant illumination. These features associated with the proposed electronic billboard would not substantially increase hazards to drivers along U.S. 101 and less than significant impacts would occur.

- d) **Less than Significant Impact.** The implementation of the proposed electronic billboard and installation of an electrical line may require temporary partial lane closure along Ventura Road during the drilling for the electronic billboard pole and the trenching along the Ventura Road right-of-way to connect an electrical line from the Project site to a Southern California Edison facility located approximately 200 feet to the northeast. Ventura Road currently has two southbound lanes and an approximately 6-foot wide paved shoulder lane. If a closure of the shoulder lane and a portion of one of the southbound lanes occurs, the painted median could allow adequate southbound emergency access along Ventura Road. Operational activities occurring on the Project site would not result in changes to the transportation circulation. Therefore, construction and operational activities associated with the Project would result in less than significant impacts to emergency access.

References

No references.

3.16 Utilities and Energy

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project need new or expanded water supply entitlements that are not anticipated in the current Urban Water Management Plan?	☐	☐	☐	☒
b) Would the project require additional wastewater conveyance or treatment capacity to serve project demand and existing commitments?	☐	☐	☐	☒
c) Would the project generate solid waste that would exceed the permitted capacity of a landfill serving the City?	☐	☐	☐	☒
d) Would the project conflict with federal, state, or local statutes or regulations related to solid waste?	☐	☐	☐	☒
e) Would the project involve wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, maintenance, and/or removal?	☐	☐	☒	☐
f) Would the project require additional energy facilities, the provision of which may have a significant effect on the environment?	☐	☐	☐	☒
g) Would the project be inconsistent with existing energy standards?	☐	☐	☒	☐
h) Would the project preempt future energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage?	☐	☐	☐	☒

Discussion

- a) **No Impact.** The operational activities associated with the proposed electronic billboard would not require the use of water, and therefore, the Project would not require new or expanded water supply entitlements. Therefore, the Project would have no impact.
- b) **No Impact.** The proposed Project would not result in wastewater generation, and therefore, would not result in a need for wastewater treatment. As a result, the Project would not impact the capacity of the existing wastewater treatment facilities servicing the City of Oxnard.
- c) **No Impact.** The proposed electronic billboard would not include any employees and would not generate solid waste. Temporary construction waste would be hauled off site in accordance with all Federal, State, and local regulations. The Project would not exceed current permitted capacities of landfills because the Project would not generate operational waste. As such, the proposed Project would have no long-term impact.
- d) **No Impact.** As discussed above, temporary construction waste would be generated during installation of the proposed billboard as well as trenching for the electrical line. However, the construction waste would be hauled off site in accordance with all Federal, State, and local regulations, and therefore, would not conflict with these regulations.

- e) **Less than Significant Impact.** As described below, the proposed Project would not involve wasteful, inefficient, or unnecessary consumption of energy.

Construction

The Project would consume energy during construction activities, primarily from on- and off-road vehicle fuel consumption in the form of diesel and gasoline, necessary to install a typical billboard. Construction of a typical billboard is assumed to require up to four workdays, depending on the nature of the soil and the extent of the column footing required. For the purposes of evaluating energy usage, the analysis conservatively assumes a construction scenario of four days of construction. The construction would consist of the following tasks: 1) drilling and haul of excavated soil, 2) column set and concrete pour, 3) building the structure and 4) installation of digital display. These activities would occur over a two-week period with a five to seven-day break between the drilling/column set and the installation to allow for concrete setting.

Energy consumption would occur from the operation of heavy-duty construction equipment, on-road trucks, and from on-road light-duty passenger vehicles from construction workers commuting to and from the Project site. Heavy-duty construction equipment was conservatively assumed to be primarily diesel-fueled. Diesel fuel would also be used for heavy-duty on-road trucks used for hauling of excavated soils, cement delivery, on-road transport of construction equipment and materials (i.e., aerial lift trucks, cranes, and billboard construction materials such as columns and electronic displays). Natural gas and electricity are not anticipated to be used during construction activities in any substantial quantities. A summary of the Project's construction fuel usage is provided in **Table UE-1, Summary of Fuel Consumption During Installation of the Proposed Electronic Billboard**. Energy calculations for fuel consumption are based on the same assumptions used for the Air Quality analysis and used for the CalEEMod Emissions Modeling.

TABLE UE-1
SUMMARY OF FUEL CONSUMPTION DURING INSTALLATION OF THE PROPOSED ELECTRONIC BILLBOARD

Activity	Fuel	Gallons ^a
Off-Road Construction Equipment	Diesel	203
Construction Haul Vehicles	Diesel	117
Construction Worker Commuting	Gasoline	14

^a Fuel estimates are based on installation of the proposed electronic billboard in 2022.

SOURCE: ESA, 2022

As shown, the estimated total diesel fuel consumed by construction equipment and on-road haul/delivery trucks would be approximately 320 gallons for the installation of the proposed electronic billboard. Transportation fuel from workers traveling to and from the Project site would be limited and are estimated as less than 15 gallons of gasoline which is considered minimal fuel consumption.

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, crude oil production would be sufficient to meet 50 years of worldwide consumption (BP Global, 2022). Vehicles that would be used by construction workers would comply with Corporate Average Fuel Economy fuel economy standards, which would result in more efficient use of transportation fuels (lower consumption). Vehicles that would be used by construction workers would also comply with Pavley and Low Carbon Fuel Standards which are designed to reduce vehicle GHG emissions, but would also result in fuel savings in addition to compliance with Corporate Average Fuel Economy standards.

Construction of the Project would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, and would comply with State measures to reduce the inefficient, wasteful, and unnecessary consumption of energy, such as petroleum-based transportation fuels. While these regulations are intended to reduce construction emissions, compliance with the anti-idling and emissions regulations discussed above would also result in fuel savings from the use of more fuel-efficient engines. Therefore, Project construction would not result in wasteful, inefficient, or unnecessary consumption of energy resources and energy impacts would still be less than significant. Calculation details for fuel and energy consumption are included in **Appendix G**.

Operation

Operations of the proposed electronic billboard would consume energy in the form of purchased electricity to power the lighting. Electricity in the Project area (Ventura County) is provided by Southern California Edison (SCE). SCE is required to commit to the use of renewable energy sources for compliance with the Renewable Portfolio Standards (RPS). SCE has already met its requirement to procure at least 33 percent of its energy portfolio from renewable sources by 2020 with approximately 33.1 percent of its 2020 electric supply power mix from renewable power (SCE 2020). With the passage of SB 100 in September 2018, SCE will be required to update its long-term plans to demonstrate compliance including providing 60 percent of its energy portfolio from renewable sources by December 31, 2030, and ultimately planning for 100 percent eligible renewable energy resources and zero-carbon resources by December 31, 2045.

Predicted energy use for the proposed electronic billboard is estimated at an average of approximately 150 kilowatt hours (kWh) per day and approximately 54,000 kWh per year.

Based on SCE's 2020 Annual Report, SCE total system sales for 2020 was 85,399 million kWh of electricity (SCE 2021). As such, the Project-related net increase in annual electricity consumption of 54,000 kWh per year would represent less than 0.0001 percent of SCE's total energy sales. The proposed electronic billboard would utilize energy

efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). Therefore, Project operations would not result in wasteful, inefficient, or unnecessary consumption of energy resources and energy impacts would still be less than significant.

As discussed above, Project construction would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, to reduce the use of petroleum-based transportation fuels. Operation of the Project would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, n.d.). As a result, the proposed Project would support Statewide efforts to implement fuel saving strategies and utilize energy efficient technologies. Overall, the Project would not be inconsistent with existing energy standards and impacts would be less than significant.

- f) **No Impact.** Implementation of the proposed electronic billboard would include the extension of an electrical line for approximately 200 linear feet to an existing electrical facility located north of and within the existing Ventura Road right-of-way. The electronic billboard would not require additional energy facilities, beyond the proposed extension of an electrical line, to serve the proposed Project. Therefore, the Project would result in no impact.
- g) **Less than Significant Impact.** As discussed above, Project construction would utilize fuel-efficient equipment consistent with State and federal regulations, such as fuel efficiency regulations in accordance with the California Air Resources Board (CARB) Pavley Phase II standards, the anti-idling regulation in accordance with Section 2485 in Title 13 of the California Code of Regulations, and fuel requirements in accordance with Section 93115 in Title 17 of the California Code of Regulations, to reduce the use of petroleum-based transportation fuels. Operation of the Project would utilize energy efficient light emitting diode (LED) technology, which is recognized by the U.S. Department of Energy as the most energy efficient lighting technology (U.S. DOE, nd.). As a result, the proposed Project would support Statewide efforts to implement fuel saving strategies and utilize energy efficient technologies. Overall, the Project would not be inconsistent with existing energy standards and impacts would be less than significant.
- h) **No Impact.** The implementation of the proposed electronic billboard would not preempt energy development or future energy conservation, or inhibit the future use of renewable energy or energy storage due to the Project's limited use of energy resources.

References

- BP Global. 2022. Oil reserves. Available at: <https://www.bp.com/en/global/corporate/energy-economics/statistical-review-of-world-energy/oil.html>. Accessed February 2022.
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- U.S. Department of Energy. nd. LED Lighting. Available at: <https://www.energy.gov/energysaver/led-lighting>. Accessed February 2022.
-

3.17 Wildfire

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion

- a - d) **Less than Significant Impact.** The proposed digital electronic billboard is located in an urban area of the City of Oxnard. Based on a review of the fire hazards severity zones prepared as part of the CalFire fire and resource assessment program, the Project site is not located within or near an area that is designated as a very high fire hazard severity zone (VHFHSZ). The nearest VHFHSZ designated in a Local Responsibility Area as well as a State Responsibility Area is approximately 3.5 miles to the northwest. Due to the distance from a VHFHSZ, the Project would result in less than significant impacts related to wildfires.

References

CalFire. 2020. FHSZ Viewer. Available at: gis.fire.ca.gov/FHSZ/. Accessed on March 2, 2022.

3.18 Mandatory Findings of Significance

<i>Issues:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion

- a) **Less than Significant with Mitigation Incorporated.** The implementation of the Project would include installation activities for the proposed billboard and electrical line. These activities could result in significant impacts to nesting birds in the Project vicinity. The implementation of Mitigation Measure BIO-1 and BIO-2 would reduce these potential impacts to less than significant. In addition, construction activities for the Project could result in potential significant impacts to archaeological resources. The implementation of Mitigation Measure CUL-1 would reduce these potential impacts to less than significant.
- b) **Less than Significant with Mitigation Incorporated.** The potential for cumulative impacts occur when the impacts of a Project are combined with impacts from related development projects and result in impacts that are greater than the impacts of a project alone. The City of Oxnard currently includes an additional electronic billboard proposed between Riverpark Boulevard and the northside of U.S. 101. This related project is located approximately 4,600 feet east of the Project site. The City of Oxnard is also contemplating the adoption of an ordinance that would allow additional electronic billboards to be constructed and operate along U.S. 101; however, these billboards would not be allowed to be placed within 2,000 feet of an existing electronic billboard and would be required to be located at least 100 feet from an existing residence. In addition, commercial and residential projects in the vicinity of the Project site are currently in different planning and construction phases. Multi-family residential units currently exist approximately 600 feet east of the Project site while multi-family residential units are currently being planned within 200 feet east of the Project site. Because the Project site is adjacent to U.S. 101 and bound by the Santa Clara River Basin and a currently undeveloped site planned for multi-family residences on the east side, construction activities would result in less than significant impact on human beings. As discussed in Sections 3.1 through 3.17 above, the

proposed Project could result in potential significant impacts related to biological resources, cultural resources, and noise on wildlife species prior to the implementation of mitigation measures. With the implementation of Mitigation Measures BIO-1, BIO-2, CR-1, and CR-2, the potential impacts associated with the Project would be reduced to less than significant. Given that the potential related billboard projects would need to occur at least 2,000 feet from the Project site and the Project impacts to biological resources, cultural resources, and noise on wildlife species are site specific and would not combine with potential impacts associated with other electronic billboards implemented along U.S. 101, the Project's contribution to cumulative impacts would be considered less than cumulatively considerable and less than significant.

- c) **Less than Significant Impact.** The implementation of the proposed electronic billboard includes potential significant impacts to nesting birds and potential archeological and paleontological resources. The Project would result in less than significant direct or indirect impacts on human beings.

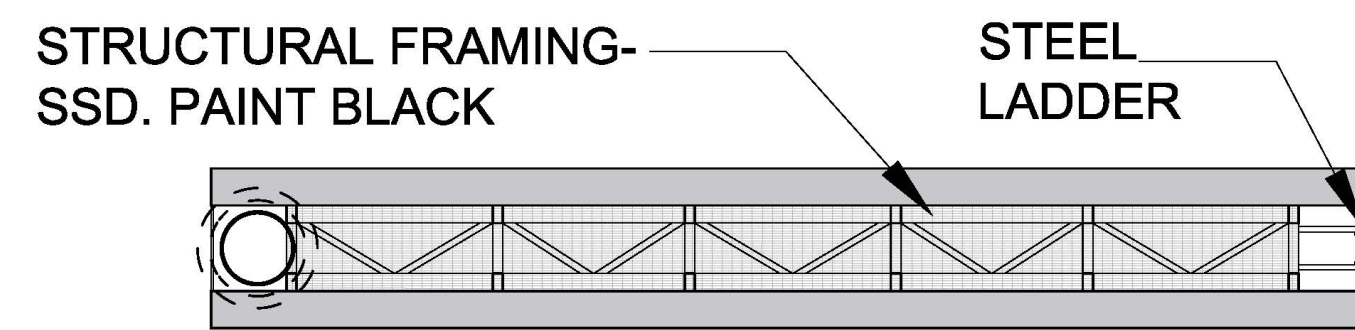
References

No references.

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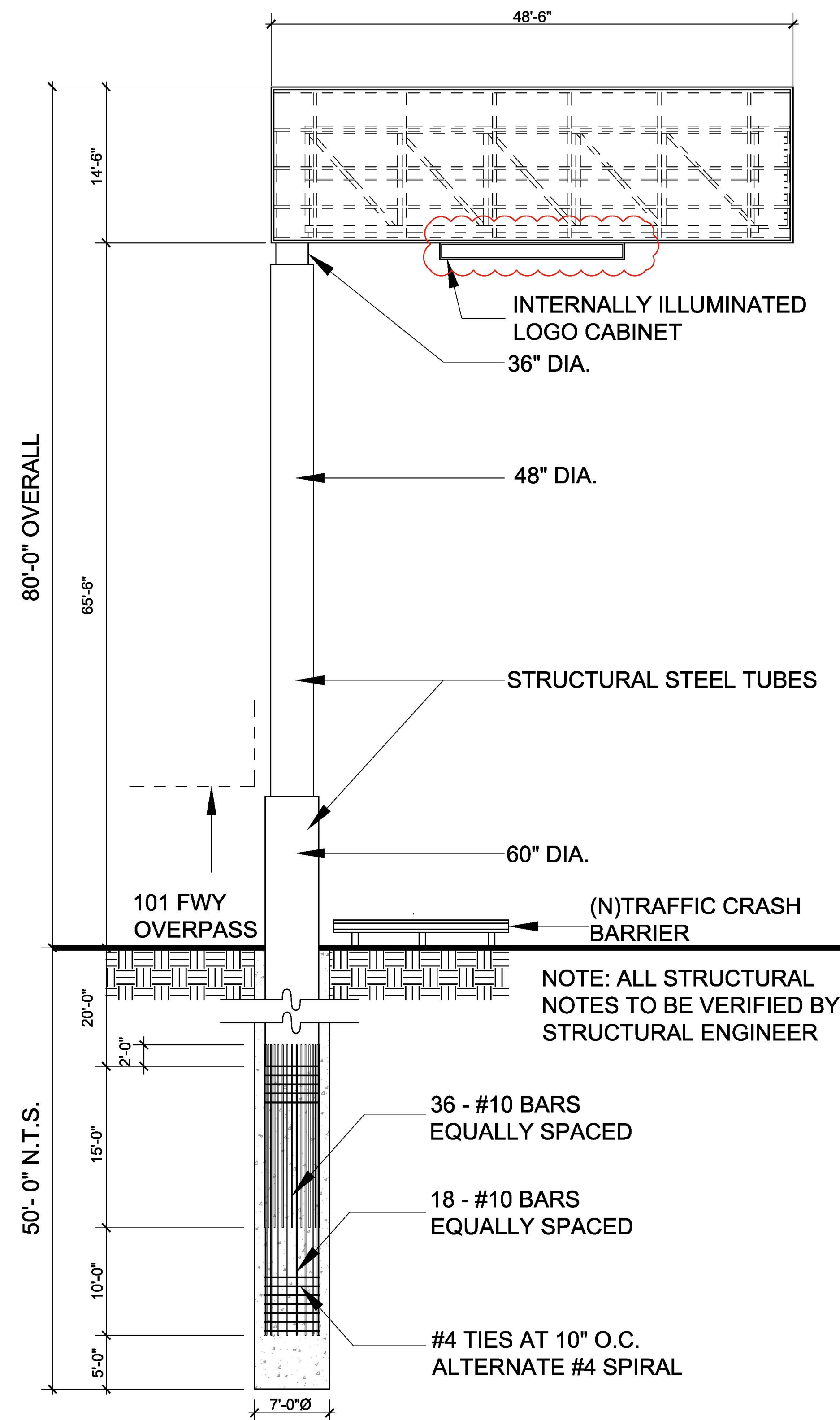
Appendix A

Project Plans



2 Plan View

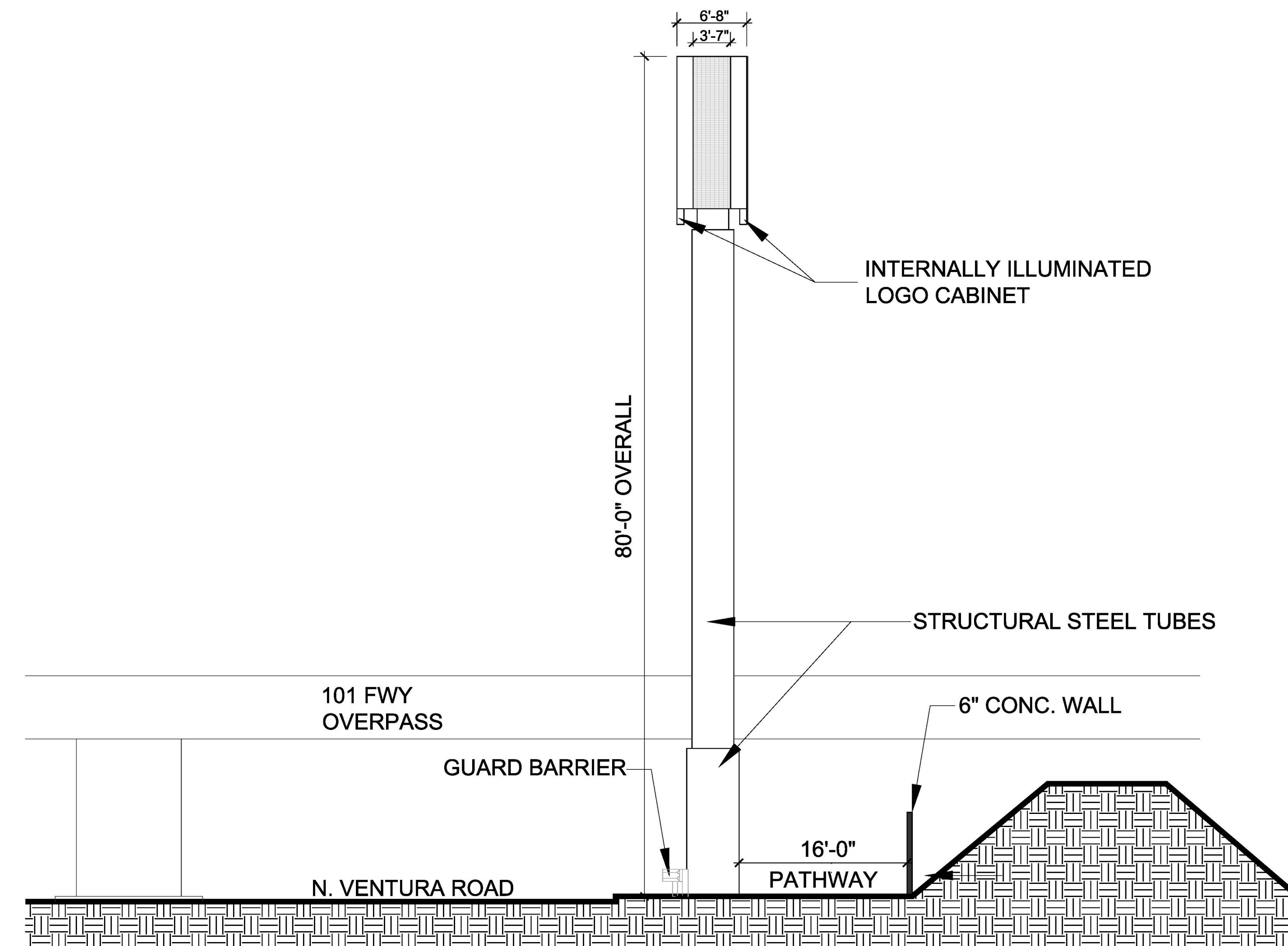
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1 Overall Elevation

SCALE - 1/8" : 1'0"

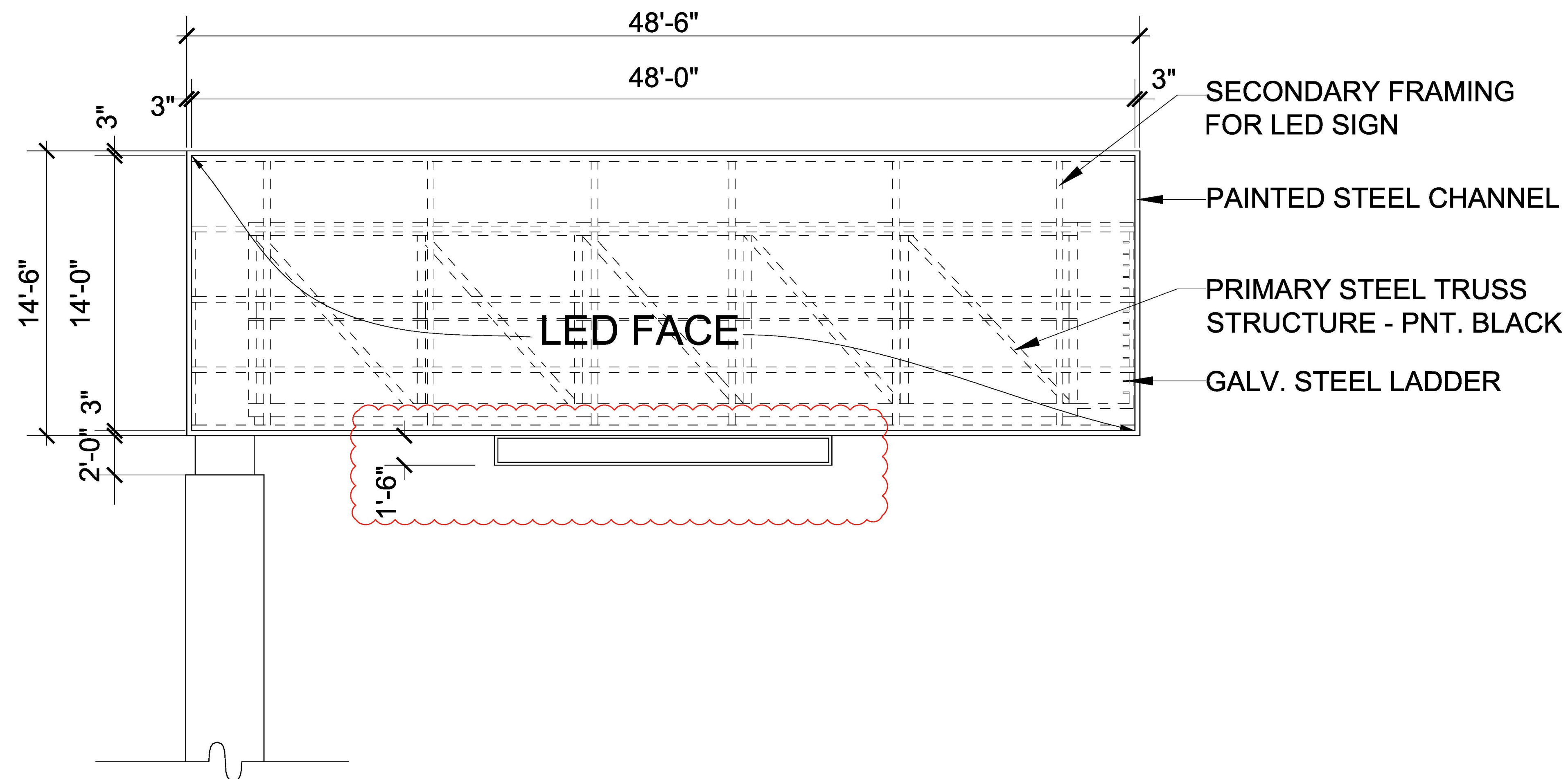
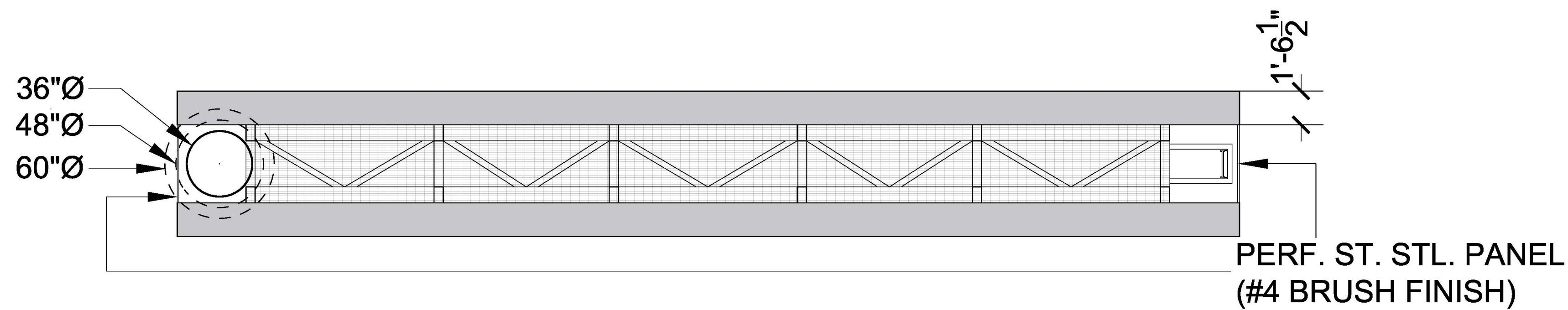
(See A-3.0 For Color Scheme)



3 CROSS SECTION VIEW

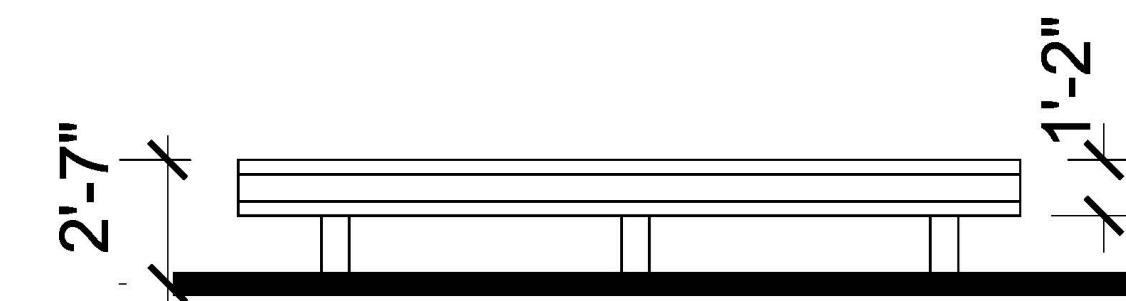
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(See A-3.0 For Color Scheme)



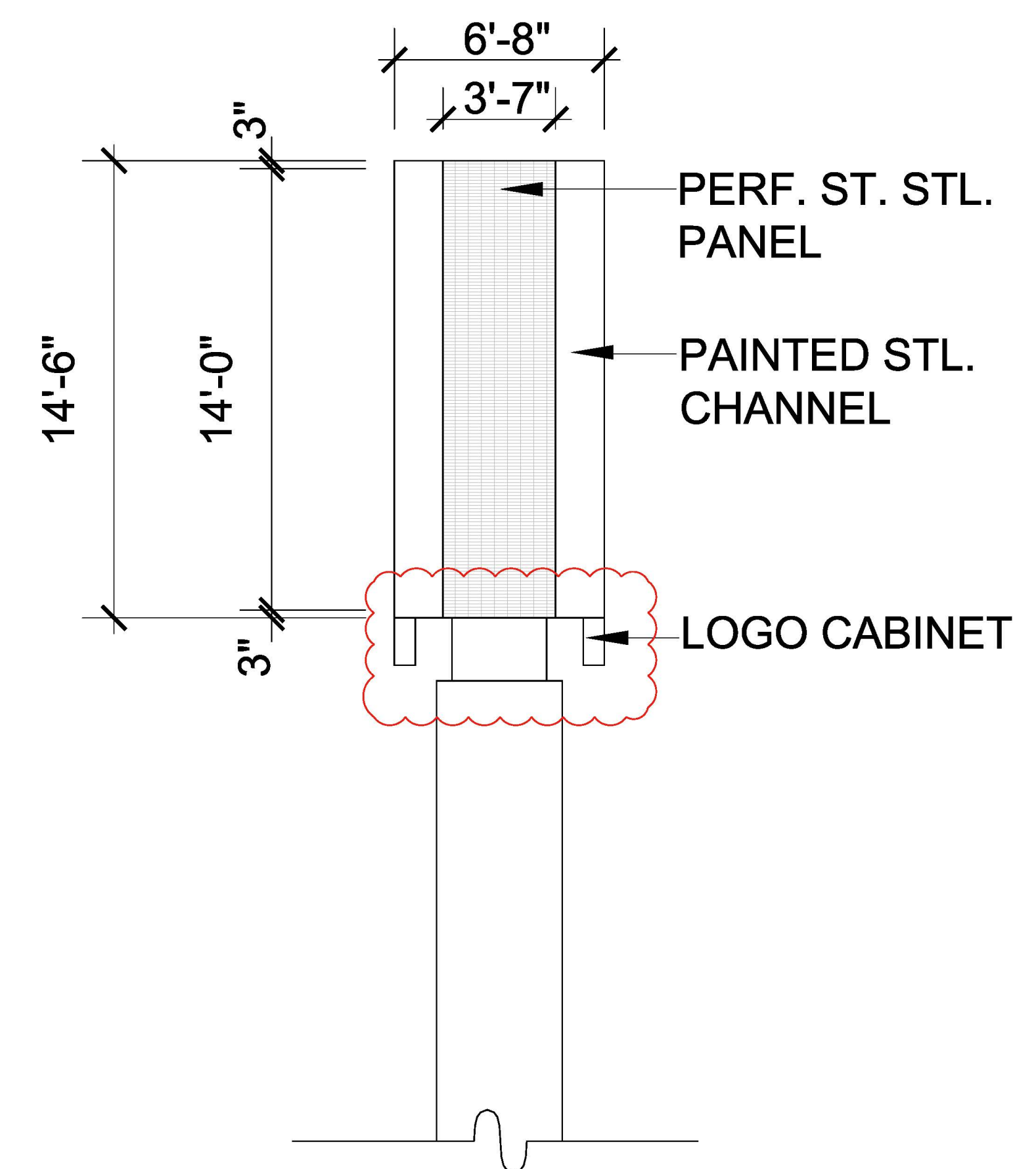
1 Face Elevation

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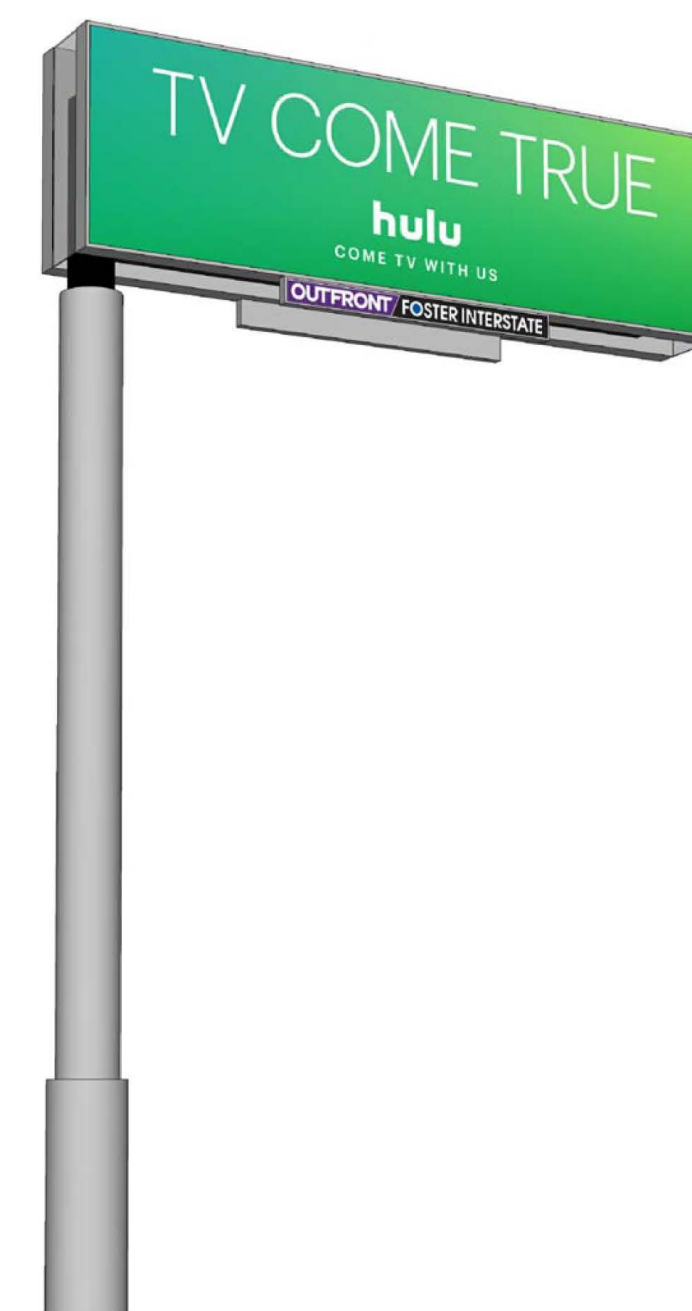
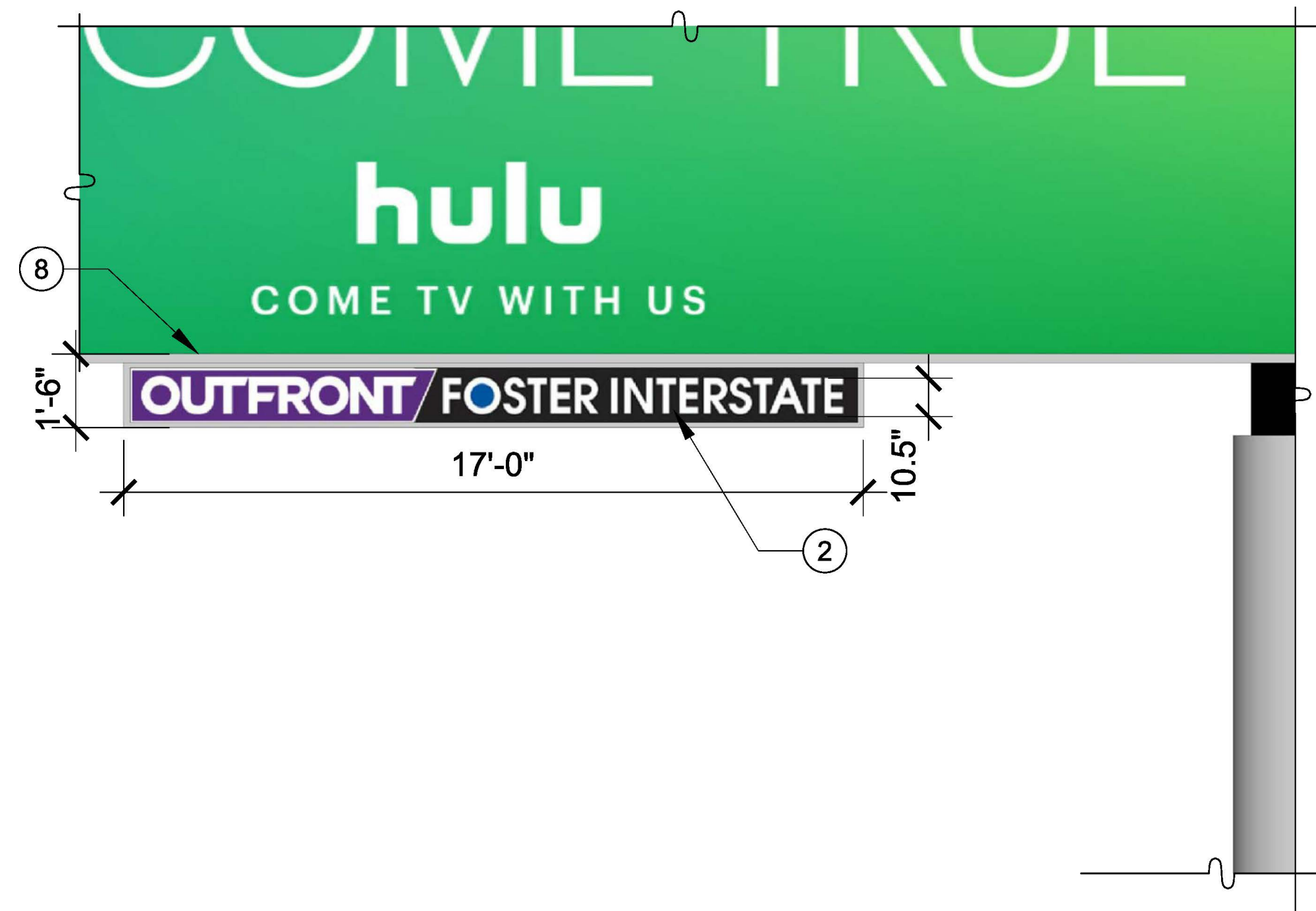
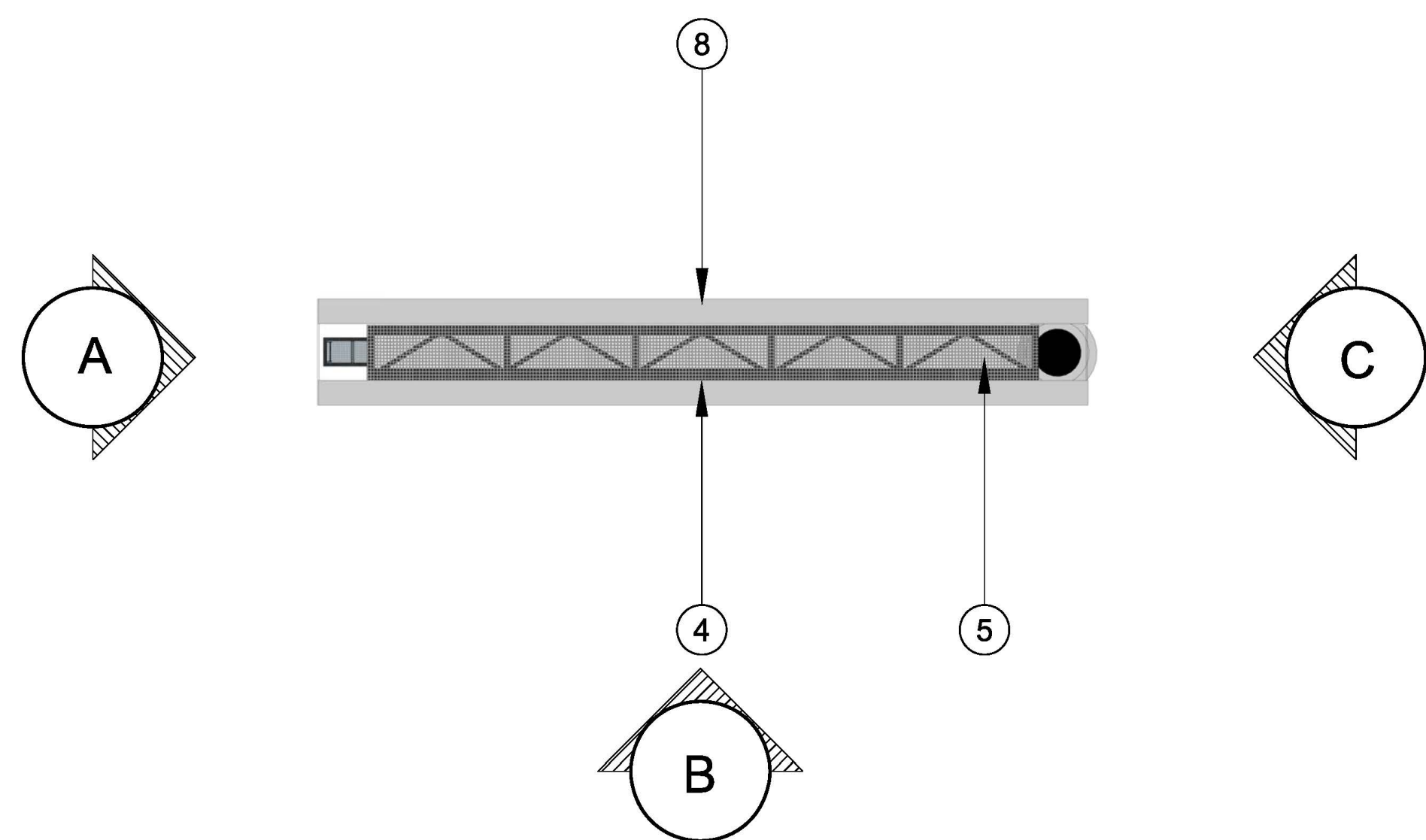
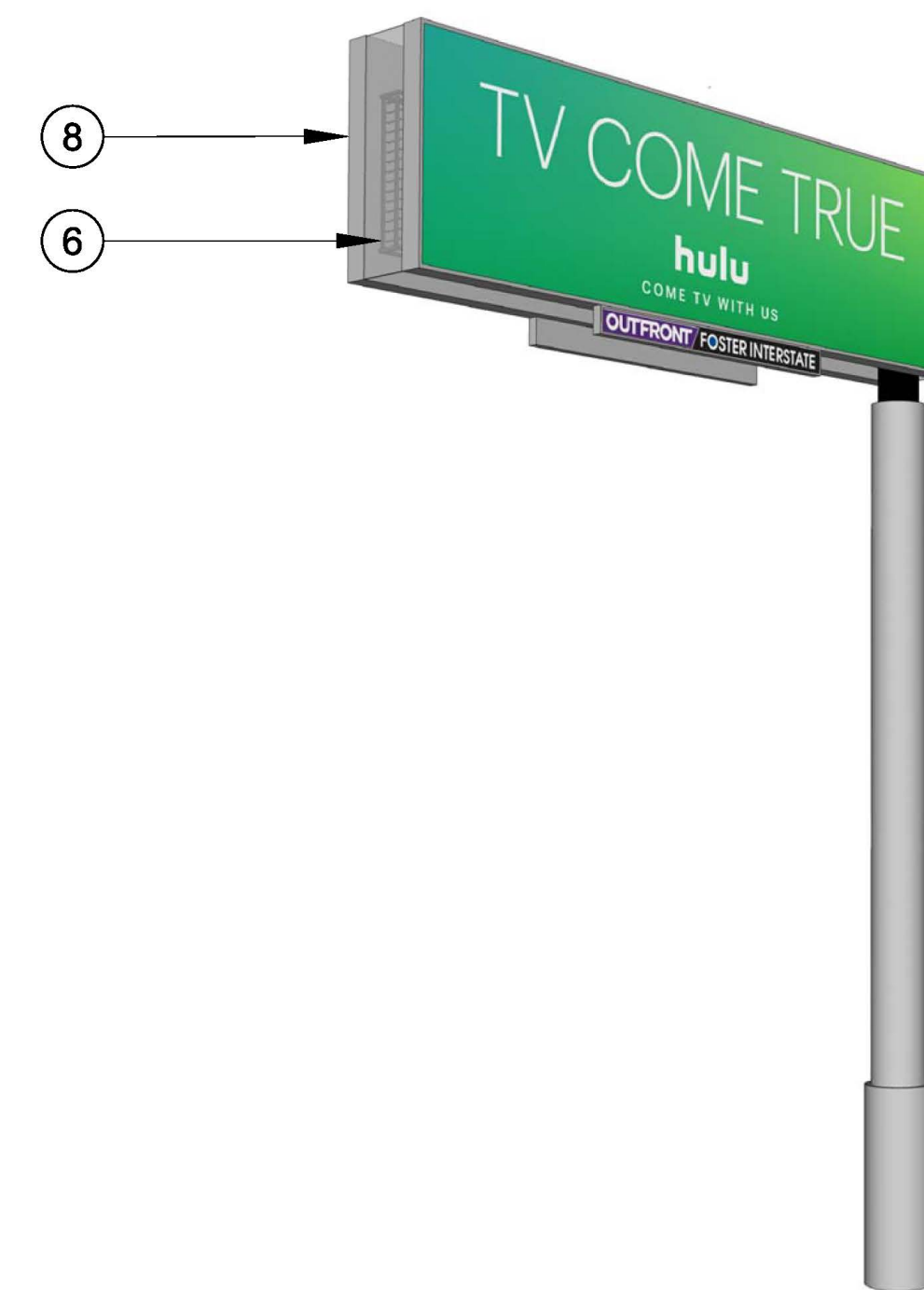
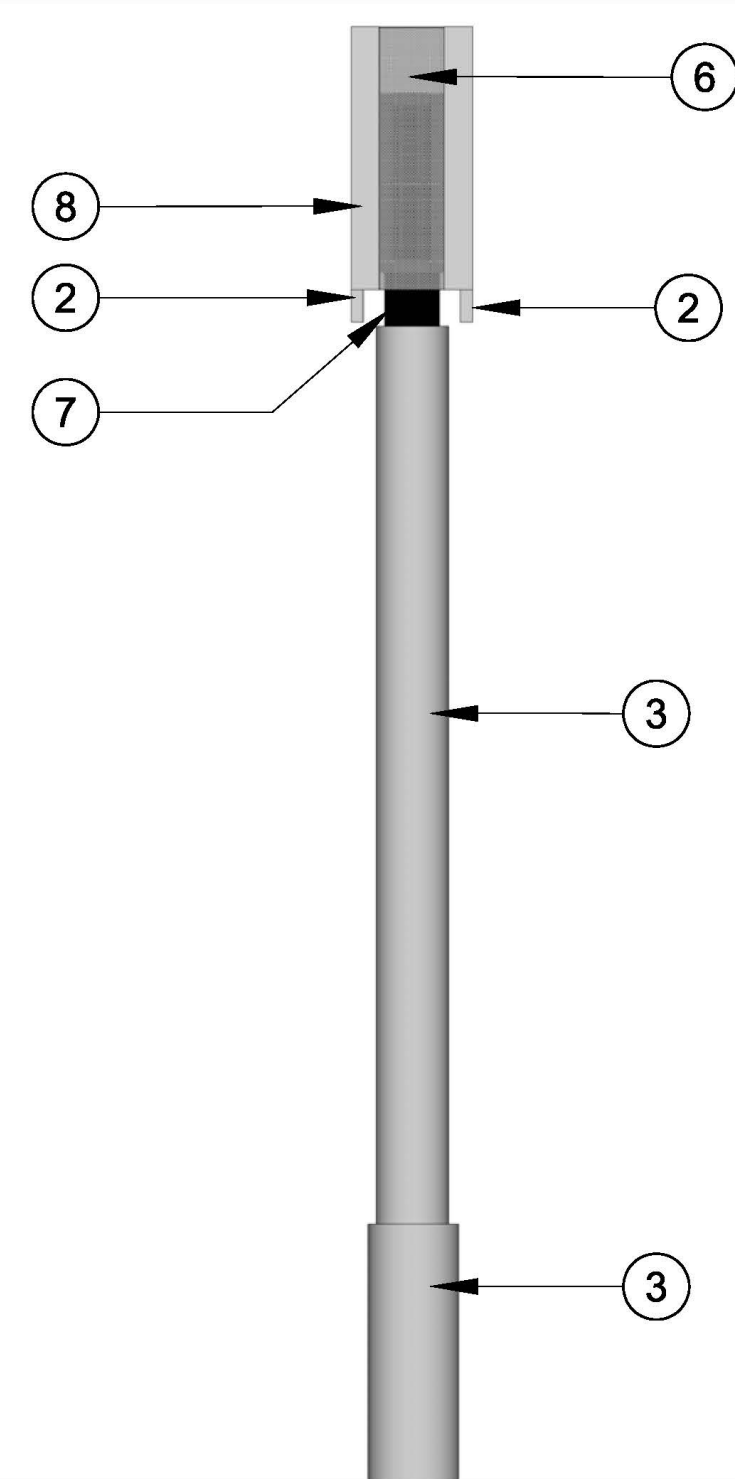
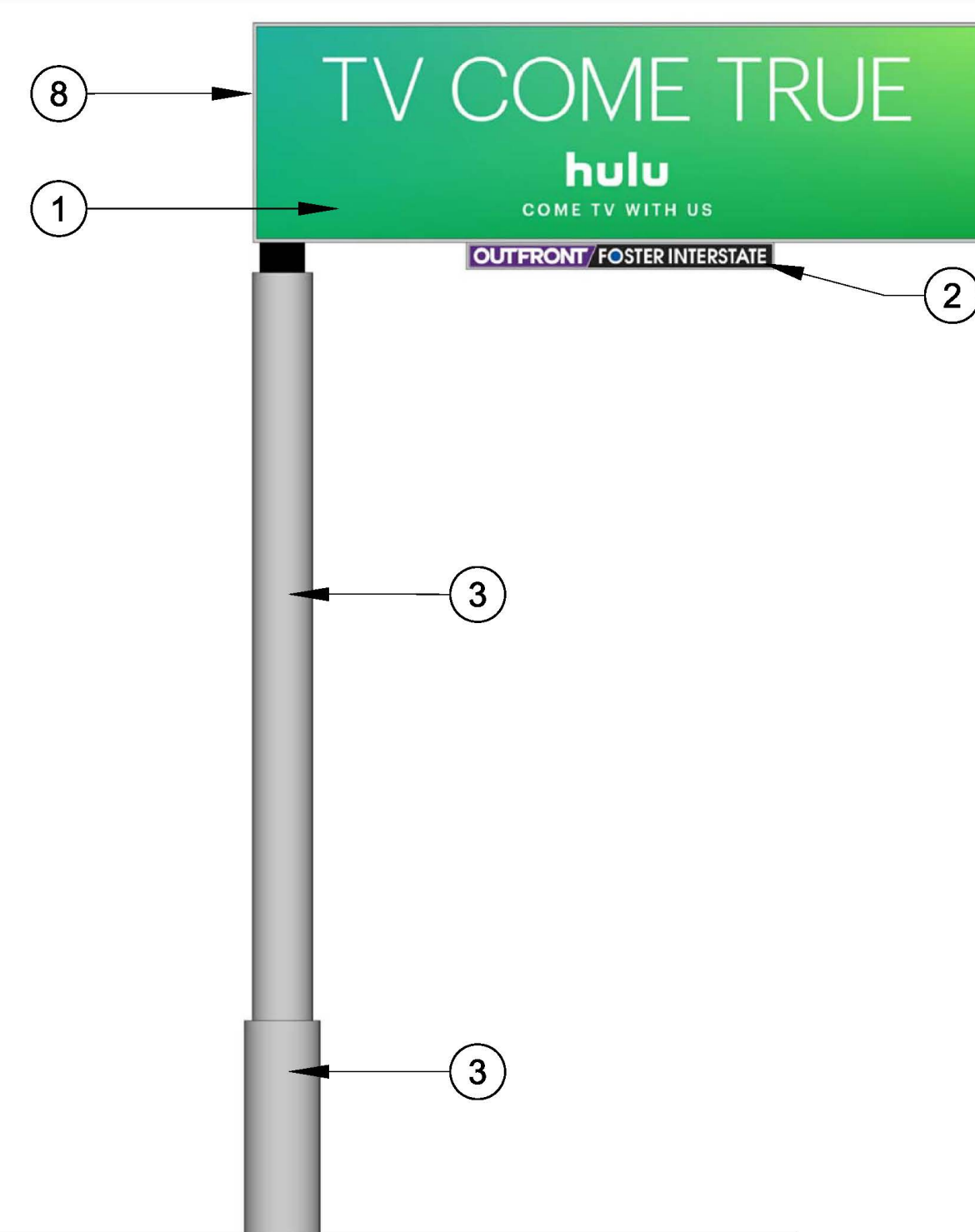
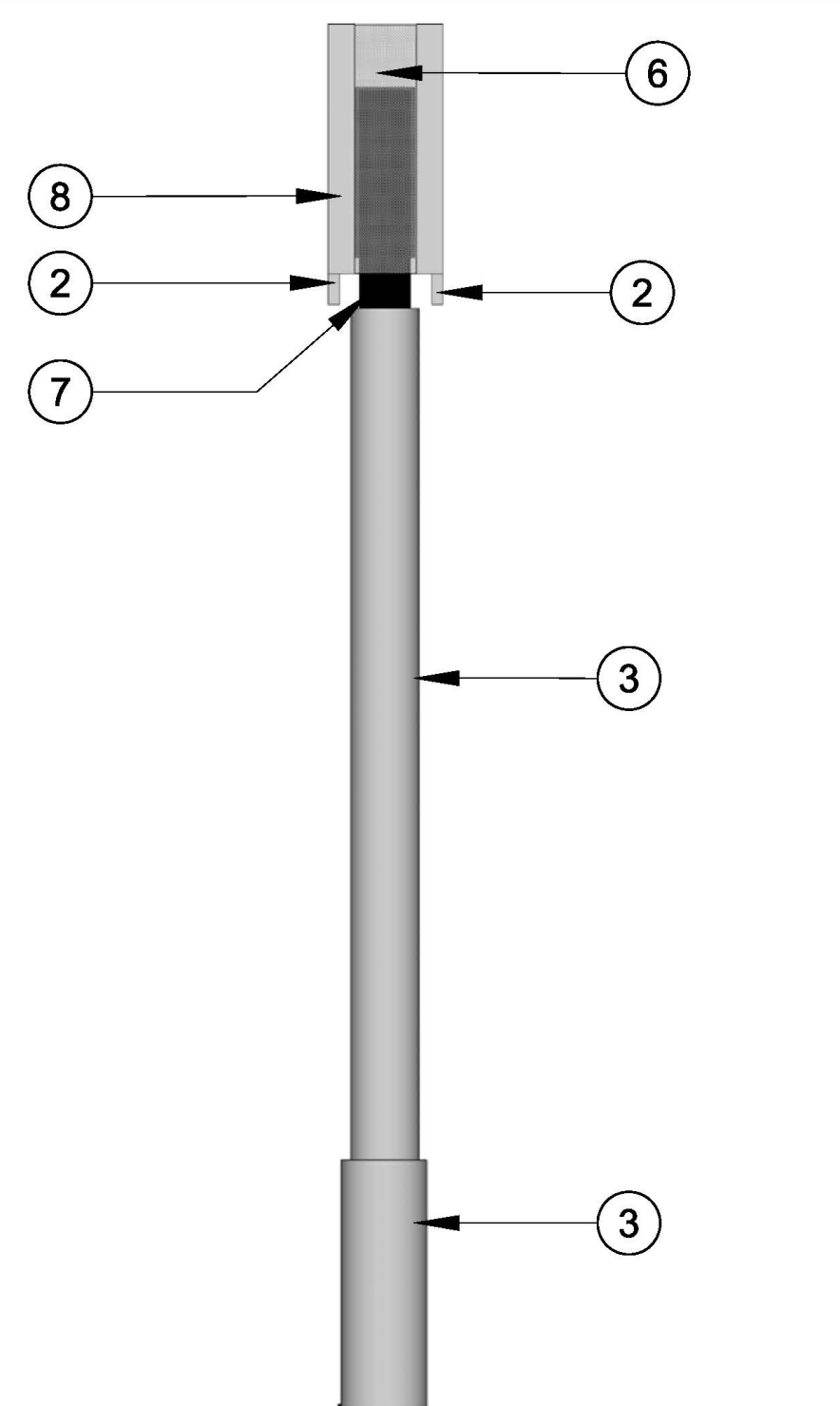
2 GUARD BARRIER FRONT VIEW

SCALE - 1/4" : 1'0"



3 End Elevation

SCALE - 1/4" : 1'0"





2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

ib+a
architecture

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San Francisco,
CA 94108

tel: (415) 512-9660
fax: (415) 512-9663
www.ibadesign.com

PROJECT NAME

OXNARD
SIGNAGE
PROJECT

APN 139-0-150-145

Oxnard,
California

CLIENT

OUTFRONT
FOSTER
INTERSTATE

FOR SITE PERMIT ONLY

REV DATE ISSUE



SHEET DESCRIPTION

RENDERINGS

DATE 8/6/2020

SCALE

DRAWN BY

CHECKED BY

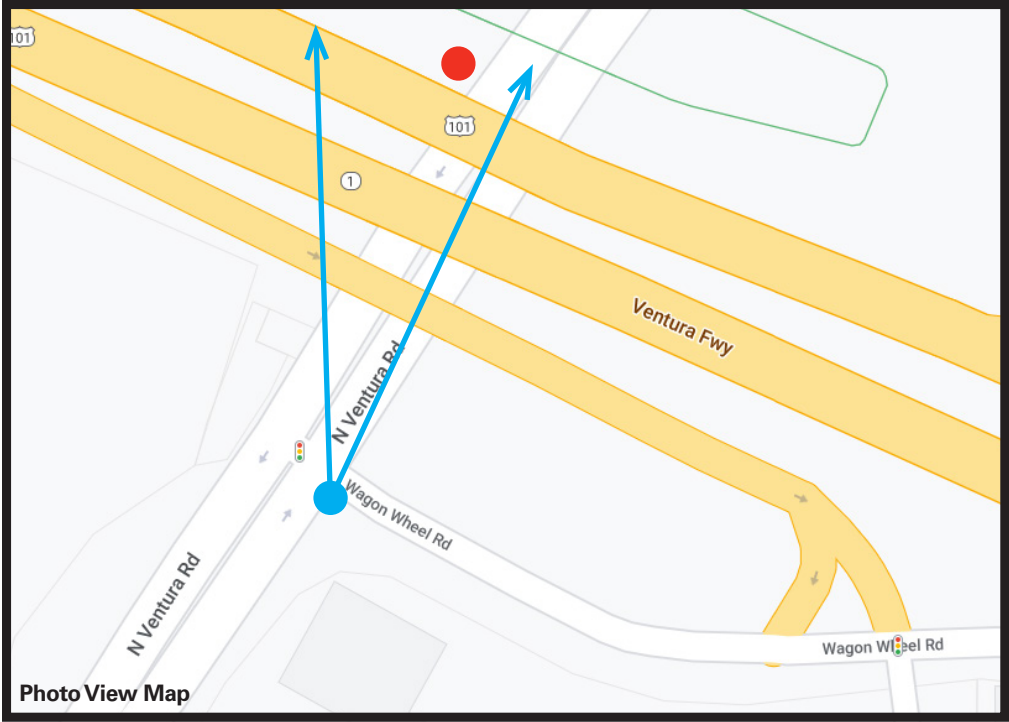
JOB NO. 1814

A-4.0

SHEET NO.

All drawings and written material appearing
herein constitute the original and unpublished
work of the designer and the same may not be
duplicated, used, or disclosed without the
written consent of the designer.

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Appendix B

Native American Assembly Bill 52 Notification



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
214 SOUTH C STREET
OXNARD, CALIFORNIA 93030
(805)385-7858
Fax (805) 385-7417



November 23, 2021

Julie Tumamait-Stenslie, Chairperson
Barbareño/Ventureño Band of Mission Indians
365 North Poli Avenue
Ojai, California 93023

RE: Tribal Cultural Resources under the California Environmental Quality Act, AB 52 (Gatto, 2014).
Formal Notification of determination that a Project Application is Complete or Decision to Undertake
a Project, and Notification of Consultation Opportunity, pursuant to Public Resources Code §
21080.3.1 (hereafter PRC).

Dear Chair Tumamait-Stenslie

The City of Oxnard has determined that a project application is complete for the Ventura Road Electronic
Billboard Project.

Below please find a description of the proposed project, a map showing the project location, and the
name of our project point of contact, pursuant to PRC § 21080.3.1 (d).

The project is a request for a Special Use Permit (PZ 20-500-06) and Development Agreement (PZ
20-670-05) for the construction of a new double sided digital freeway oriented electronic billboard
West-Side of Ventura Road north of Hwy 101. The property is currently a vacant City owned property.
The project is subject to the California Environmental Quality Act (CEQA) and the City of Oxnard is the
lead agency under CEQA.

The project is located on the West-Side of Ventura Road north of Hwy 101, between Ventura Road and
the Santa Clara River (Right of Way).

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill [AB]
52 of 2014), which requires local governments to conduct meaningful consultation with California Native
American tribes that have requested to be notified by CEQA lead agencies of proposed projects in the
geographic area with which the tribe is traditionally and culturally affiliated.

Your tribe's input is important to the City's planning process. We request that you advise us as early as
possible if you wish to consult on the proposed project. Pursuant to PRC § 21080.3.1 (b), you have 30
days from the receipt of this letter to request consultation, in writing, with the City of Oxnard. If you

require any additional information or have any questions, please contact me 805-385-8272 or via e-mail at Joe.Pearson@oxnard.org. Thank you for your assistance.

Very Respectfully,

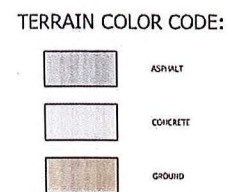
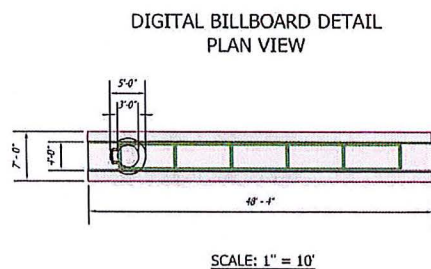
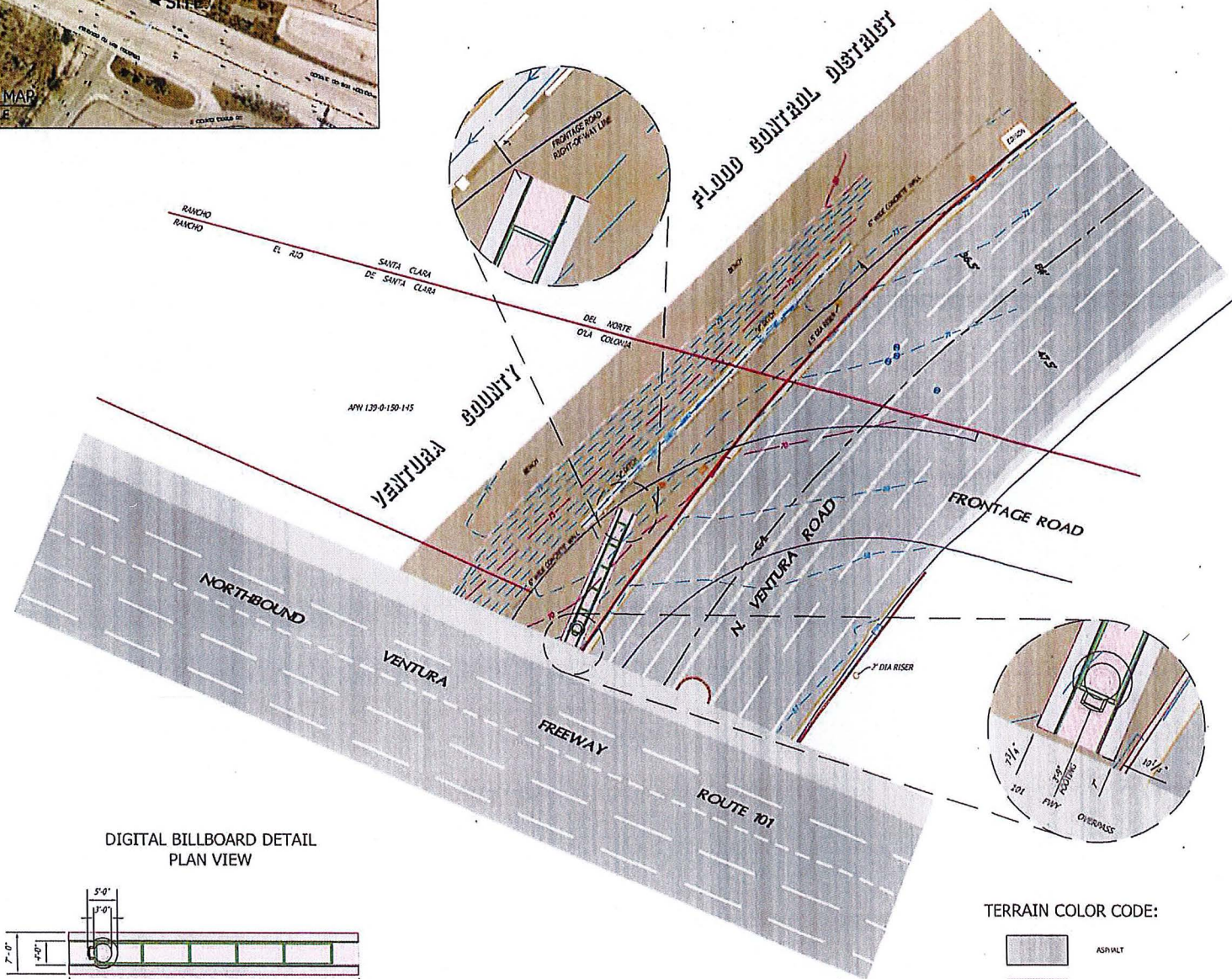
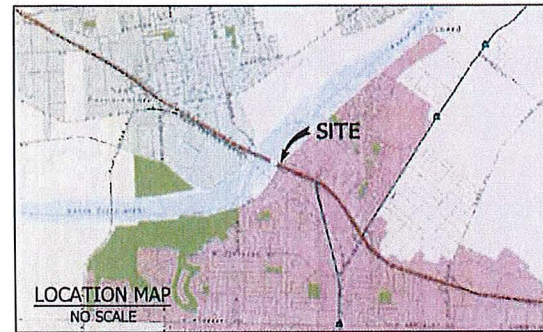
A handwritten signature in blue ink, appearing to read 'JP II', with a long, sweeping horizontal line extending to the right.

Joe Pearson II, AICP | Senior Planner
Community Development Department
City of Oxnard

Enclosed: Project Location Map and Site Plan

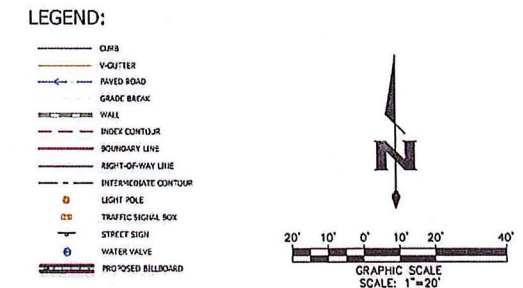


SITE 1



- NOTE:
- BOUNDARY SHOWN HEREON IS BASED ON FOUND MONUMENTS PER COUNTY PUBLIC WORKS FIELD BOOKS, TRACT NO. 5852, 159 HR 81, AND CALIFORNIA R/W MAP NO. F 2232-11 07-VEN-101-23.0.
 - LANDSCAPING AND LANDSCAPE IRRIGATION DEVICES MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
 - TREES AND OTHER FOLIAGE MAY EXIST WITHIN THE PROPERTY AND ARE NOT SHOWN.
 - ROAD STRIPING IS PICTORIAL AND REPRESENTS ONLY APPROXIMATE, RELATIVE LOCATIONS.
 - DIGITAL BILLBOARD AND PROPOSED LOCATION PROVIDED BY CLIENT.
 - IF RETAINING WALLS OR SIMILAR STRUCTURES ARE TO BE DESIGNED FROM TOPOGRAPHY SHOWN HEREON, THE ELEVATIONS OF CRITICAL POINTS CONTROLLING THE DESIGN MUST BE VERIFIED PRIOR TO ADOPTION OF FINAL DESIGN.
 - THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. EXISTING EASEMENTS (IF ANY) ARE NOT SHOWN HEREON.
 - ATTENTION: IF THIS MAP IS PROVIDED IN AN ELECTRONIC FORMAT (IE: CAD) AS A COURTESY TO A CLIENT, THE DELIVERY OF THE ELECTRONIC FILE DOES NOT CONSTITUTE THE DELIVERY OF OUR PROFESSIONAL WORK PRODUCT. ONLY THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING CONSTITUTES OUR PROFESSIONAL WORK PRODUCT. IN THE EVENT THAT THE ELECTRONIC FILE IS ALTERED, THE SURVEYOR'S SIGNED AND SEALED PAPER PRINT OR PDF FORMATTED DRAWING MUST BE REFERRED TO FOR THE ORIGINAL AND CORRECT SURVEY INFORMATION. CHRIS NELSON AND ASSOCIATES, INC., SHALL NOT BE RESPONSIBLE FOR ANY MODIFICATION MADE TO THE PROVIDED CAD FILE, OR FOR ANY PRODUCTS THAT HAVE BEEN DERIVED FROM THE CAD FILE, WHICH ARE NOT REVIEWED, SIGNED AND SEALED BY US.

BENCH MARK:
B.M. NO. R 30 1920 VCPID 193 NAVD 1988 COUNTY OF VENTURA DATUM
3.2 MILES ALONG THE SOUTHERN PACIFIC RAILROAD FROM THE STATION AT OXNARD, AT A LONG STEEL BRIDGE OVER THE SANTA CLARA RIVER, 2.3 FEET NORTHWEST OF THE SOUTHEAST END OF THE ABUTMENT, IN THE TOP OF THE SOUTHWEST END OF THE SOUTHEAST ABUTMENT, 5.1 FEET SOUTHWEST OF THE SOUTHWEST RAIL, AND ABOUT 1 FOOT LOWER THAN THE RAIL.
ELEVATION = 80.6383 FEET (24.578 METERS) (VENTURA COUNTY ADJ PUB 1992)



DATED: 12/6/2019

REVISION NOTES		
DATE	DESCRIPTION	BY
12/6/19	CHANGED OVERALL AESTHETICS	CJD

PREPARED BY:
Chris Nelson
& Associates, Inc.
31238 Via Colinas Suite H, Westlake Village, CA, 91362
Voice: 818.991.1040 Fax: 818.991.0814

PREPARED FOR:
FOSTER INTERSTATE MEDIA, INC.
1111 BROADWAY, SUITE 1515
OAKLAND, CA, 94607

TOPOGRAPHIC SURVEY
PORTION OF CALIFORNIA R/W MAP NO.
F 2232-11 07-VEN-101-23.0
CITY OF OXNARD, COUNTY OF VENTURA

JOB NO. 19-5125
SCALE: 1" = 20'
DATE: OCT. 2019
DRAFTED: SJN

SHEET NO.
1
OF 1 SHEET

Appendix C

Photometric Analysis



330 N. Brand Blvd. Suite 950
Glendale, CA 91203
818.539.1111 • www.exp.com

City of Oxnard Ventura County Site # 1

Digital Billboards

Photometric Analysis

Project Number
2020239.00

Prepared By:
Michael Schrupp

Date Submitted
23 October, 2020

Date Revised
7 December, 2020

TABLE OF CONTENTS

1.0	NARRATIVE	1
2.0	APPENDIX - FOOT-CANDLE LEVEL GRAPHIC SHEETS	3

1.0 NARRATIVE

We (exp engineering) have conducted a photometric review of the digital billboards being proposed by Outfront Foster Interstate to be located on N. Ventura Dr. near the 101 freeway and Santa Clara River Basin, in Oxnard, CA.

Using the photometric software AGI32, we studied the screen's output brightness to determine

- a) what if any modifications to the sign would be needed to comply with the OAAA (Outdoor Advertising Association of America) lighting level standards, and
- b) What impact will the sign have at night on the surrounding community, including the new Fore Riverpark Complex.
- c) What are the specific impacts on the Santa Clara River Basin that may effect the wildlife in the area.

The photometry is based on the specified Nichia series 336 LED modules, which output light horizontally at 90° and 45° vertically.

The proposed billboard is to be 14'x48' with the top of the sign mounted at +80' above the ground with maximum screen brightness of 300 NITS (300 Candela per Square Meter) in the evening.

Per OAAA guidelines, the proposed sign, displaying a full white image (for maximum brightness) should not exceed .3 footcandles over the surrounding ambient light levels at a distance of 250' in any direction.

As we are unable to determine what the ambient light levels will be at the location, the studies were done assuming the worst-case scenario of no ambient light.

We have included graphical illustrations demonstrating the light levels in footcandles (fc) we expect from the screen.

Sheet 1 of the attachment is a location plan indicating the 250' boundary overlaid on a map of the proposed site, as well as the projected relative angle of light emanating from the sign

Sheet 2 shows the photometric calculations at the ground over the entire map area, graphically shown as both footcandle points and as a pseudocolor graph.

Sheet 3 is a graphic representation of the light levels impacting the area to the south of the sign.

Sheet 4 is a graphic representation of the light levels impacting the area to the north of the sign.

Sheet 5 is a graphic representation of the light levels impacting the adjacent river basin area

Sheet 5 is a graphic representation of the light levels impacting the Fore Riverpark Complex.

Conclusions

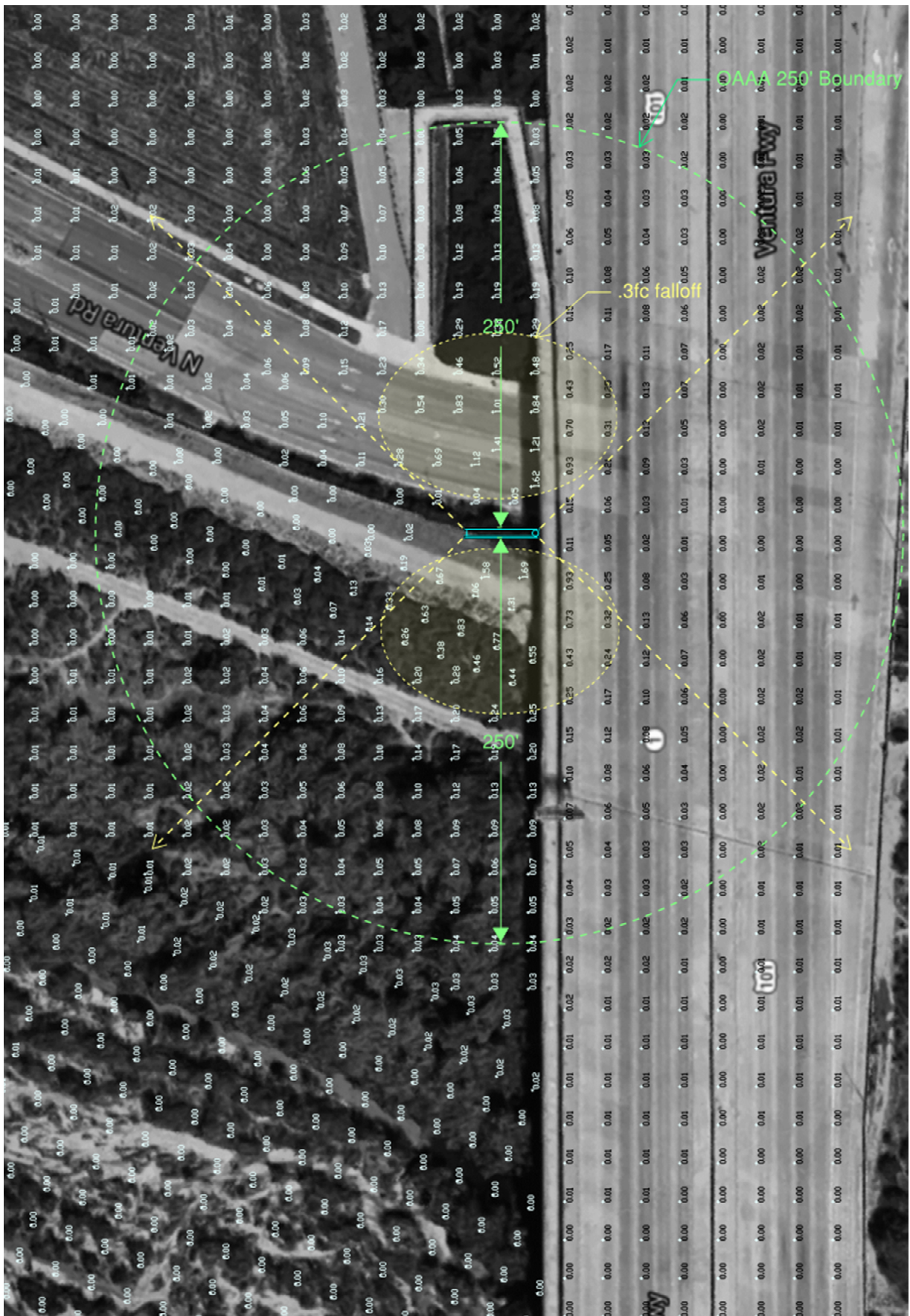
We see no light levels in excess of .3fc beyond the 250' radius of the signs, nor do we find any significant impact to the surrounding public area provided the sign brightness is reduced after dark to the 300 NIT level. While there is some highlight to the west face of the Fore Riverpark complex, the levels are minimal enough so as we feel it will not be a disruption to the residents on that corner of the building.

As it relates to the Santa Clara River Basin area, we find that a minimal amount of light will impact the immediate area in front of the North facing sign, with light levels quickly dropping below that of full-moon light (.025fc). Roughly 14,000sf would fall between .3fc and .1fc, with the rest falling below the 1/10th fc mark. Also of note, the adjacent freeway overpass has pedestrian light poles that likely contribute light on the basin below in much greater levels than the proposed billboard and over a much larger area. It is our assessment that given the extremely low levels of illumination and minimal area of light spill, the proposed billboard would provide little to no impact to the river basin ecosystem.

This report, prepared by exp Services Inc., is intended for the exclusive use of the City of Oxnard, Ventura County, and Outfront Foster Interstate Media. Neither exp Services Inc., City of Oxnard, Ventura County, or Outfront Foster Interstate Media assume any liability for the use of this report, or for the use of any information disclosed in the report, or for damages resulting from the use of this report, by other parties.

Appendix

Foot-candle Level Graphic Sheets

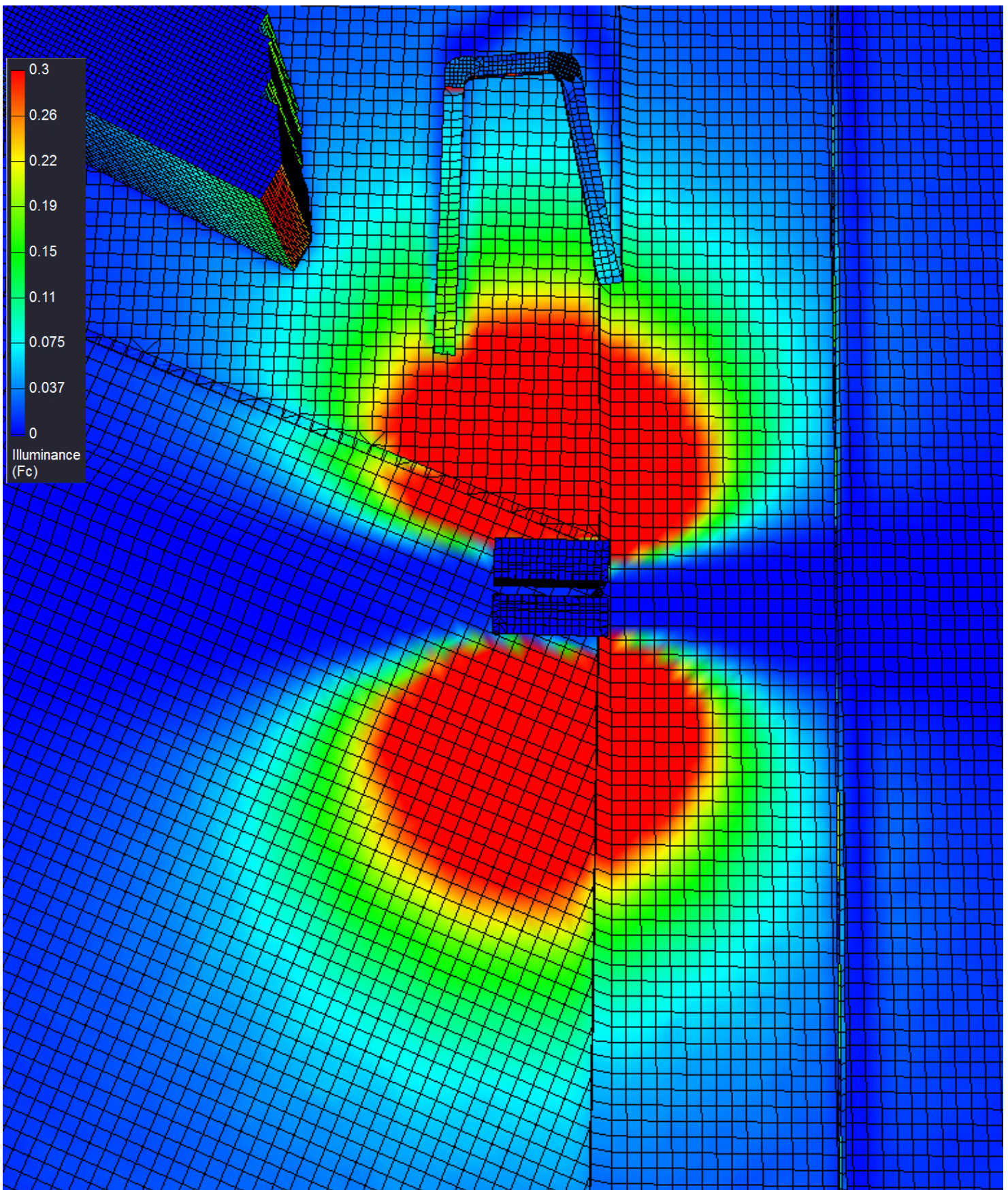


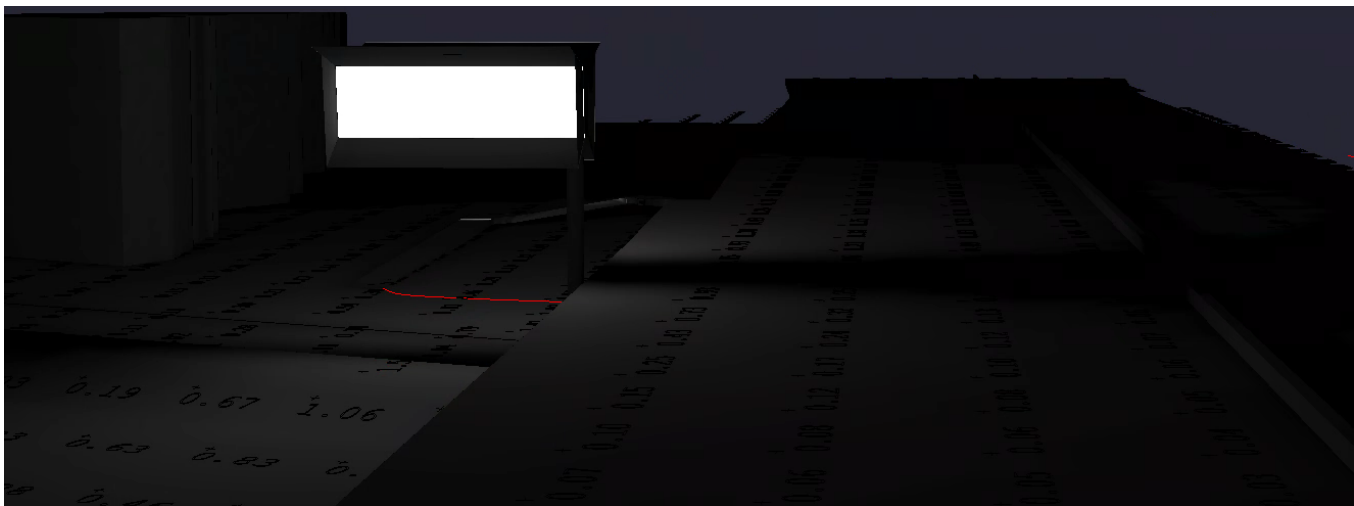
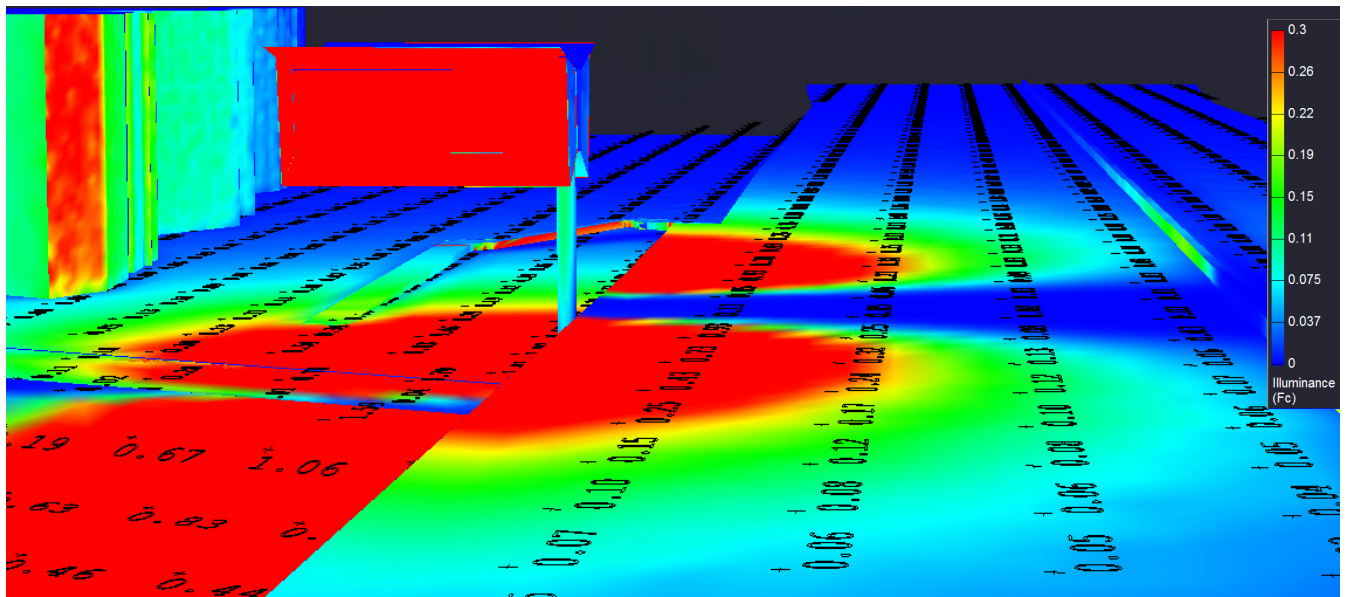
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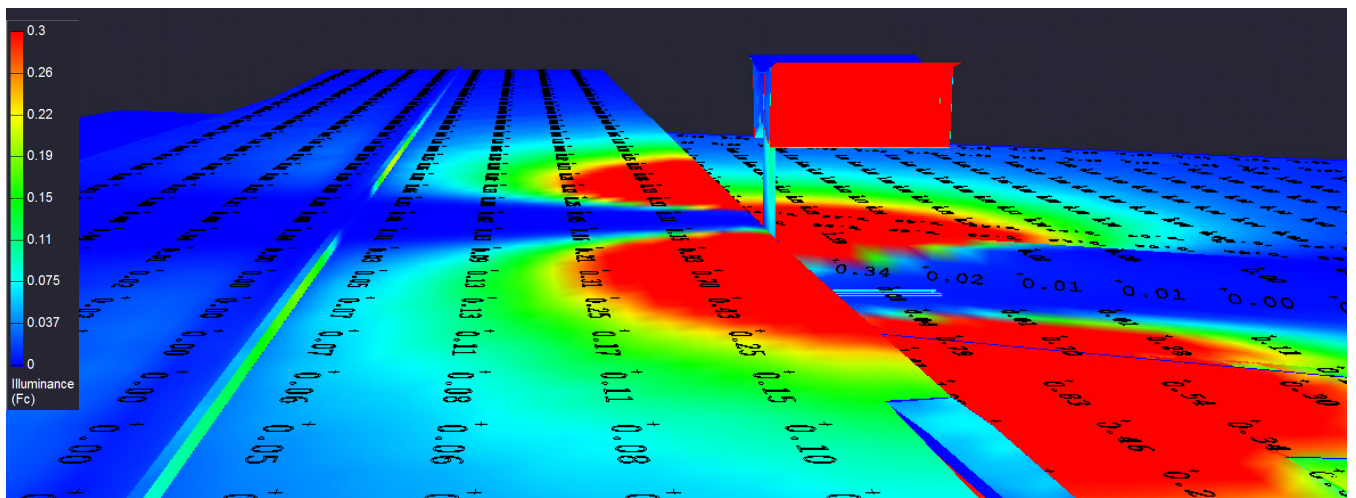
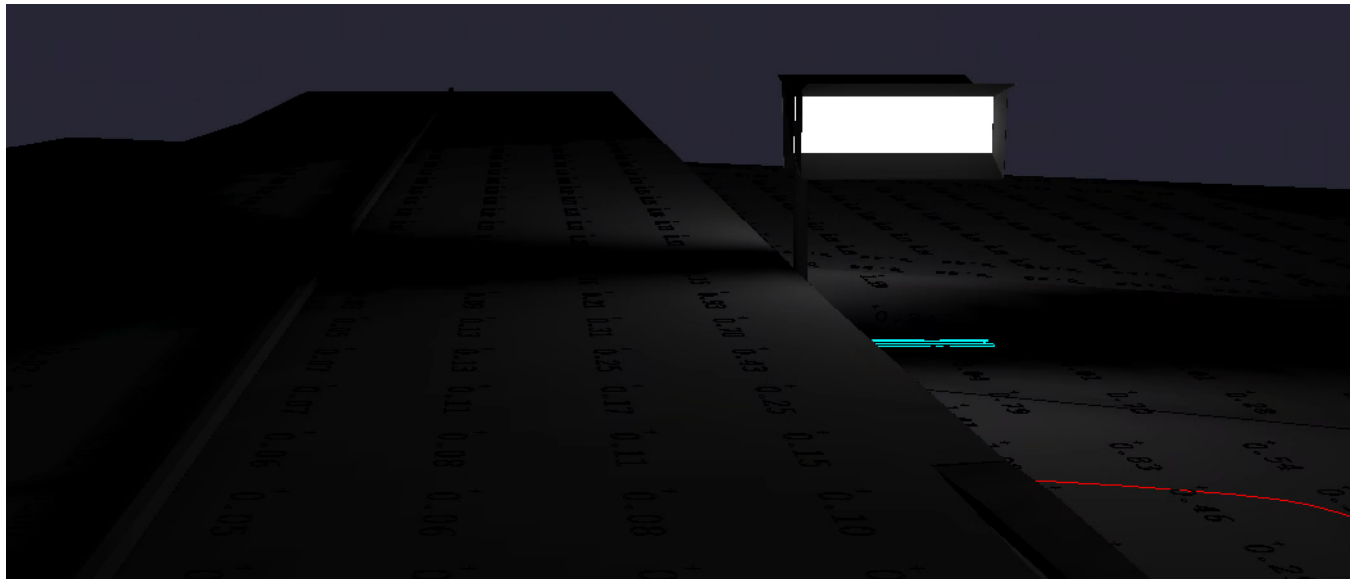
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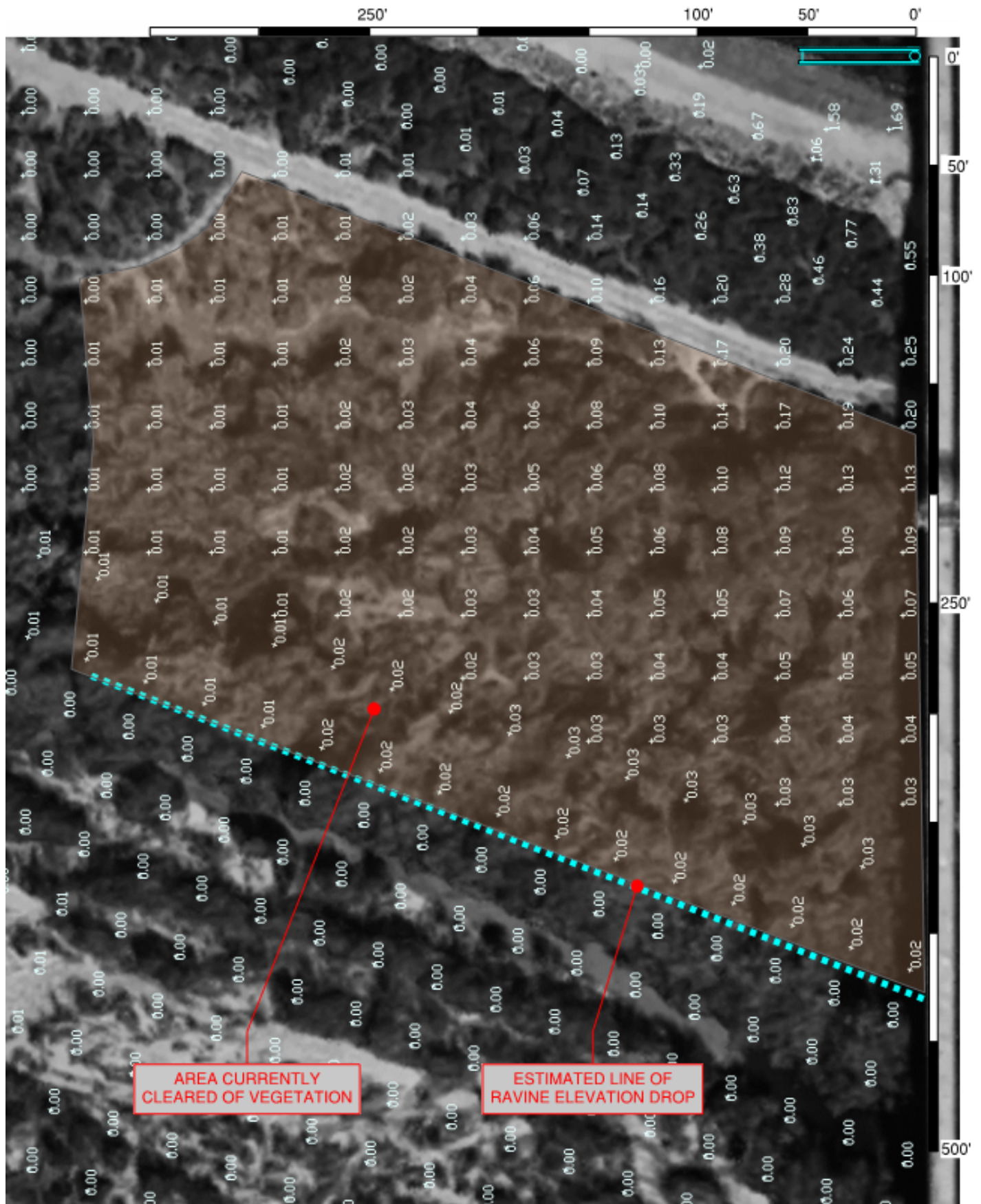
N. Ventura Rd. Overall Plan w/250' Boundary

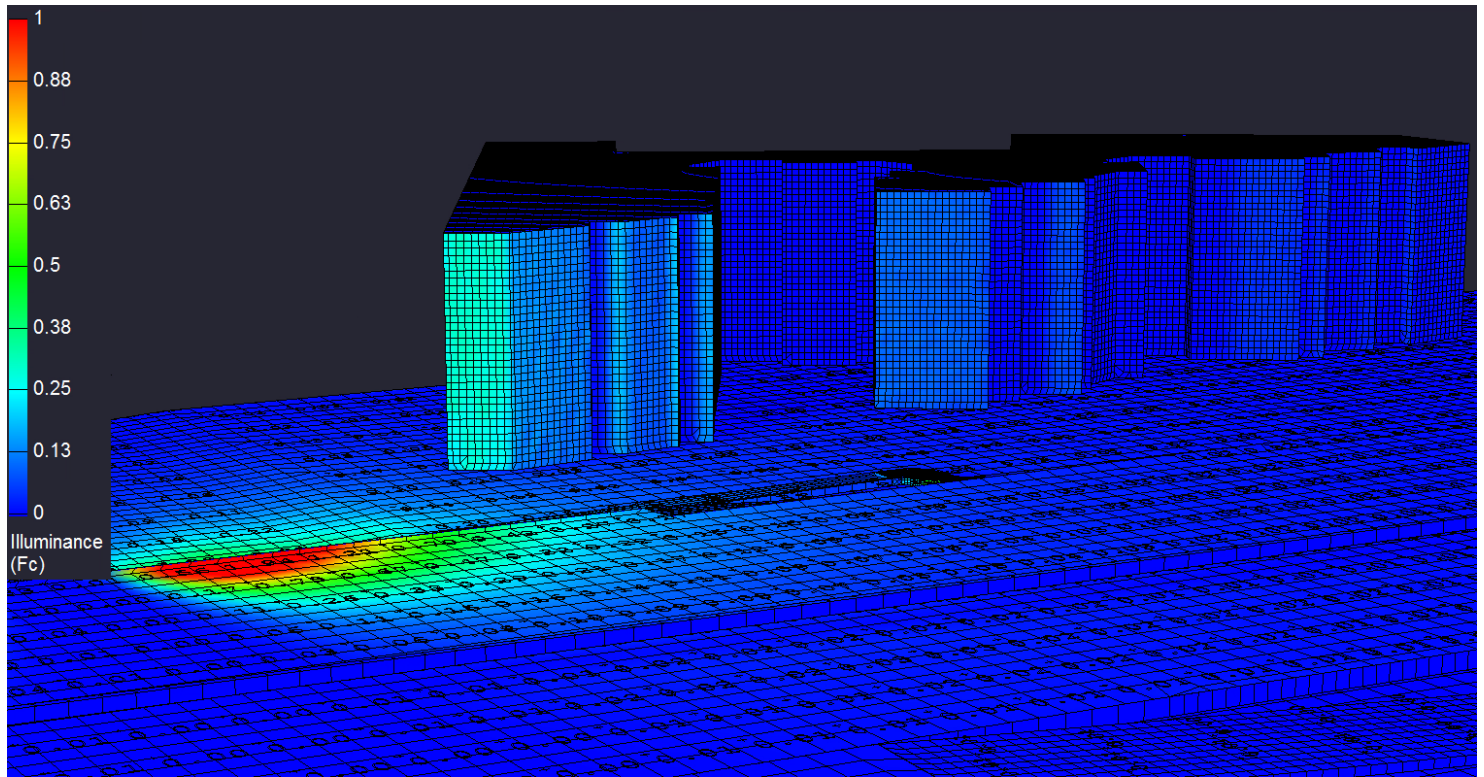
Release: 03/29/2022
Revision: 0



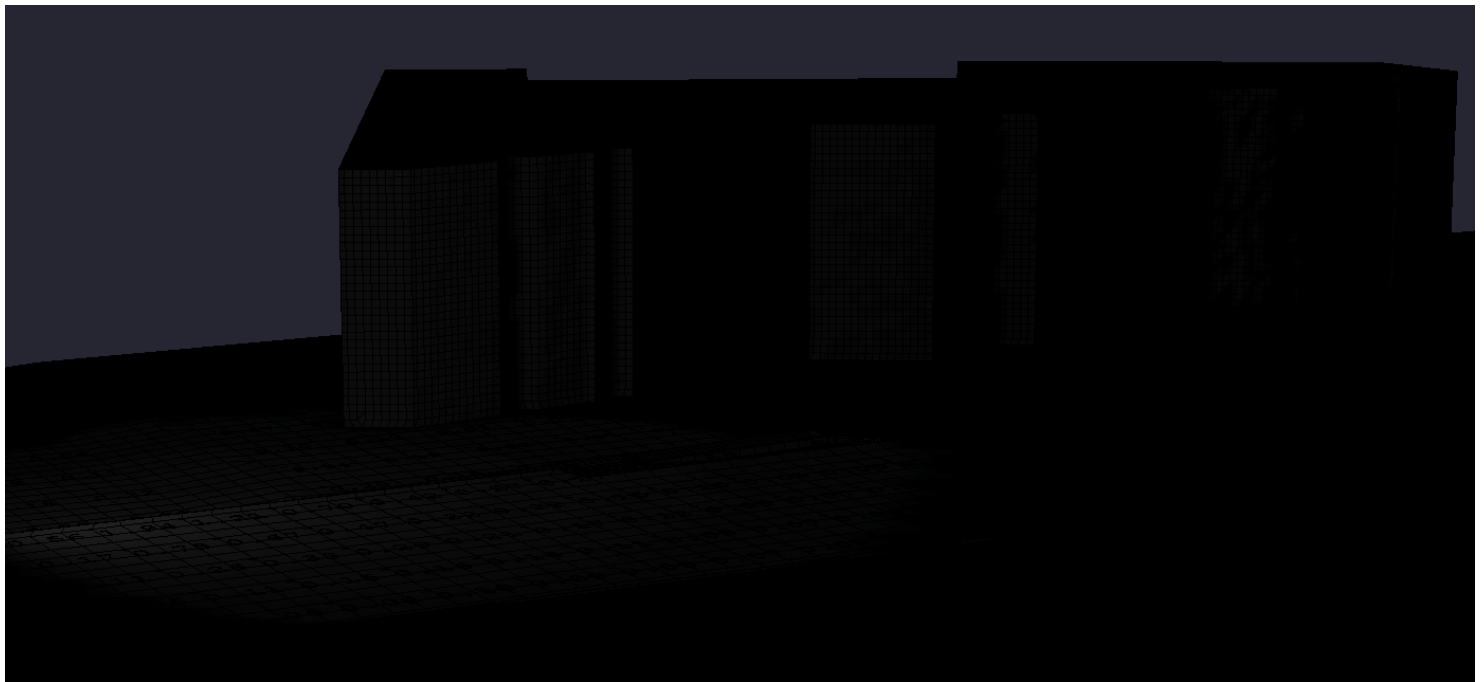








Pseudocolor Map



Rendered View

Appendix D

Air Quality Assumptions and Modeling

Ventura Road Electronic Billboard MND
Air Quality Assumptions and Modeling

Location: Oxnard, Ventura County CA
CEC Forecasting Climate Zone: 8
Utility: SCE

Construction Schedule

Phase	Start Date	Completion Date	Work Days	Notes	Total Haul Trucks - round trip
Drill Footing / Haul & Disposal Dirt	6/6/2022	6/7/2022	1	1 flat-bed truck 5 super 10 dump	6
Column Set / Concrete Pour	6/6/2022	6/7/2022	1	4 concrete mixing trucks 90 ton crane hireach crane truck	6
Set Top Column / Build & Set Structure	6/8/2022	6/8/2022	1	2 48ft flatbed trailer 275 ton crane hireach crane truck	4
Build & Set Digital Displays	6/9/2022	6/9/2022	1	2 48ft flatbed trailer 90 ton crane hireach crane truck	4

Construction Trips

Phase	# Workers/Day ¹	# Worker Trips/Day (one-way) ²	# Vendor Trips/Day (one-way)	# Haul Truck Trips Total
Drill Footing / Haul & Disposal Dirt	4	8	0	12
Column Set / Concrete Pour	5	10	0	12
Set Top Column / Build & Set Structure	5	10	0	8
Build & Set Digital Displays	5	10	0	8

Construction By SubPhase

Phase	Equipment Type	#	Engine hp	Hrs/day
Drill Footing / Haul & Disposal Dirt	Excavators	1	188	8
	Skid Steer Loaders	1	405	8
	Off-Highway Truck	1	75	2
Column Set / Concrete Pour	Aerial Lift	1	63	8
	Crane	1	231	8
	Concrete Mixer*	1	80	4
	Concrete Pump	1	84	4
Set Top Column / Build & Set Structure	Aerial Lift	1	63	8
	Crane	1	231	8
	Air Compressor	1	78	8
Build & Set Digital Displays	Aerial Lift	1	63	8
	Crane	2	231	8

All Equipment specified as part of typical construction equipment phasing for projects

CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.

*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

Maximum Daily Construction Emissions

On + Off-Site Construction	(lb/day)										
	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	CO2e
Max Daily Emissions	0.741	8.060	6.143	0.019	0.482	0.304	0.655	0.097	0.289	0.349	1939.197

Off-Road Const. Eqpt	Phase Emissions (lbs)										
	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	CO2e
Drill Footing	0.404	3.709	5.482	0.011	0.207	0.157	0.364	0.022	0.144	0.167	1028
Column Set	0.585	6.229	4.852	0.011	-	0.262	0.262	-	0.247	0.247	1039
Build & Set Structure	0.682	6.623	5.404	0.011	-	0.293	0.293	-	0.278	0.278	1103
Build & Set Displays	0.409	4.745	2.986	0.007	-	0.184	0.184	-	0.169	0.169	727
total offroad	2.080	21.305	18.725	0.040	0.207	0.896	1.103	0.022	0.839	0.862	3898.0
On-Road Mobile	Phase Emissions (lbs)										
	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	CO2e
Drill Footing	0.067	1.827	0.661	0.008	0.275	0.016	0.291	0.075	0.015	0.090	885
Column Set	0.074	1.831	0.717	0.008	0.292	0.016	0.307	0.079	0.015	0.094	900
Build & Set Structure	0.059	1.227	0.570	0.005	0.222	0.011	0.233	0.060	0.010	0.070	625
Build & Set Displays	0.059	1.227	0.570	0.005	0.222	0.011	0.233	0.060	0.010	0.070	625
total on-road	0.259	6.113	2.519	0.027	1.010	0.053	1.063	0.274	0.051	0.325	3034.5
Total Construction	Phase Emissions (lbs)										
	ROG	NOX	CO	SO2	Fugitive PM10	Exhaust PM10	Total PM10	Fugitive PM2.5	Exhaust PM2.5	Total PM2.5	CO2e
Drill Footing	0.471	5.5	6.1	0.018	0.5	0.2	0.7	0.1	0.2	0.3	1913.6
Column Set	0.659	8.1	5.6	0.019	0.292	0.278	0.569	0.079	0.262	0.342	1939
Build & Set Structure	0.741	7.8	6.0	0.017	0.222	0.304	0.526	0.060	0.289	0.349	1728
Build & Set Displays	0.468	6.0	3.6	0.013	0.222	0.195	0.417	0.060	0.180	0.240	1352
Project Total (lbs)	2.339	27.418	21.244	0.067	1.217	0.949	2.166	0.296	0.890	1.186	6933

Oxnard Billboard MND - Ventura County, Summer

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**Oxnard Billboard MND****Ventura County, Summer****1.0 Project Characteristics****1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Commercial	1.00	User Defined Unit	0.25	1.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	8			Operational Year	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW hr)	390.98	CH4 Intensity (lb/MW hr)	0.033	N2O Intensity (lb/MW hr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology = $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	1	0
tblAreaCoating	Area_Nonresidential_Interior	2	0
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	2.00	1.00
tblConsumerProducts	ROG_EF	2.14E-05	0
tblEnergyUse	T24E	0.00	54,000.00
tblGrading	AcresOfGrading	0.00	0.50
tblLandscapeEquipment	NumberSummerDays	180	0
tblLandUse	LandUseSquareFeet	0.00	1.00
tblLandUse	LotAcreage	0.00	0.25
tblOffRoadEquipment	HorsePower	9.00	80.00
tblOffRoadEquipment	LoadFactor	0.43	0.43
tblOffRoadEquipment	OffRoadEquipmentType		Crawler Tractors
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblTripsAndVMT	HaulingTripNumber	0.00	12.00
tblTripsAndVMT	HaulingTripNumber	0.00	12.00
tblTripsAndVMT	HaulingTripNumber	0.00	8.00
tblTripsAndVMT	HaulingTripNumber	0.00	8.00
tblTripsAndVMT	WorkerTripNumber	10.00	8.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	0.7410	8.0601	6.1432	0.0186	0.8054	0.3038	0.9781	0.1321	0.2886	0.3486	0.0000	1,893.7113	1,893.7113	0.3821	0.1273	1,939.1974
Maximum	0.7410	8.0601	6.1432	0.0186	0.8054	0.3038	0.9781	0.1321	0.2886	0.3486	0.0000	1,893.7113	1,893.7113	0.3821	0.1273	1,939.1974

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	0.7410	8.0601	6.1432	0.0186	0.4820	0.3038	0.6546	0.0971	0.2886	0.3486	0.0000	1,893.7113	1,893.7113	0.3821	0.1273	1,939.1974
Maximum	0.7410	8.0601	6.1432	0.0186	0.4820	0.3038	0.6546	0.0971	0.2886	0.3486	0.0000	1,893.7113	1,893.7113	0.3821	0.1273	1,939.1974

[illegible]

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Drill Footing	Grading	6/1/2022	6/1/2022	5	1	Drill Footing / Haul & Disposal Dirt
2	Column Set	Building Construction	6/2/2022	6/2/2022	5	1	Column Set/Concrete Pour
3	Build & Set Structure	Building Construction	6/7/2022	6/7/2022	5	1	Set Top Column / Build & Set Structure
4	Build & Set Digital Displays	Building Construction	6/8/2022	6/8/2022	5	1	Build & Set Digital Displays

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Drill Footing	Excavators	1	8.00	158	0.38
Drill Footing	Off-Highway Trucks	1	2.00	402	0.38
Drill Footing	Skid Steer Loaders	1	8.00	65	0.37
Column Set	Aerial Lifts	1	8.00	63	0.31
Column Set	Cement and Mortar Mixers	1	4.00	80	0.56
Column Set	Cranes	1	8.00	231	0.29
Column Set	Pumps	1	4.00	84	0.74
Build & Set Structure	Aerial Lifts	1	8.00	63	0.31
Build & Set Structure	Air Compressors	1	8.00	78	0.48
Build & Set Structure	Cranes	1	8.00	231	0.29
Build & Set Digital Displays	Aerial Lifts	1	8.00	63	0.31
Build & Set Digital Displays	Cranes	1	8.00	231	0.29
Drill Footing	Crawler Tractors	1	0.00	212	0.43

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Drill Footing	4	8.00	0.00	12.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Column Set	4	10.00	0.00	12.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Structure	3	10.00	0.00	8.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Digital Displays	2	10.00	0.00	8.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Drill Footing - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.5303	0.0000	0.5303	0.0573	0.0000	0.0573			0.0000			0.0000
Off-Road	0.4041	3.7090	5.4820	0.0105		0.1569	0.1569		0.1444	0.1444		1,020.1529	1,020.1529	0.3299		1,028.4013
Total	0.4041	3.7090	5.4820	0.0105	0.5303	0.1569	0.6872	0.0573	0.1444	0.2016		1,020.1529	1,020.1529	0.3299		1,028.4013

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0425	1.8111	0.4391	7.1300e-003	0.2095	0.0153	0.2248	0.0574	0.0147	0.0721		787.5499	787.5499	0.0503	0.1253	826.1453
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0247	0.0160	0.2221	5.8000e-004	0.0657	3.8000e-004	0.0661	0.0174	3.5000e-004	0.0178		58.5551	58.5551	1.8600e-003	1.6200e-003	59.0832
Total	0.0673	1.8271	0.6612	7.7100e-003	0.2752	0.0157	0.2909	0.0748	0.0150	0.0898		846.1050	846.1050	0.0522	0.1269	885.2284

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.2068	0.0000	0.2068	0.0223	0.0000	0.0223			0.0000			0.0000
Off-Road	0.4041	3.7090	5.4820	0.0105		0.1569	0.1569		0.1444	0.1444	0.0000	1,020.1529	1,020.1529	0.3299		1,028.4013
Total	0.4041	3.7090	5.4820	0.0105	0.2068	0.1569	0.3637	0.0223	0.1444	0.1667	0.0000	1,020.1529	1,020.1529	0.3299		1,028.4013

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0425	1.8111	0.4391	7.1300e-003	0.2095	0.0153	0.2248	0.0574	0.0147	0.0721		787.5499	787.5499	0.0503	0.1253	826.1453
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0247	0.0160	0.2221	5.8000e-004	0.0657	3.8000e-004	0.0661	0.0174	3.5000e-004	0.0178		58.5551	58.5551	1.8600e-003	1.6200e-003	59.0832
Total	0.0673	1.8271	0.6612	7.7100e-003	0.2752	0.0157	0.2909	0.0748	0.0150	0.0898		846.1050	846.1050	0.0522	0.1269	885.2284

3.3 Column Set - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472		1,032.9675	1,032.9675	0.2492		1,039.1982
Total	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472		1,032.9675	1,032.9675	0.2492		1,039.1982

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0425	1.8111	0.4391	7.1300e-003	0.2095	0.0153	0.2248	0.0574	0.0147	0.0721		787.5499	787.5499	0.0503	0.1253	826.1453
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0309	0.0200	0.2776	7.2000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		73.1939	73.1939	2.3300e-003	2.0200e-003	73.8540
Total	0.0735	1.8311	0.7167	7.8500e-003	0.2916	0.0158	0.3074	0.0792	0.0151	0.0943		860.7438	860.7438	0.0526	0.1273	899.9992

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472	0.0000	1,032.9675	1,032.9675	0.2492		1,039.1982
Total	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472	0.0000	1,032.9675	1,032.9675	0.2492		1,039.1982

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0425	1.8111	0.4391	7.1300e-003	0.2095	0.0153	0.2248	0.0574	0.0147	0.0721		787.5499	787.5499	0.0503	0.1253	826.1453
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0309	0.0200	0.2776	7.2000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		73.1939	73.1939	2.3300e-003	2.0200e-003	73.8540
Total	0.0735	1.8311	0.7167	7.8500e-003	0.2916	0.0158	0.3074	0.0792	0.0151	0.0943		860.7438	860.7438	0.0526	0.1273	899.9992

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784		1,096.7143	1,096.7143	0.2578		1,103.1584
Total	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784		1,096.7143	1,096.7143	0.2578		1,103.1584

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0284	1.2074	0.2928	4.7500e-003	0.1397	0.0102	0.1499	0.0383	9.7800e-003	0.0480		525.0333	525.0333	0.0335	0.0835	550.7635
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0309	0.0200	0.2776	7.2000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		73.1939	73.1939	2.3300e-003	2.0200e-003	73.8540
Total	0.0593	1.2274	0.5704	5.4700e-003	0.2218	0.0107	0.2325	0.0600	0.0102	0.0703		598.2272	598.2272	0.0359	0.0856	624.6175

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.2578		1,103.1584
Total	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.2578		1,103.1584

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0284	1.2074	0.2928	4.7500e-003	0.1397	0.0102	0.1499	0.0383	9.7800e-003	0.0480		525.0333	525.0333	0.0335	0.0835	550.7635
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0309	0.0200	0.2776	7.2000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		73.1939	73.1939	2.3300e-003	2.0200e-003	73.8540
Total	0.0593	1.2274	0.5704	5.4700e-003	0.2218	0.0107	0.2325	0.0600	0.0102	0.0703		598.2272	598.2272	0.0359	0.0856	624.6175

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694		721.4502	721.4502	0.2333		727.2835
Total	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694		721.4502	721.4502	0.2333		727.2835

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0284	1.2074	0.2928	4.7500e-003	0.1397	0.0102	0.1499	0.0383	9.7800e-003	0.0480		525.0333	525.0333	0.0335	0.0835	550.7635
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0309	0.0200	0.2776	7.2000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		73.1939	73.1939	2.3300e-003	2.0200e-003	73.8540
Total	0.0593	1.2274	0.5704	5.4700e-003	0.2218	0.0107	0.2325	0.0600	0.0102	0.0703		598.2272	598.2272	0.0359	0.0856	624.6175

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694	0.0000	721.4502	721.4502	0.2333		727.2835
Total	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694	0.0000	721.4502	721.4502	0.2333		727.2835

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0284	1.2074	0.2928	4.7500e-003	0.1397	0.0102	0.1499	0.0383	9.7800e-003	0.0480		525.0333	525.0333	0.0335	0.0835	550.7635
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0309	0.0200	0.2776	7.2000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		73.1939	73.1939	2.3300e-003	2.0200e-003	73.8540
Total	0.0593	1.2274	0.5704	5.4700e-003	0.2218	0.0107	0.2325	0.0600	0.0102	0.0703		598.2272	598.2272	0.0359	0.0856	624.6175

Oxnard Billboard MND - Ventura County, Winter

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**Oxnard Billboard MND**
Ventura County, Winter**1.0 Project Characteristics****1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Commercial	1.00	User Defined Unit	0.25	1.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	8			Operational Year	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MW hr)	390.98	CH4 Intensity (lb/MW hr)	0.033	N2O Intensity (lb/MW hr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology = $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	1	0
tblAreaCoating	Area_Nonresidential_Interior	2	0
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	2.00	1.00
tblConsumerProducts	ROG_EF	2.14E-05	0
tblEnergyUse	T24E	0.00	54,000.00
tblGrading	AcresOfGrading	0.00	0.50
tblLandscapeEquipment	NumberSummerDays	180	0
tblLandUse	LandUseSquareFeet	0.00	1.00
tblLandUse	LotAcreage	0.00	0.25
tblOffRoadEquipment	HorsePower	9.00	80.00
tblOffRoadEquipment	LoadFactor	0.43	0.43
tblOffRoadEquipment	OffRoadEquipmentType		Crawler Tractors
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	0.6818	6.6225	5.7539	0.0114	0.6124	0.2931	0.7698	0.0790	0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.3325	2.2500e-003	1,103.1584
Maximum	0.6818	6.6225	5.7539	0.0114	0.6124	0.2931	0.7698	0.0790	0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.3325	2.2500e-003	1,103.1584

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	0.6818	6.6225	5.7539	0.0114	0.2890	0.2931	0.4463	0.0441	0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.3325	2.2500e-003	1,103.1584
Maximum	0.6818	6.6225	5.7539	0.0114	0.2890	0.2931	0.4463	0.0441	0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.3325	2.2500e-003	1,103.1584

[illegible]

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Drill Footing	Grading	6/1/2022	6/1/2022	5	1	Drill Footing / Haul & Disposal Dirt
2	Column Set	Building Construction	6/2/2022	6/2/2022	5	1	Column Set/Concrete Pour
3	Build & Set Structure	Building Construction	6/7/2022	6/7/2022	5	1	Set Top Column / Build & Set Structure
4	Build & Set Digital Displays	Building Construction	6/8/2022	6/8/2022	5	1	Build & Set Digital Displays

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Drill Footing	Excavators	1	8.00	158	0.38
Drill Footing	Off-Highway Trucks	1	2.00	402	0.38
Drill Footing	Skid Steer Loaders	1	8.00	65	0.37
Column Set	Aerial Lifts	1	8.00	63	0.31
Column Set	Cement and Mortar Mixers	1	4.00	80	0.56
Column Set	Cranes	1	8.00	231	0.29
Column Set	Pumps	1	4.00	84	0.74
Build & Set Structure	Aerial Lifts	1	8.00	63	0.31
Build & Set Structure	Air Compressors	1	8.00	78	0.48
Build & Set Structure	Cranes	1	8.00	231	0.29
Build & Set Digital Displays	Aerial Lifts	1	8.00	63	0.31
Build & Set Digital Displays	Cranes	1	8.00	231	0.29
Drill Footing	Crawler Tractors	1	0.00	212	0.43

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Drill Footing	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Column Set	4	0.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Structure	3	0.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Digital Displays	2	0.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Drill Footing - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.5303	0.0000	0.5303	0.0573	0.0000	0.0573			0.0000			0.0000
Off-Road	0.4041	3.7090	5.4820	0.0105		0.1569	0.1569		0.1444	0.1444		1,020.1529	1,020.1529	0.3299		1,028.4013
Total	0.4041	3.7090	5.4820	0.0105	0.5303	0.1569	0.6872	0.0573	0.1444	0.2016		1,020.1529	1,020.1529	0.3299		1,028.4013

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0333	0.0234	0.2719	6.9000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		70.0187	70.0187	2.5300e-003	2.2500e-003	70.7514
Total	0.0333	0.0234	0.2719	6.9000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		70.0187	70.0187	2.5300e-003	2.2500e-003	70.7514

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					0.2068	0.0000	0.2068	0.0223	0.0000	0.0223			0.0000			0.0000
Off-Road	0.4041	3.7090	5.4820	0.0105		0.1569	0.1569		0.1444	0.1444	0.0000	1,020.1529	1,020.1529	0.3299		1,028.4013
Total	0.4041	3.7090	5.4820	0.0105	0.2068	0.1569	0.3637	0.0223	0.1444	0.1667	0.0000	1,020.1529	1,020.1529	0.3299		1,028.4013

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0333	0.0234	0.2719	6.9000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		70.0187	70.0187	2.5300e-003	2.2500e-003	70.7514
Total	0.0333	0.0234	0.2719	6.9000e-004	0.0822	4.7000e-004	0.0826	0.0218	4.3000e-004	0.0222		70.0187	70.0187	2.5300e-003	2.2500e-003	70.7514

3.3 Column Set - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472		1,032.9675	1,032.9675	0.2492		1,039.1982
Total	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472		1,032.9675	1,032.9675	0.2492		1,039.1982

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472	0.0000	1,032.9675	1,032.9675	0.2492		1,039.1982
Total	0.5850	6.2290	4.8523	0.0107		0.2620	0.2620		0.2472	0.2472	0.0000	1,032.9675	1,032.9675	0.2492		1,039.1982

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784		1,096.7143	1,096.7143	0.2578		1,103.1584
Total	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784		1,096.7143	1,096.7143	0.2578		1,103.1584

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.2578		1,103.1584
Total	0.6818	6.6225	5.4044	0.0114		0.2931	0.2931		0.2784	0.2784	0.0000	1,096.7143	1,096.7143	0.2578		1,103.1584

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694		721.4502	721.4502	0.2333		727.2835
Total	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694		721.4502	721.4502	0.2333		727.2835

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694	0.0000	721.4502	721.4502	0.2333		727.2835
Total	0.4091	4.7446	2.9863	7.4500e-003		0.1841	0.1841		0.1694	0.1694	0.0000	721.4502	721.4502	0.2333		727.2835

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

Appendix E

Biological Site Visit Field Map



Ventura Road Electronic Billboard Project

Biological Site Visit Field Map

Appendix F

Greenhouse Gas Assumptions and Modeling

Ventura Road Electronic Billboard MND
Greenhouse Gas Assumptions and Modeling

Location: Oxnard, Ventura County CA
CEC Forecasting Climate Zone: 8
Utility: SCE

Construction Schedule

Phase	Start Date	Completion Date	Work Days	Notes	Total Haul Trucks - round trip
Drill Footing / Haul & Disposal Dirt	6/6/2022	6/7/2022	1	1 flat-bed truck 5 super 10 dump	6
Column Set / Concrete Pour	6/6/2022	6/7/2022	1	4 concrete mixing trucks 90 ton crane hireach crane truck	6
Set Top Column / Build & Set Structure	6/8/2022	6/8/2022	1	2 48ft flatbed trailer 275 ton crane hireach crane truck	4
Build & Set Digital Displays	6/9/2022	6/9/2022	1	2 48ft flatbed trailer 90 ton crane hireach crane truck	4

Construction Trips

Phase	# Workers/Day ¹	# Worker Trips/Day (one-way) ²	# Vendor Trips/Day (one-way)	# Haul Truck Trips Total
Drill Footing / Haul & Disposal Dirt	4	8	0	12
Column Set / Concrete Pour	5	10	0	12
Set Top Column / Build & Set Structure	5	10	0	8
Build & Set Digital Displays	5	10	0	8

Construction By SubPhase

Phase	Equipment Type	#	Engine hp	Hrs/day
Drill Footing / Haul & Disposal Dirt				
	Excavators	1	188	8
	Skid Steer Loaders	1	405	8
	Off-Highway Truck	1	75	2
Column Set / Concrete Pour				
	Aerial Lift	1	63	8
	Crane	1	231	8
	Concrete Mixer*	1	80	4
Set Top Column / Build & Set Structure	Concrete Pump	1	84	4
	Aerial Lift	1	63	8
	Crane	1	231	8
Build & Set Digital Displays	Air Compressor	1	78	8
	Aerial Lift	1	63	8
	Crane	2	231	8

All Equipment specified as part of typical construction equipment phasing for projects

CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.

*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

On-road + Off-Road
Construction Impacts
total Construction
ammortized (30-yrs)

Construction Impacts			
MT/yr			
CO2	CH4	N2O	CO2e
3.07	0.0006	0.0002	3.14
0.10	0.000019	6.33E-06	0.10

Billboard Electricity Use

Billboard Electricity Use		Operational Impacts			
		Energy Intensity Factor (lb/MW-hr)			
		CO2	CH4	N2O	CO2e
		390.98	0.03	0.004	393.00
		MT/yr			
kw-hr/yr	CO2	CH4	N2O	CO2e	
54000	9.5767	0.0008	0.0001	9.6261	

Total GHG Contribution

MT/yr			
CO2	CH4	N2O	CO2e
9.58	8.10E-04	1.00E-04	9.63
0.10	1.90E-05	6.33E-06	0.10
9.68	8.29E-04	1.06E-04	9.73

Operational Energy
Amortized Construction

Oxnard Billboard MND - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**Oxnard Billboard MND****Ventura County, Annual****1.0 Project Characteristics****1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Commercial	1.00	User Defined Unit	0.25	1.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	8			Operational Year	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology = $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	1	0
tblAreaCoating	Area_Nonresidential_Interior	2	0
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	2.00	1.00
tblConsumerProducts	ROG_EF	2.14E-05	0
tblEnergyUse	T24E	0.00	54,000.00
tblGrading	AcresOfGrading	0.00	0.50
tblLandscapeEquipment	NumberSummerDays	180	0
tblLandUse	LandUseSquareFeet	0.00	1.00
tblLandUse	LotAcreage	0.00	0.25
tblOffRoadEquipment	HorsePower	9.00	80.00
tblOffRoadEquipment	LoadFactor	0.43	0.43
tblOffRoadEquipment	OffRoadEquipmentType		Crawler Tractors
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblTripsAndVMT	HaulingTripNumber	0.00	12.00
tblTripsAndVMT	HaulingTripNumber	0.00	12.00
tblTripsAndVMT	HaulingTripNumber	0.00	8.00
tblTripsAndVMT	HaulingTripNumber	0.00	8.00
tblTripsAndVMT	WorkerTripNumber	10.00	8.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00

tblTripsAndVMT	WorkerTripNumber	0.00	10.00
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2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	1.1700e-003	0.0138	0.0106	3.0000e-005	7.6000e-004	4.7000e-004	1.2400e-003	1.6000e-004	4.4000e-004	6.1000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402
Maximum	1.1700e-003	0.0138	0.0106	3.0000e-005	7.6000e-004	4.7000e-004	1.2400e-003	1.6000e-004	4.4000e-004	6.1000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	1.1700e-003	0.0138	0.0106	3.0000e-005	6.0000e-004	4.7000e-004	1.0700e-003	1.5000e-004	4.4000e-004	5.9000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402
Maximum	1.1700e-003	0.0138	0.0106	3.0000e-005	6.0000e-004	4.7000e-004	1.0700e-003	1.5000e-004	4.4000e-004	5.9000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	21.05	0.00	13.71	6.25	0.00	3.28	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	6-6-2022	9-5-2022	0.0054	0.0054
		Highest	0.0054	0.0054

2.2 Overall Operational
Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Drill Footing	Grading	6/1/2022	6/1/2022	5	1	Drill Footing / Haul & Disposal Dirt
2	Column Set	Building Construction	6/2/2022	6/2/2022	5	1	Column Set/Concrete Pour
3	Build & Set Structure	Building Construction	6/7/2022	6/7/2022	5	1	Set Top Column / Build & Set Structure
4	Build & Set Digital Displays	Building Construction	6/8/2022	6/8/2022	5	1	Build & Set Digital Displays

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Drill Footing	Excavators	1	8.00	158	0.38
Drill Footing	Off-Highway Trucks	1	2.00	402	0.38
Drill Footing	Skid Steer Loaders	1	8.00	65	0.37
Column Set	Aerial Lifts	1	8.00	63	0.31
Column Set	Cement and Mortar Mixers	1	4.00	80	0.56
Column Set	Cranes	1	8.00	231	0.29
Column Set	Pumps	1	4.00	84	0.74
Build & Set Structure	Aerial Lifts	1	8.00	63	0.31
Build & Set Structure	Air Compressors	1	8.00	78	0.48
Build & Set Structure	Cranes	1	8.00	231	0.29
Build & Set Digital Displays	Aerial Lifts	1	8.00	63	0.31
Build & Set Digital Displays	Cranes	1	8.00	231	0.29
Drill Footing	Crawler Tractors	1	0.00	212	0.43

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Drill Footing	4	8.00	0.00	12.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Column Set	4	10.00	0.00	12.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Structure	3	10.00	0.00	8.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Digital Displays	2	10.00	0.00	8.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Drill Footing - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005		8.0000e-005	8.0000e-005		7.0000e-005	7.0000e-005	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665
Total	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005	2.7000e-004	8.0000e-005	3.5000e-004	3.0000e-005	7.0000e-005	1.0000e-004	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	1.0000e-005	1.1000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0256	0.0256	0.0000	0.0000	0.0259
Total	3.0000e-005	9.5000e-004	3.3000e-004	0.0000	1.3000e-004	1.0000e-005	1.4000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3829	0.3829	2.0000e-005	6.0000e-005	0.4006

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.0000e-004	0.0000	1.0000e-004	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005		8.0000e-005	8.0000e-005		7.0000e-005	7.0000e-005	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665
Total	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005	1.0000e-004	8.0000e-005	1.8000e-004	1.0000e-005	7.0000e-005	8.0000e-005	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	1.0000e-005	1.1000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0256	0.0256	0.0000	0.0000	0.0259
Total	3.0000e-005	9.5000e-004	3.3000e-004	0.0000	1.3000e-004	1.0000e-005	1.4000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3829	0.3829	2.0000e-005	6.0000e-005	0.4006

3.3 Column Set - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714
Total	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	4.0000e-005	9.5000e-004	3.5000e-004	0.0000	1.4000e-004	1.0000e-005	1.5000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3893	0.3893	2.0000e-005	6.0000e-005	0.4071

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714
Total	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	4.0000e-005	9.5000e-004	3.5000e-004	0.0000	1.4000e-004	1.0000e-005	1.5000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3893	0.3893	2.0000e-005	6.0000e-005	0.4071

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004
Total	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004
Total	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299
Total	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299
Total	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Commercial	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Commercial	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Commercial	0.537638	0.058030	0.174616	0.137192	0.028458	0.007596	0.011602	0.006026	0.000704	0.000394	0.029425	0.000660	0.0076

[illegible]

Unmitigated

[illegible]

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
User Defined Commercial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Commercial	54000	9.5767	8.1000e-004	1.0000e-004	9.6261
Total		9.5767	8.1000e-004	1.0000e-004	9.6261

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Commercial	54000	9.5767	8.1000e-004	1.0000e-004	9.6261
Total		9.5767	8.1000e-004	1.0000e-004	9.6261

6.0 Area Detail

6.1 Mitigation Measures Area

[illegible]

6.2 Area by SubCategory

Unmitigated

[illegible]

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

7.2 Water by Land Use

Unmitigated

Indoor/Outdoor Use		Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Commercial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Mitigated

Indoor/Outdoor Use		Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Commercial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
User Defined Commercial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
User Defined Commercial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

Appendix G

Energy Assumptions and Modeling

Ventura Road Electronic Billboard MND Energy Assumptions and Data

Location: Oxnard, Ventura County CA
CEC Forecasting Climate Zone: 8
Utility: SCE

Construction Schedule

Phase	Start Date	Completion Date	Work Days	Notes	Total Haul Trucks - round trip
Drill Footing / Haul & Disposal Dirt	6/6/2022	6/7/2022	1	1 flat-bed truck 5 super 10 dump	6
Column Set / Concrete Pour	6/6/2022	6/7/2022	1	4 concrete mixing trucks 90 ton crane hireach crane truck	6
Set Top Column / Build & Set Structure	6/8/2022	6/8/2022	1	2 48ft flatbed trailer 275 ton crane hireach crane truck	4
Build & Set Digital Displays	6/9/2022	6/9/2022	1	2 48ft flatbed trailer 90 ton crane hireach crane truck	4

Construction Trips

Phase	# Workers/Day ¹	# Worker Trips/Day (one-way) ²	# Vendor Trips/Day (one-way)	# Haul Truck Trips Total
Drill Footing / Haul & Disposal Dirt	4	8	0	12
Column Set / Concrete Pour	5	10	0	12
Set Top Column / Build & Set Structure	5	10	0	8
Build & Set Digital Displays	5	10	0	8

Construction By SubPhase

Phase	Equipment Type	#	Engine hp	Hrs/day
Drill Footing / Haul & Disposal Dirt				
	Excavators	1	188	8
	Skid Steer Loaders	1	405	8
	Off-Highway Truck	1	75	2
Column Set / Concrete Pour				
	Aerial Lift	1	63	8
	Crane	1	231	8
	Concrete Mixer*	1	80	4
	Concrete Pump	1	84	4
Set Top Column / Build & Set Structure				
	Aerial Lift	1	63	8
	Crane	1	231	8
	Air Compressor	1	78	8
Build & Set Digital Displays				
	Aerial Lift	1	63	8
	Crane	2	231	8

All Equipment specified as part of typical construction equipment phasing for projects

CalEEmod default horsepower and load defaults typical of construction equipment with exception noted below.

*Concrete Mixer included to include Hydraulic pump for truck mounted mixer utilizing Power Take-Off mode of concrete trucks during unloading/delivery (1 hr per truck)

Construction Phase	Equipment	Number	Hours/Day	HP	Load	Days	Total hp-hr
Drill Footing	Excavators	1	8	158	0.38	1	480
Drill Footing	Off-Highway Trucks	1	2	402	0.38	1	306
Drill Footing	Skid Steer Loaders	1	8	65	0.37	1	192
Column Set	Aerial Lifts	1	8	63	0.31	1	156
Column Set	Cement and Mortar Mixers	1	4	80	0.56	1	179
Column Set	Cranes	1	8	231	0.29	1	536
Column Set	Pumps	1	4	84	0.74	1	249
Build & Set Structure	Aerial Lifts	1	8	63	0.31	1	156
Build & Set Structure	Air Compressors	1	8	78	0.48	1	300
Build & Set Structure	Cranes	1	8	231	0.29	1	536
Build & Set Digital Displays	Aerial Lifts	1	8	63	0.31	1	156
Build & Set Digital Displays	Cranes	1	8	231	0.29	1	536
						Total >100	2,394
						Total <100	1,388

Oxnard Buildboard Ordinance MND
Construction Energy Analysis

Off-Road Equipment

Construction Phase & Trip Type	Vehicle Class	Vehicle Fuel	Trip Number	Trip Length (mi)	Total VMT	Phase Emissions CO2(MT)	Fuel Equivalency (MT CO2/gal)	Fuel Consumption Gallons
Drill Footing								
Worker	HHDT	Diesel	12	20	240	0.357	10.181E-03	35.10
Vendor	HHDT	Diesel	0	7.3	0	0.000	10.180E-03	0.00
Haul	LDA_Mix	Gasoline	8	10.8	86.4	0.026	8.887E-03	2.88
Column Set								
Worker	HHDT	Diesel	12	20	240	0.357	10.181E-03	35.10
Vendor	HHDT	Diesel	0	7.3	0	0.000	10.180E-03	0.00
Haul	LDA_Mix	Gasoline	10	10.8	108	0.032	8.887E-03	3.60
Build & Set Structure								
Worker	HHDT	Diesel	8	20	160	0.238	10.181E-03	23.40
Vendor	HHDT	Diesel	0	7.3	0	0.000	10.180E-03	0.00
Haul	LDA_Mix	Gasoline	10	10.8	108	0.032	8.887E-03	3.60
Build & Set Digital Displays								
Worker	HHDT	Diesel	8	20	160	0.238	10.181E-03	23.40
Vendor	HHDT	Diesel	0	7.3	0	0.000	10.180E-03	0.00
Haul	LDA_Mix	Gasoline	10	10.8	108	0.032	8.887E-03	3.60
							Diesel	117.0
							Gasoline	13.7

Calculated CalEEMod CO2e emissions include EMFAC estimate emissions from start and idle modes as well as running mode fuel consumption based on fuel equivalencies to determine total fuel consumption including these modes.

Fuel Equivalency Factors (US EPA, IPCC)

<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>

[IPCC \(2006\). 2006 IPCC Guidelines for National Greenhouse Gas Inventories. Volume 2 \(Energy\). Intergovernmental Panel on Climate Change, Geneva, Switzerland](#)

Gasoline = 8.887 × 10⁻³ metric tons CO₂/gallon of gasoline

Diesel = 10.180 x 10⁻³ metric tons CO₂/gallon of diesel

Oxnard Billboard MND - Ventura County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Not Applied**Oxnard Billboard MND****Ventura County, Annual****1.0 Project Characteristics****1.1 Land Usage**

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Commercial	1.00	User Defined Unit	0.25	1.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.6	Precipitation Freq (Days)	31
Climate Zone	8			Operational Year	2022
Utility Company	Southern California Edison				
CO2 Intensity (lb/MWhr)	390.98	CH4 Intensity (lb/MWhr)	0.033	N2O Intensity (lb/MWhr)	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics - Oxnard Billboard Ordinance - MND - Typical Installation

Land Use - Default Lot size of 11,000 sq ft (Range: 1,000 - 15,000)

Sq Ft = 1 is a unity rate for 1 Billboard for Operational Energy

Construction Phase - From Billboard Installation Schedule

1 Day for each phase. (5-7 days between Column Set and Build)

Off-road Equipment - Typical Construction Eqpt

Off-road Equipment - From Installation Schedule

Off-road Equipment - Truck Mounted Cement Mixer 80 HP for typical 10 CY Concrete Mixing Truck - uses Power Take-off from Truck Engine

-runs continuously during Unloading (1 hr per truck)

Off-road Equipment - Off-Highway Trucks included to include On-site Maneuvering and Idle time for Dump Trucks; Crawler Tractor included (but set to 0) to activate fugitive dust calcs

Trips and VMT - Haul Trips for Column Set based on Pieces of Eqpt (4) using CalEEMod methodology = $4 \times 1.25 = 5$

Build & Set Structures and Displays also assume 5 workers per day

Grading - Fugitive dust emissions

Vehicle Emission Factors -

Vehicle Emission Factors -

Vehicle Emission Factors -

Consumer Products - No Consumer Products used as part of Operations

Area Coating - No Coatings

Landscape Equipment - No Landscape Operations

Energy Use - 54,000 kw-hr per year Avg Billboard Energy Usage

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	1	0
tblAreaCoating	Area_Nonresidential_Interior	2	0
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	100.00	1.00
tblConstructionPhase	NumDays	2.00	1.00
tblConsumerProducts	ROG_EF	2.14E-05	0
tblEnergyUse	T24E	0.00	54,000.00
tblGrading	AcresOfGrading	0.00	0.50
tblLandscapeEquipment	NumberSummerDays	180	0
tblLandUse	LandUseSquareFeet	0.00	1.00
tblLandUse	LotAcreage	0.00	0.25
tblOffRoadEquipment	HorsePower	9.00	80.00
tblOffRoadEquipment	LoadFactor	0.43	0.43
tblOffRoadEquipment	OffRoadEquipmentType		Crawler Tractors
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblOffRoadEquipment	UsageHours	4.00	8.00
tblTripsAndVMT	HaulingTripNumber	0.00	12.00
tblTripsAndVMT	HaulingTripNumber	0.00	12.00
tblTripsAndVMT	HaulingTripNumber	0.00	8.00
tblTripsAndVMT	HaulingTripNumber	0.00	8.00
tblTripsAndVMT	WorkerTripNumber	10.00	8.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00
tblTripsAndVMT	WorkerTripNumber	0.00	10.00

tblTripsAndVMT	WorkerTripNumber	0.00	10.00
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2.0 Emissions Summary

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	1.1700e-003	0.0138	0.0106	3.0000e-005	7.6000e-004	4.7000e-004	1.2400e-003	1.6000e-004	4.4000e-004	6.1000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402
Maximum	1.1700e-003	0.0138	0.0106	3.0000e-005	7.6000e-004	4.7000e-004	1.2400e-003	1.6000e-004	4.4000e-004	6.1000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	1.1700e-003	0.0138	0.0106	3.0000e-005	6.0000e-004	4.7000e-004	1.0700e-003	1.5000e-004	4.4000e-004	5.9000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402
Maximum	1.1700e-003	0.0138	0.0106	3.0000e-005	6.0000e-004	4.7000e-004	1.0700e-003	1.5000e-004	4.4000e-004	5.9000e-004	0.0000	3.0685	3.0685	5.7000e-004	1.9000e-004	3.1402

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	21.05	0.00	13.71	6.25	0.00	3.28	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	6-6-2022	9-5-2022	0.0054	0.0054
		Highest	0.0054	0.0054

2.2 Overall Operational
Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261
Mobile	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Waste						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Water						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	9.5767	9.5767	8.1000e-004	1.0000e-004	9.6261

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Drill Footing	Grading	6/1/2022	6/1/2022	5	1	Drill Footing / Haul & Disposal Dirt
2	Column Set	Building Construction	6/2/2022	6/2/2022	5	1	Column Set/Concrete Pour
3	Build & Set Structure	Building Construction	6/7/2022	6/7/2022	5	1	Set Top Column / Build & Set Structure
4	Build & Set Digital Displays	Building Construction	6/8/2022	6/8/2022	5	1	Build & Set Digital Displays

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 0.5

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating –

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Drill Footing	Excavators	1	8.00	158	0.38
Drill Footing	Off-Highway Trucks	1	2.00	402	0.38
Drill Footing	Skid Steer Loaders	1	8.00	65	0.37
Column Set	Aerial Lifts	1	8.00	63	0.31
Column Set	Cement and Mortar Mixers	1	4.00	80	0.56
Column Set	Cranes	1	8.00	231	0.29
Column Set	Pumps	1	4.00	84	0.74
Build & Set Structure	Aerial Lifts	1	8.00	63	0.31
Build & Set Structure	Air Compressors	1	8.00	78	0.48
Build & Set Structure	Cranes	1	8.00	231	0.29
Build & Set Digital Displays	Aerial Lifts	1	8.00	63	0.31
Build & Set Digital Displays	Cranes	1	8.00	231	0.29
Drill Footing	Crawler Tractors	1	0.00	212	0.43

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Drill Footing	4	8.00	0.00	12.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Column Set	4	10.00	0.00	12.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Structure	3	10.00	0.00	8.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Build & Set Digital Displays	2	10.00	0.00	8.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Drill Footing - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.7000e-004	0.0000	2.7000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005		8.0000e-005	8.0000e-005		7.0000e-005	7.0000e-005	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665
Total	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005	2.7000e-004	8.0000e-005	3.5000e-004	3.0000e-005	7.0000e-005	1.0000e-004	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	1.0000e-005	1.1000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0256	0.0256	0.0000	0.0000	0.0259
Total	3.0000e-005	9.5000e-004	3.3000e-004	0.0000	1.3000e-004	1.0000e-005	1.4000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3829	0.3829	2.0000e-005	6.0000e-005	0.4006

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.0000e-004	0.0000	1.0000e-004	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005		8.0000e-005	8.0000e-005		7.0000e-005	7.0000e-005	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665
Total	2.0000e-004	1.8500e-003	2.7400e-003	1.0000e-005	1.0000e-004	8.0000e-005	1.8000e-004	1.0000e-005	7.0000e-005	8.0000e-005	0.0000	0.4627	0.4627	1.5000e-004	0.0000	0.4665

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.0000e-005	1.0000e-005	1.1000e-004	0.0000	3.0000e-005	0.0000	3.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0256	0.0256	0.0000	0.0000	0.0259
Total	3.0000e-005	9.5000e-004	3.3000e-004	0.0000	1.3000e-004	1.0000e-005	1.4000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3829	0.3829	2.0000e-005	6.0000e-005	0.4006

3.3 Column Set - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714
Total	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	4.0000e-005	9.5000e-004	3.5000e-004	0.0000	1.4000e-004	1.0000e-005	1.5000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3893	0.3893	2.0000e-005	6.0000e-005	0.4071

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714
Total	2.9000e-004	3.1100e-003	2.4300e-003	1.0000e-005		1.3000e-004	1.3000e-004		1.2000e-004	1.2000e-004	0.0000	0.4686	0.4686	1.1000e-004	0.0000	0.4714

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	2.0000e-005	9.4000e-004	2.2000e-004	0.0000	1.0000e-004	1.0000e-005	1.1000e-004	3.0000e-005	1.0000e-005	4.0000e-005	0.0000	0.3573	0.3573	2.0000e-005	6.0000e-005	0.3748
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	4.0000e-005	9.5000e-004	3.5000e-004	0.0000	1.4000e-004	1.0000e-005	1.5000e-004	4.0000e-005	1.0000e-005	5.0000e-005	0.0000	0.3893	0.3893	2.0000e-005	6.0000e-005	0.4071

3.4 Build & Set Structure - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004
Total	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004
Total	3.4000e-004	3.3100e-003	2.7000e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.4000e-004	1.4000e-004	0.0000	0.4975	0.4975	1.2000e-004	0.0000	0.5004

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

3.5 Build & Set Digital Displays - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299
Total	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299
Total	2.0000e-004	2.3700e-003	1.4900e-003	0.0000		9.0000e-005	9.0000e-005		8.0000e-005	8.0000e-005	0.0000	0.3272	0.3272	1.1000e-004	0.0000	0.3299

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	1.0000e-005	6.3000e-004	1.5000e-004	0.0000	7.0000e-005	1.0000e-005	7.0000e-005	2.0000e-005	0.0000	2.0000e-005	0.0000	0.2382	0.2382	2.0000e-005	4.0000e-005	0.2499
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.3000e-004	0.0000	4.0000e-005	0.0000	4.0000e-005	1.0000e-005	0.0000	1.0000e-005	0.0000	0.0320	0.0320	0.0000	0.0000	0.0323
Total	3.0000e-005	6.4000e-004	2.8000e-004	0.0000	1.1000e-004	1.0000e-005	1.1000e-004	3.0000e-005	0.0000	3.0000e-005	0.0000	0.2702	0.2702	2.0000e-005	4.0000e-005	0.2822

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Commercial	0.00	0.00	0.00		
Total	0.00	0.00	0.00		

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Commercial	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Commercial	0.537638	0.058030	0.174616	0.137192	0.028458	0.007596	0.011602	0.006026	0.000704	0.000394	0.029425	0.000660	0.0076

[illegible]

Unmitigated

[illegible]

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
User Defined Commercial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Commercial	54000	9.5767	8.1000e-004	1.0000e-004	9.6261
Total		9.5767	8.1000e-004	1.0000e-004	9.6261

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Commercial	54000	9.5767	8.1000e-004	1.0000e-004	9.6261
Total		9.5767	8.1000e-004	1.0000e-004	9.6261

6.0 Area Detail

6.1 Mitigation Measures Area

[illegible]

6.2 Area by SubCategory

Unmitigated

[illegible]

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

7.2 Water by Land Use

Unmitigated

Indoor/Outdoor Use		Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Commercial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Mitigated

Indoor/Outdoor Use		Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Commercial	0 / 0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
User Defined Commercial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
User Defined Commercial	0	0.0000	0.0000	0.0000	0.0000
Total		0.0000	0.0000	0.0000	0.0000

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	------------	-------------	-------------	-----------

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
----------------	--------	----------------	-----------------	---------------	-----------

User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

ATTACHMENT J

STAFF PRESENTATION

Ventura Road Electronic Billboard Project

Planning & Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation)

Joe Pearson II, Planning Manager

Planning Commission
January 19, 2023

Project Description

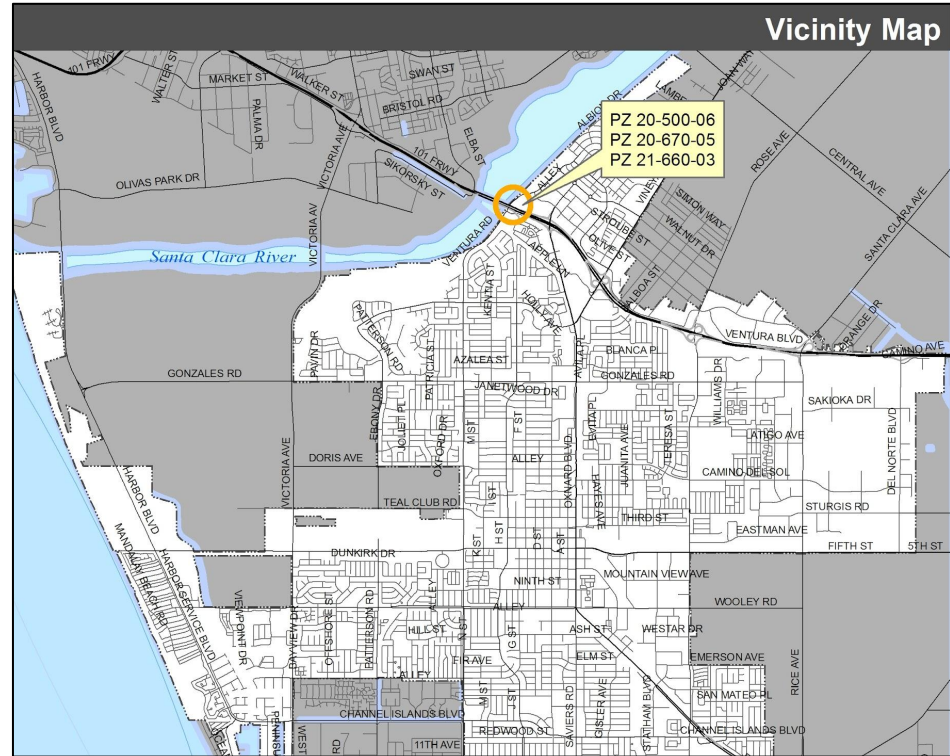
- A request for the following actions:
 - PZ 20-500-06 (Special Use Permit)
 - Allow for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products.
 - The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width.
 - The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width.

Project Description (Cont.)

- A request for the following actions:
 - PZ 20-670-05 (Development Agreement)
 - Allow for for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development.
 - PZ 21-660-03 (Street Vacation)
 - The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard

Project Location

Subject Site: North side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard.

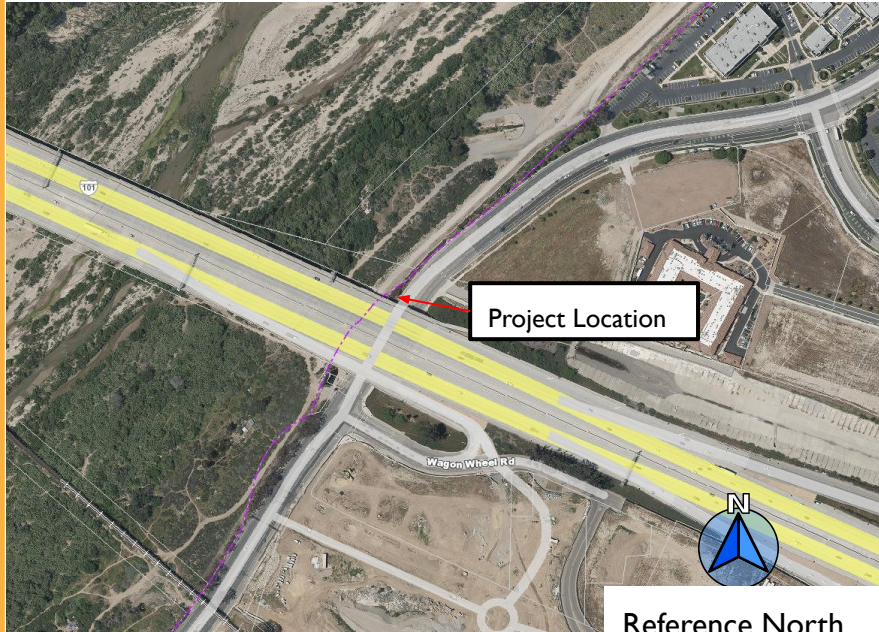


Project Location



Project Location

Aerial-View



LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional	The RiverPark Specific Plan (Commercial: Office)	Vacant
North	Commercial Regional	The RiverPark Specific Plan (Commercial: Office)	Light Industrial Development
South	Highway 101/Easement	Highway 101/The Village Specific Plan	Highway 101/Residential
East	Commercial Regional	The RiverPark Specific Plan (Residential: Very High or Commercial Regional)	Vacant (Approved Fore Apartments Project (PZ 19-200-16))
West	County Unincorporated	County Unincorporated	Santa Clara River

Background - Exclusive Negotiation Agreements (ENA)

- On June 18, 2019, the City Council approved and authorized the Mayor to execute Exclusive Negotiation Agreements (ENAs) with Clear Channel Outdoor, LLC and another with Outfront Foster Interstate, LLC -- both for potential digital billboard sites.
- Under the terms of the ENAs, both companies were given the exclusive right to negotiate with the City for an initial six-month period, and two additional six-month terms if the projects were being diligently pursued by the parties.
- On June 7, 2022, the City Council determined that significant enough progress had been made to amend the ENAs, to grant another 6 months (until June 2023), as well as provided the City Manager with authority to extend the ENAs for two additional six-month terms if the projects are being diligently pursued by the parties.

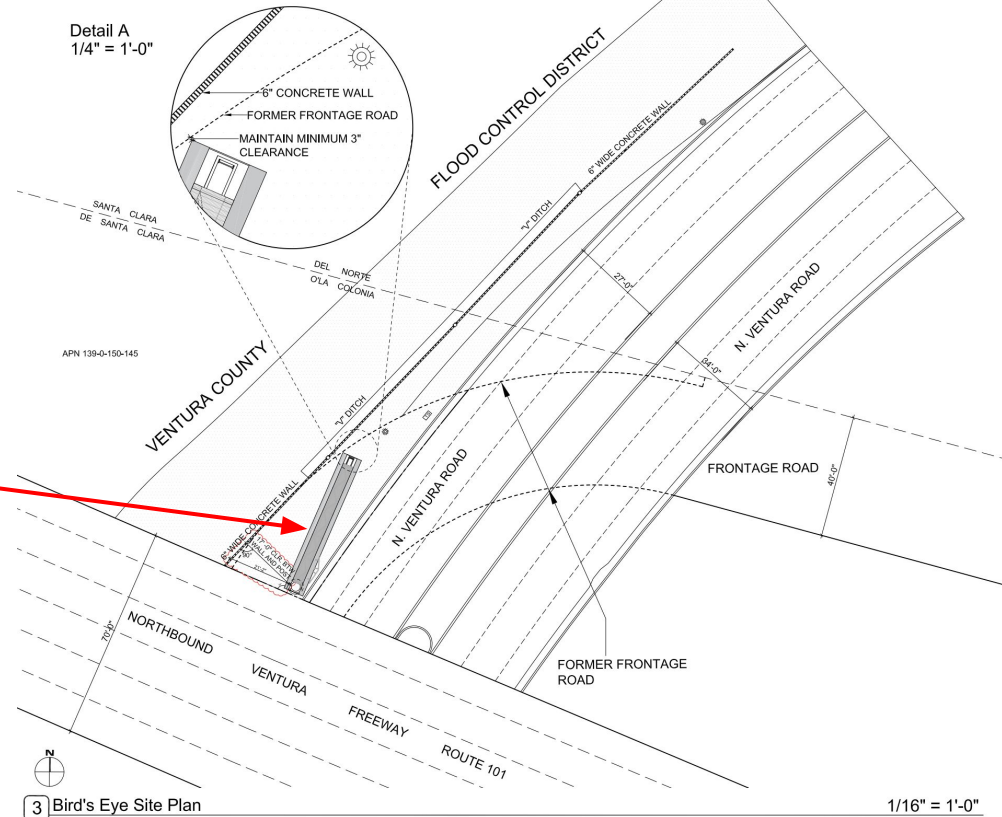
Background - Code Amendment

- Concurrent with the process of this Project the City is processing amendments to Article IX. Advertising Signs of the Oxnard City Code to permit Freeway Adjacent Digital Display Billboards on parcels designated as commercial, industrial, or public facilities within 400 feet of the U.S. 101 right-of-way within the City of Oxnard and a amendment to the RiverPark Specific Plan to allow the sign in accordance with the Oxnard City Code.
- Each Freeway Adjacent Digital Display Billboard shall be separated from every other Freeway Adjacent Digital Display Billboard by at least 2,000 feet with a maximum of five (5) allowed in the City.

Proposed Site Plan

Proposed Site Plan

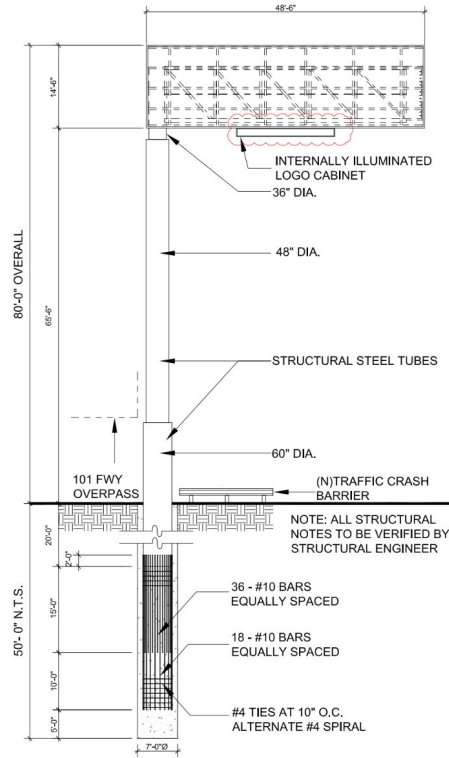
Proposed
Sign



3 Bird's Eye Site Plan

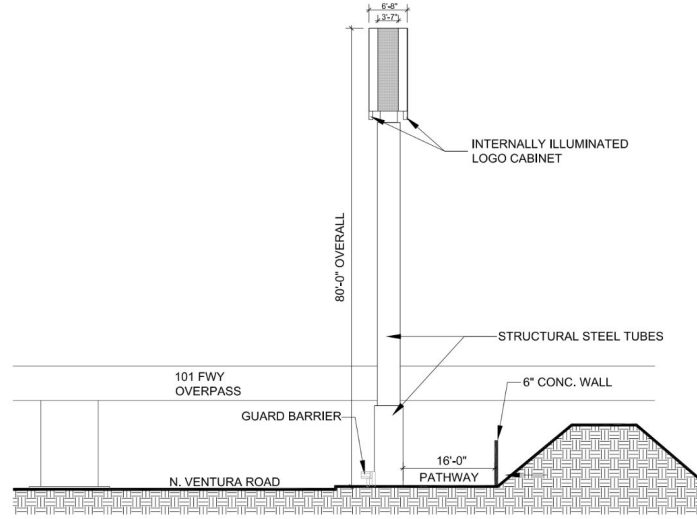
1/16" = 1'-0"

Proposed Sign Elevations



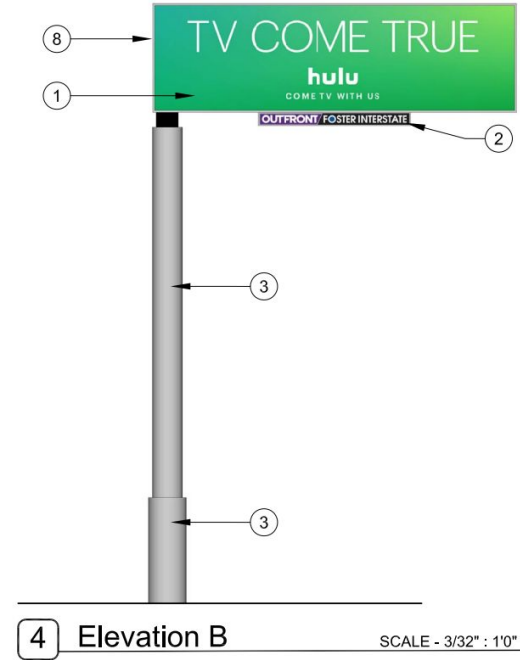
1 Overall Elevation

SCALE - 1/8" = 1'0"



3 CROSS SECTION VIEW

SCALE - 1/8" = 1'0"



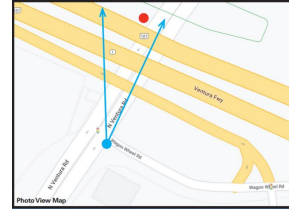
Proposed Sign Renderings



2 View From Northbound On U.S.101



4 View From Southbound On U.S. 101



Development Agreement

- Provide public benefit in the form of monetary payments to the City.
- Allow for the use of City Property through a lease agreement.

Applicable General Plan Policies

- Many policies are directly or indirectly applicable to the proposed project. Some of the key policies are:
 - Community Development Policy 3.1 & 4.1 - Land Use Conflicts
 - Community Development Policy 9.1, 9.3, & 9.4 - Neighborhood Identity Gateway Enhancement/View Corridor Preservation
 - Environmental Resource Policies 6.1, 6.2, and 6.5 - Views in New Development/Scenic Resources, Lighting and Glare
 - Community Development Policy 8.5 - Impact Mitigation

Zoning Code Compliance

- As noted above the City is concurrently processing an Ordinance Amendment (PZ 20-580-06) to allow for Freeway Adjacent Digital Display Billboards, as currently being proposed. The proposed ordinance amendment includes development standards which will be applicable to all Freeway Adjacent Digital Display Billboards developed within the City.
- The proposed project has been designed to be consistent with the proposed ordinance, as further detailed in the Staff Report.

Environmental Review

- An environmental consultant, under the supervision of Planning Division staff, prepared IS/MND which evaluated potential environmental impacts of the proposed Project. The IS/MND was prepared pursuant to the requirements of the California Environmental Quality Act (CEQA).
- City prepared a Mitigated Negative Declaration (MND):
 - a. MND review period for 30 days (30 days required)
 - b. City received five comment letters
 - c. Comments and responses included in MND
 - d. Changes made to Draft MND for Final MND based on comments
- Final IS/MND includes a Mitigation Monitoring and Reporting Program:
 - a. Details process to implement required mitigation measures
 - b. After implementation of standard conditions and mitigation measures, all potentially significant impacts reduced to less than significant levels

Environmental Review

- Final IS/MND identified the following:
 - Class 2 impacts (potentially significant by mitigable, mitigation required)
 - Biological Resources
 - Cultural and Tribal Cultural Resources
 - All other impact area were identified as Class 3 (less than significant)
 - Aesthetics included two recommended mitigations were incorporated
- Staff determined that there is no substantial evidence that the Project will have a significant effect on the environment.

- Notice of Community Workshop: December 20, 2021
 - Public notice signs were posted onsite.
 - Notifications were mailed to the RiverPark Neighborhood.
- Notice of PC hearing was provided:
 - Newspaper,
 - On-site posting; and
 - Mailed to property owners within 300 feet.
- To date, no public comments have been received.

Recommendation: That the Planning Commission:

- a) Adopt a resolution recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-03; and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 20-670-05 (Development Agreement), and
- c) Adopt a resolution affirming that the City of Oxnard's proposed Vacation of real property consisting of an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the proceed with the vacation, and
- d) Adopt a resolution Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to certain findings and conditions.



ATTACHMENT

A

MAPS

(VICINITY, GENERAL PLAN, ZONING, AERIAL)

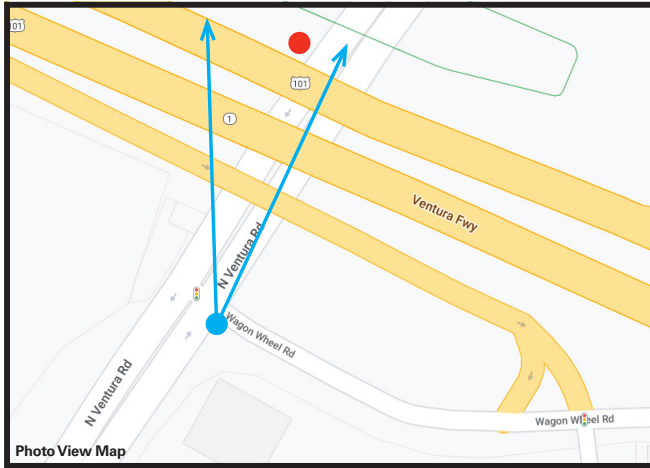
Vicinity Map





ATTACHMENT B

REDUCED PROJECT PLANS



OUTFRONT FOSTER INTERSTATE

14'h x 48'w, Double-Sided Digital Display

Site 1: View from Intersection of Ventura Rd. and Wagon Wheel

Working Draft - For Discussion Purposes Only. *Please note, design, placement of structures and elevation details are preliminary and subject to change. The positioning of each sign in this rendering and the perspective of each sign vis-a-vis the overall view is for illustration purposes only and is not exact.

ATTACHMENT C

FINAL IS-MND 22-03 (DECEMBER 2022)

6.0 Area Detail

6.1 Mitigation Measures Area

[illegible]

6.2 Area by SubCategory

Unmitigated

[illegible]

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

7.0 Water Detail

7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.0000	0.0000	0.0000	0.0000
Unmitigated	0.0000	0.0000	0.0000	0.0000

ATTACHMENT J

STAFF PRESENTATION

Ventura Road Electronic Billboard Project

Planning & Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation)

Joe Pearson II, Planning Manager

Planning Commission
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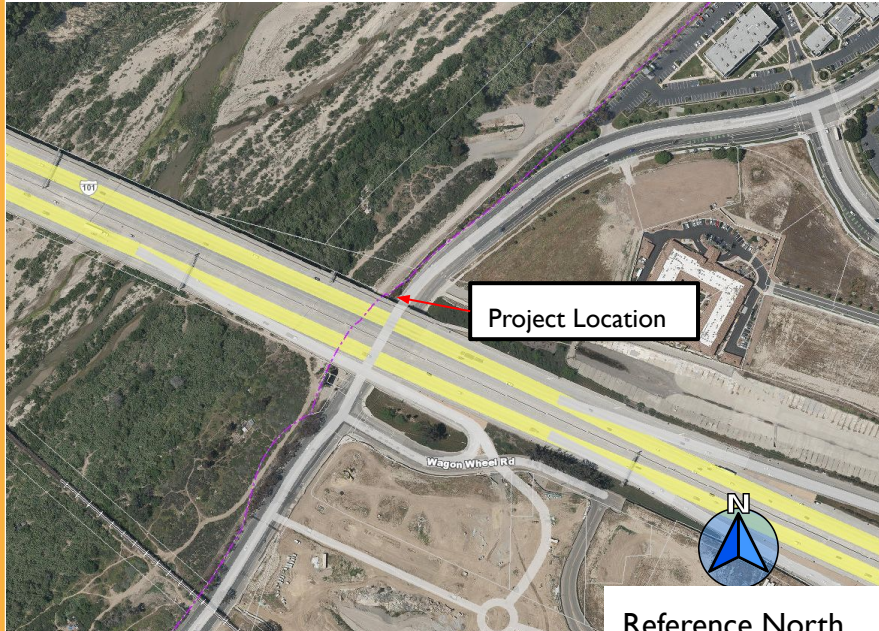


Project Location



Project Location

Aerial-View



Reference North

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Commercial Regional	The RiverPark Specific Plan (Commercial: Office)	Vacant
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West	County Unincorporated	County Unincorporated	Santa Clara River

Background - Exclusive Negotiation Agreements (ENA)

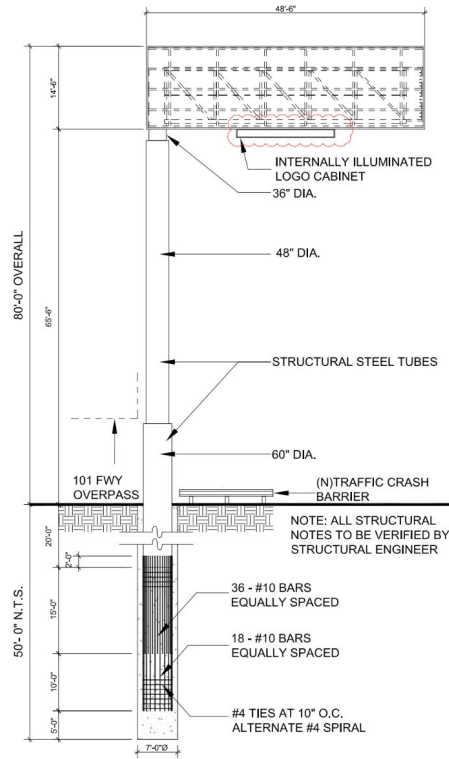
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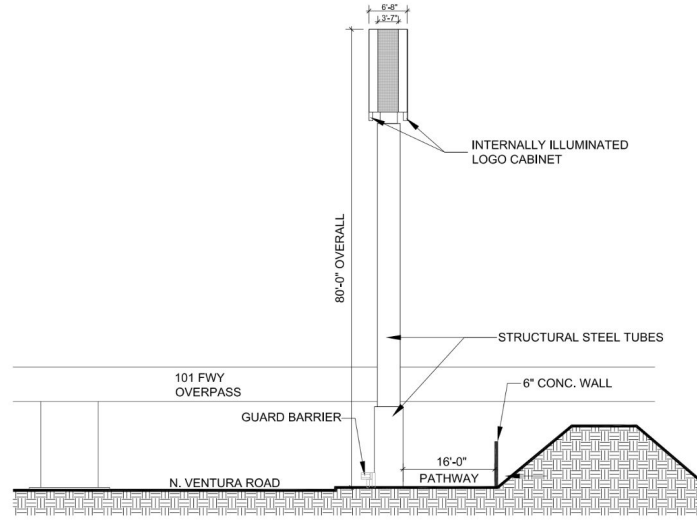
9

Proposed Sign Elevations



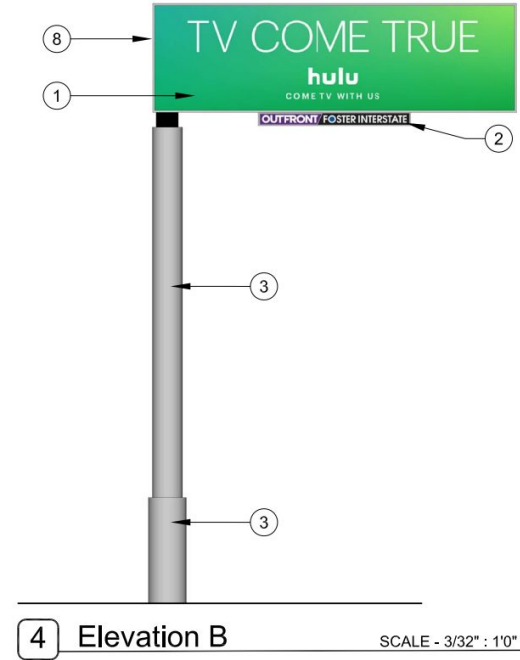
1 Overall Elevation

SCALE - 1/8" = 1'0"



3 CROSS SECTION VIEW

SCALE - 1/8" = 1'0"



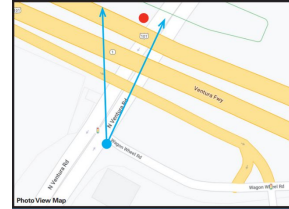
Proposed Sign Renderings



2 View From Northbound On U.S. 101



4 View From Southbound On U.S. 101



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- a) Adopt a resolution recommending that the City Council adopt a Mitigated Negative Declaration (MND) 22-03; and
- b) Adopt a resolution recommending that the City Council approve Planning and Zoning Permit No. 20-670-05 (Development Agreement), and
- c) Adopt a resolution affirming that the City of Oxnard's proposed Vacation of real property consisting of an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard is in conformance with the City of Oxnard 2030 General Plan and recommending that the City Council order the proceed with the vacation, and
- d) Adopt a resolution Approving Planning and Zoning Permit No. 20-500-06 (Special Use Permit), subject to certain findings and conditions.



B

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL DENY MITIGATED NEGATIVE DECLARATION 22-03 TO ALLOW FOR THE CONSTRUCTION AND OPERATION OF AN ELECTRONIC BILLBOARD AND ASSOCIATED SITE IMPROVEMENTS, A DEVELOPMENT AGREEMENT, AND STREET VACATION ON AN APPROXIMATELY 1,000-SQUARE FOOT UNDEVELOPED SITE LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard (“Project”); and

WHEREAS, the City is the lead agency for purposes of the project pursuant to Public Resources Code section 21067; and

WHEREAS, the City determined that the Project and its associated actions are subject to the environmental review requirements of the California Environmental Quality Act (“CEQA”); and

Whereas, the Development Advisory Committee (DAC) reviewed the plans on November 18, 2020 and provided conditions of approval for the project; and

WHEREAS, the project applicant mailed notices to all property owners within the RiverPark neighborhood and presented the project at the December 20, 2021 Community Workshop; and

WHEREAS, Pursuant to provisions of the California Environmental Quality Act and CEQA Guidelines, Section 15063, and following an Initial Study and environmental assessment of possible adverse impacts, the project will not have a significant effect on the environment because of the inclusion of certain mitigation measures for which lessened potential adverse impacts to a level of less than significant. Therefore, the Planning Division has prepared a Mitigated Negative Declaration with mitigation measures and

monitoring program in accordance with the provisions of CEQA, including, without limitation CEQA Guidelines Sections 15070, 15071, 15072, and 15073, which have been incorporated as conditions; and

WHEREAS, a Notice of Intent to Adopt an Initial Study and Draft Mitigated Negative Declaration (IS-MND) for the Project was published and posted on June 30, 2022, at the State Office of Planning and Research (OPR) website and at the Ventura County Recorder's Office pursuant to CEQA Guidelines Sections 15072 and 15073; and

WHEREAS, the public comment period on the DEIR ran for thirty (30) days commencing on June 30, 2022 and ending on July 29, 2022; and

WHEREAS, after the close of the comment period on the IS/MND, the IS/MND was modified as set forth in Chapter 4 of the Response to Comment document; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, the City has prepared Final IS/MND 22-03 containing all comments received on the Draft IS/MND 22-03, written responses to all substantive comments, and necessary changes to the text of the Draft IS/MND 22-03; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard conducted a duly noticed public hearing, and received and reviewed all written and oral evidence related to the Final IS/MND 22-03; and

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard hereby recommends that the City Council deny an Final IS/MND 22-03, incorporated by reference.

SECTION 1. The Recitals above are true and correct and incorporated herein by this reference.

SECTION 2. The Final IS/MND has been completed in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 – 21189).

SECTION 3. The Final IS/MND was presented to the Planning Commission, which, at a hearing before the public, reviewed and considered the information contained in the Mitigated Negative Declaration/Initial Study prior to making a recommendation to the City Council regarding the Project and its associated development entitlements.

SECTION 4. 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 pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The Planning Commission has independently reviewed and analyzed the Final IS/MND 22-03 prepared for the Project. The Final IS/MND 22-03 is an accurate and complete statement

of the potential environmental impacts of the project. The Final IS/MND 22-03 was prepared under the direction of the City of Oxnard Planning Division and reflects its independent judgment and analysis of the environmental impacts.

SECTION 5. The Planning Commission hereby recommends to the City Council the not adopt Final IS/MND 22-03, set forth attached hereto and incorporated herein by reference, and based thereon and on the Record as a whole.

SECTION 6. The Planning Commission hereby recommends that the City Council approve the resolution denying Final IS/MND 22-03, attached to the January 19, 2023 Planning Commission staff report and incorporated by reference.

SECTION 7. The Secretary shall certify the adoption of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023:

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, Secretary

C

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD RECOMMENDING THAT THE CITY COUNCIL DENY A DEVELOPMENT AGREEMENT AND LEASE OF PROPERTY (PLANNING AND ZONING PERMIT NO. 20-670-05) WITH OUTFRONT FOSTER INTERSTATE, LCC REGARDING PROPERTY LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A). FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE “APPLICANT”) ON BEHALF OF THE CITY OF OXNARD (THE “PROPERTY OWNER”).

WHEREAS, on October 15, 2020, Lars Skugstad (the “Applicant” and/or “Permittee”) submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard; and

WHEREAS, the Planning Commission of the City of Oxnard (“**Planning Commission**”) has considered an application for Planning and Zoning Permit No. 20-670-05 (“**Project**”), a Development Agreement and Lease of Property between the CITY OF OXNARD, a municipal corporation of the State of California (the “City”) and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company (“OFI”) (collectively referred to “Applicant” or “Developer” in the record of proceedings); and

WHEREAS, the Development Agreement and Lease of Property (DA) shall allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard. The agreement also outlines the required public benefits to be provided by the future development, including fiscal benefits to the City. The proposed DA is included in Exhibit A to this Resolution; and

WHEREAS, on January 19, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing where written and oral comments were received and reviewed to consider an application for a Development Agreement and Lease of Property (PZ 20-670-05) in accordance with Chapter 16-575 of the Oxnard City Code; and

WHEREAS, the Planning Commission finds, after due study, deliberation and a duly noticed public hearing on January 19, 2023, and received and reviewed written and oral comments, presented by staff and the Applicant with a series of questions, and that the project does not meet the criteria set out in California Government Code 65864 through 65869.5; and

WHEREAS, the Commission considered Final IS/MND 22-03 prior to making recommendations on the Project; and

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Oxnard recommends that the City Council deny Planning and Zoning Permit No. 20-670-05 (Development Agreement), Exhibit A, hereto attached.

SECTION 1. The Recitals above are true and correct and incorporated into the operative provisions of this Resolution by this reference.

SECTION 2. The Planning Commission finds that the Development Agreement and Lease of Property is not internally consistent with all other provisions of the City of Oxnard 2030 General Plan.

SECTION 3. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because the proposed Project is denied.

SECTION 4. The Planning Commission hereby recommends that the City Council deny the Development Agreement and Lease of Property.

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

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023:

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Development Agreement (PZ 20-670-05)
Planning Commission Hearing Date: February 2, 2023
Resolution No. 2023- XX
Page 3 of 3

Joe Pearson II, Secretary

EXHIBIT A

DEVELOPMENT AGREEMENT

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City of Oxnard
305 West Third Street
Oxnard, California 93030
Attention: City Clerk

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY

THIS DEVELOPMENT AGREEMENT AND LEASE OF REAL PROPERTY ("Agreement") is made in Ventura County, California as of _____, 2023 by and between the CITY OF OXNARD, a municipal corporation of the State of California ("City") and OUTFRONT FOSTER INTERSTATE LLC, a Delaware limited liability company ("OFI"). The City or OFI may be referred to individually as a "Party" and collectively as the "Parties."

RECITALS

A. The City and OFI entered into that certain Exclusive Negotiation Agreement ("ENA") on June 19, 2019 regarding the lease of certain City property for freeway oriented digital billboards ("ENA Property"), which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference.

B. The City and OFI have entered into a First Amendment to the ENA dated November 13, 2019, a Second Amendment to the ENA, dated May 28, 2020, a Third Amendment to the ENA dated November 17, 2020, a Fourth Amendment to the ENA dated June 17, 2021, a Fifth Amendment to the ENA dated December 14, 2021, a Sixth Amendment to the ENA dated June 7, 2022 and a Seventh Amendment to the ENA dated December 6, 2022. As of the date of this Agreement, the ENA is still in full force and effect and OFI retains exclusive rights relating to the Property. Based upon the ENA, OFI has a legal or equitable interest in the ENA Property during the term of the ENA.

C. City is authorized, pursuant to Government Code sections 65864 through 65869.5 (the "Development Agreement Statute") and City Council Resolution No. 10,488, to enter into binding development agreements with persons or entities with legal or equitable interests in real property located within the City in order to vest certain rights in the person or entity with the legal or equitable interest in such property.

D. City and OFI each mutually desire to enter into this Agreement to permit and ensure that a portion of the ENA Property, which consists of that certain real property in the City of Oxnard, County of Ventura more particularly described in **Exhibit B** attached hereto and incorporated herein by this reference ("Property"), is developed with a double-sided freeway oriented digital billboard (hereafter, the "Project"), and that such billboard is developed strictly

in accordance with the provisions of this Agreement, the Project Approvals (defined below), and associated entitlements.

E. The City has determined that it is in the best interests of City, and for the common benefit of the citizens residing in City, to enter into this Agreement with OFI for the construction, operation, maintenance, and repair of the Billboard (as that term is defined below) on the Property, subject to (i) OFI obtaining specific entitlements and approvals from Caltrans and the City, including a Specific Plan amendment and a Special Use Permit; and (ii) OFI agreeing to fully comply with all of the provisions of this Agreement, including the payment of specific financial considerations that are in the public interests.

F. To comply with the California Environmental Quality Act ("CEQA"), on _____, 2023, at a duly noticed public hearing, the Oxnard Planning Commission ("Planning Commission") certified the _____ (SCH # _____), as described more fully in Resolution _____, adopted a Mitigation, Monitoring, and Reporting Plan, and made the required CEQA findings.

G. On _____, 2023, at a duly noticed public hearing, the Planning Commission approved a Special Use Permit for the Project, contingent on City Council approval of this Agreement. At the same public hearing, the Planning Commission recommended that the City Council approve this Agreement by ordinance.

H. On _____, 2023, the Oxnard City Council ("City Council"), having received the Planning Commission's recommendation, held a duly noticed public hearing and introduced the ordinance to approve this Agreement. On _____, 2023 the City Council adopted Ordinance _____ approving the Agreement.

I. The Planning Commission of the City (the "Planning Commission") and City Council have each given notice of their intention to consider this Agreement, have each conducted the required public hearings thereon, and have each found that the provisions of this Agreement are consistent with the City of Oxnard General Plan for development within the City, City zoning ordinances, and the Specific Plan. The City Council has also specifically considered the impacts and benefits of the Project upon the welfare of the residents of the City and the surrounding region. The City Council has determined that this Agreement is beneficial to the residents of the City and is consistent with the present public health, safety and welfare needs of the residents of the City and the surrounding region.

NOW, THEREFORE, in consideration of the foregoing Recitals which are hereby incorporated into the operative provisions of this Agreement by this reference and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the City and OFI agree as follows:

AGREEMENT

1. **Definitions.** For purposes of this Agreement, unless a different meaning is clearly required, the following terms will have the following meanings and be capitalized throughout this Agreement:

1.1 “Annual Net Revenue” means all income actually received by OFI in connection with the sale of advertising space on the Billboard (net of any commissions paid by OFI to advertising agencies, not to exceed 16-2/3%). For the purposes hereof, any income described in this definition will not include the value of any in kind usage of the Billboard by the City.

1.2 “Applicable Rules” means the rules, regulations and official policies of the City which were in force as of the Effective Date (as defined below), including, but not limited to, the General Plan, the Specific Plan (as defined below) and entitlements for the Project including, but not limited to, the Special Use Permit.

1.3 “Billboard” shall mean that double-sided freeway-oriented digital billboard contemplated to be developed on the Property pursuant to the Applicable Rules. OFI shall be responsible for the construction, operation, maintenance, and repair of the Billboard, subject to the terms and conditions of this Agreement.

1.4 “Caltrans Permits” means all permits and approvals, if any, that OFI must obtain from Caltrans and subsequently assign to the City to construct, operate, maintain, and repair the Billboard in accordance with this Agreement.

1.5 “City Council” shall mean the City Council of the City.

1.6 “City Manager” shall mean the City Manager of the City.

1.7 “Effective Date” means the date on which the ordinance approving this Agreement, as required by Government Code section 65867.5, becomes effective.

1.8 “General Plan” means the City of Oxnard 2030 General Plan adopted in October of 2011 and updated in December of 2016.

1.9 “Hazardous Materials” means any and all pollutants, wastes, flammables, explosives, radioactive materials, hazardous or toxic materials, hazardous or toxic wastes, hazardous or toxic substances, carcinogenic materials or contaminants and all other materials governed, monitored, or regulated by any Federal, State or local Law or regulation, including the Comprehensive Environmental Response, Compensation and Liability Act, the Hazardous Substances Account Act, and/or the Resources Conservation and Recovery Act, together with asbestos, asbestos-containing materials, hydrocarbons, polychlorinated biphenyl (“PCB”) or PCB-containing materials, petroleum, gasoline, petroleum products, crude oil or any fraction, product or by product thereof.

1.10 “Hazardous Materials Laws” means all laws, codes, rules, orders, ordinances, directives, regulations, permits, or other requirements of federal, state, county, municipal or governmental authorities having jurisdiction, now in force or which may hereafter be in force concerning the management, use, generation, storage, transportation, presence, discharge or disposal of Hazardous Materials.

1.11 “MAG” or “Minimum Annual Guarantee” has the definition given such term in Section 7.1(a).

1.12 “Off-site Outdoor Advertising Sign” means a general outdoor advertising sign that directs attention to a business, profession, commodity, service or entertainment which is conducted, sold or offered at a location other than on the same lot or parcel upon which the sign is located.

1.13 “Operational” refers to the time when the Billboard is fully capable, legally and functionally, of displaying advertising on the digital display.

1.14 “Operational Date” is the date when the Billboard is Operational.

1.15 “Periodic Review” shall have the meaning assigned to such term in Section 36.

1.16 “Planning Commission” shall mean the Planning Commission of the City.

1.17 “Rent” means the MAG described in Section 7.1 and, as applicable, Percentage Rent described in Section 7.2.

1.18 “Project Approvals” shall mean and refer to the Special Use Permit approved on _____.

2. **Initial Term.** The “Initial Term” of this Agreement will begin on the Operational Date and will expire on the thirtieth (30th) year anniversary thereof. The Parties acknowledge that Government Code section 65868.5 requires the City to record this Agreement with the Ventura County Recorder’s Office no later than ten (10) days after the Parties enter into this Agreement and that the burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the Parties hereto, subject to the assignment provisions in Section 37.5 below.

3. **Tolling for Third Party Lawsuit.** If any third party files a lawsuit to challenge this Agreement, the City’s CEQA determination made in connection with its consideration of this Agreement and/or the Project Approvals (each, a “Third-Party Lawsuit”), OFI may request that the Initial Term be tolled during the pendency of the Third-Party Lawsuit by providing a written notice (“Tolling Notice”) to City within thirty (30) days after the commencement of the Third-Party Lawsuit, and said request shall be granted by City. The tolling of the Initial Term shall automatically begin upon City’s receipt of the Tolling Notice, and it shall end on the earliest of the following to occur: (A) the date on which a court issues a final judgment in the Third-Party Lawsuit and the expiration of all appeal period(s) following that judgment; (B) the date the Third-Party Lawsuit is dismissed; or (C) three (3) years from the date of issuance of the Tolling Notice.

4. **Tolling for Initiative or Referendum.** If the subject of an initiative or referendum petition would overturn, set aside, or substantially modify this Agreement, the other Project Approvals, or otherwise substantially impair the development of the Project, the Initial Term of this Agreement shall be tolled under this Section 4. The Term shall be automatically tolled beginning on the date that the initiative or referendum petition is submitted to the Ventura County elections official for signature verification, and ending on the date the last of the following occurs: (A) the date the County elections official determines the petition does not

include a sufficient number of signatures; (B) the date the measure is voted on by the Council; or (C) the date of the election on the measure, if placed on the ballot. Notwithstanding any language in Sections 3 and 4 to the contrary, the total length of extension of the Initial Term shall not exceed three (3) years from the date the initiative or referendum petition is submitted to the Ventura County elections official for signature verification.

5. **Implementation and Development of the Project.**

5.1 **Permitted Uses.** OFI agrees that Property shall only be developed in accordance with this Agreement and the Project Approvals.

5.2 **Subsequent Action and Approval.** The City agrees not to unreasonably withhold, condition or delay any action or approval by the City which may be required by the Project subsequent to the execution of this Agreement.

6. **Vested Right to Develop the Project.** Subject to Section 9 below and the Applicable Rules, the City hereby grants to OFI the vested right to develop the Project on the Property in accordance with this Agreement and the Project Approvals. Other than the Project Approvals and this Development Agreement, development of the Project as described in this Agreement shall require no further discretionary approvals by the City. City and OFI intend to cause all development rights which may be required to develop the Project in accordance with the Project Approvals to be deemed vested in OFI for the Initial Term to the greatest extent permitted by law.

7. **Rent.**

7.1 **Rent.** Rent, as set forth in this provision, shall commence on the Operational Date.

(a) **Minimum Annual Guarantee (MAG).** Each year, OFI shall pay City the Minimum Annual Guarantee (the “MAG”) in the initial amount of \$150,000 per year, starting on the Operational Date, in accordance with the terms set forth in this Section.

<u>Term</u>	<u>Rent</u>
<u>Years 1-30</u>	<u>\$150,000</u>

(b) **Manner of Payment.** An annual prorated share of the MAG is due and payable on a calendar quarter basis, commencing within forty-five (45) days of the Operational Date and within ten (10) days following the beginning of each calendar quarter occurring thereafter without notice, demand, offset or deduction. OFI shall remit the MAG to City at the address designated by City in writing to OFI for the payment of Rent. For any portion of the Initial Term that is less than a full calendar quarter, the MAG shall be prorated based on

the number of days occurring during such calendar quarter and actual number of days in such calendar quarter.

(i) Late Charge. If OFI fails to pay any installment of MAG within ten (10) calendar days after the same is due and payable, such unpaid amount will be subject to a late payment charge equal to five percent (5%) of the unpaid amount in each instance; provided, however, OFI shall not be assessed with the foregoing late payment charge with respect to the first (1st) late payment in any consecutive twelve (12) month period unless and until OFI fails to make such payment to City within three (3) business days after written notice from City that it failed to receive such amounts within the time period set forth above. Following the first (1st) late payment in any calendar year, no notice by City shall be required for purposes of collecting a late payment charge. The late payment charge has been agreed upon by City and OFI, after negotiation, as a reasonable estimate of the additional administrative costs and detriment that City will incur as a result of any such failure by OFI, the actual costs thereof being extremely difficult—if not impossible—to determine. The late payment charge constitutes liquidated damages to compensate City for its damages resulting from such failure to pay, and OFI shall promptly pay such charge to City together with any unpaid interest

(ii) Default Interest. If any MAG is not paid within ten (10) calendar days following the due date, such unpaid amount will bear simple interest at the rate of 10% per year or the maximum permitted by law, whichever is lower (“Default Rate”) from the due date until paid. However, interest will not be payable on late charges incurred by OFI, nor on any amounts on which late charges are paid by OFI to the extent this interest would cause the total interest to be in excess of that which an individual is lawfully permitted to charge. Payment of interest will not excuse or cure any default by OFI.

(iii) Application of Payments. All payments received by City from OFI will be applied to the oldest obligation owed by OFI to City. No designation by OFI, either in a separate writing, on a check or money order, or otherwise will modify this Article 5 or have any force or effect.

7.2 Additional Consideration

(a) Percentage Rent. To the extent that the MAG for the 12-month period commencing on the Operational Date or anniversary of the Operational Date (“Agreement Year”) during the Initial Term is less than 30% of the Annual Net Revenue for that Agreement Year (the difference being referred to herein as “Percentage Rent”), OFI shall pay to City, in addition to the MAG, within thirty (30) days after the end of the relevant Agreement Year, and to the extent applicable, the Percentage Rent.

(i) Reports. OFI shall furnish to City an annual statement of Annual Net Revenue within thirty (30) days after the end of each Agreement Year. Such statement shall be in a form acceptable to City. Each statement shall be signed and certified to be correct by a duly authorized officer of OFI. OFI shall keep and make available at its local office at _____ complete and materially accurate books of account, records, cash receipts and other pertinent data, in accordance with good accounting practices and in a form approved by City, showing the Annual Net Revenue, including without limitation,

materially accurate records of every sale and other transaction made for any advertising display on the Billboard and any commissions paid by OFI pursuant to this Agreement. Such books of account, records, cash receipts and other pertinent data shall be kept for a period of no less than four (4) years after the end of each Agreement Year. The receipt by City of any statement, or any payment of Percentage Rent for any period, will not bind City as to the correctness of the statement or payment.

(ii) Inspection and Audit. City, at its sole option, will be entitled, at any time and from time to time during the Initial Term and during normal business hours and with prior written notice to OFI, to inspect, examine, copy and audit OFI's books, records and cash receipts as related to Annual Net Revenue. OFI shall cooperate fully with City and City's agents in making the examination. City, at its option, will also be entitled once during each Agreement Year and once after the termination of this Agreement, to cause an independent audit of such records to be performed by a certified public accountant designated by City, provided such accountant is not paid on a contingency fee basis. The audit will be conducted during usual business hours at OFI's office located at _____, unless another location is mutually agreed upon. If the audit shows that there is a deficiency in the payment of any Percentage Rent, then OFI shall promptly upon notice pay the deficiency to City which payment will not require any penalty or other late fee. City will pay the costs of the audit unless the audit shows that OFI understated Annual Net Revenue by more than three percent (3%) in which case OFI will pay all reasonable out-of-pocket costs paid to third party consultants and incurred by City in connection with the audit.

(b) City Usage. To the extent that commercial advertising time on the Billboard is unsold and available, City shall have the right to use 12.5% out of the total inventory of 16 spots (8 spots per face) or 2 total spots for the Billboard (such usage "City Usage"). Content displayed on the Billboard in connection with City Usage shall be displayed (subject to the terms of this Agreement) during the operation of the Billboard in increments, at the times of day and otherwise in the same manner as the commercial advertising displayed by OFI on the Billboard. Subject to the terms of this Agreement, City may use such time to promote any purpose that City, in its sole discretion determines best serves the needs of the City and residents, including but not limited to advertising City events and programs. City will submit "camera ready" artwork to OFI, at no cost to OFI, for display purposes. City agrees that for any City Usage City will provide OFI with prior written notice of its desire for City Usage, City will provide OFI with the copy or text of such messages not less than ten (10) business days prior to the date such messages are to appear on the Billboard, and City Usage shall be limited to messages for the civic and public purposes described in this Section and will not be used directly or indirectly for any types of messaging or advertising which OFI would otherwise be able to sell to third parties in the ordinary course of OFI's business. City represents and warrants that all advertising materials and content supplied by City to OFI for display in connection with City Usage, (i) are owned or duly licensed by City and do not infringe or misappropriate the rights of any other person or entity, (ii) comply with all applicable federal, state, and local laws, rules and regulations and any industry codes or rules by which the parties may be bound and do not contain any obscene, libelous, slanderous or otherwise defamatory materials or refer in an offensive manner to the gender, race or ethnicity of any individual or group; (iii) are not false; and (iv) do not infringe upon any copyright, trademark or other intellectual property or privacy right of any third party. City hereby agrees to indemnify, defend and save harmless OFI against

any and all claims, liabilities, losses, damages, fees and expenses arising out of or in connection with the City Usage, including but not limited to any claim for defamation, or infringement of any copyright, trademark, or other intellectual property or privacy right and reasonable attorneys' fees and expenses incurred in defending any such claims.

(c) Emergency Notifications. Without any offset in the City Usage described above and at no cost to the City and as further consideration for the use and occupancy of Property, Outfront shall make the Billboard available to Caltrans and the California Highway Patrol for purposes of "Amber Alerts" and for emergency or disaster notifications by local, state or federal agencies.

(d) Discount for Oxnard Auto Dealers and Oxnard Chamber of Commerce Members. For the Initial Term of this Agreement, Oxnard Auto Dealers and members of the Oxnard Chamber of Commerce shall receive a ten percent (10%) discount from the rates to advertise on the Billboard.

8. Advertising. The Billboard is not intended to provide a general public forum for purposes of communication, but rather to make use of property held by the City in a proprietary capacity in order to generate revenue. Except for any advertising or messages displayed on the Billboard at the request of the City (subject to the terms of this Agreement), all advertising to be displayed on the Billboard shall be strictly "commercial advertising." As used in this Agreement, "commercial advertising" means advertising for a commercial or industrial business, product, good, service, or other commercial or industrial activity for a commercial or industrial purpose. In addition to the general limitation on Billboard advertising to strictly commercial advertising, OFI may not display any message that: is inherently false, misleading, or libelous (i.e., speech that is incapable of being presented in a manner that is not misleading); promotes the sale or use of firearms or tobacco products, whether directly or indirectly; promotes adult entertainment, products, conventions, events, or websites; contains "obscene matter," as that term is defined in local, California or federal law, including but not limited to any statements or words of an obscene, indecent or immoral character, or any picture or illustration of any human figure in such detail as to offend public morals or decency or any other matter or thing of an obscene, indecent or immoral character; contains any "political advertising," which means advertising that promotes or opposes any candidate for public office or promotes or opposes a ballot measure, referendum, bond issue, or any federal, state or local legislation, regulation, or other discretionary action; contains language that presents a clear-and-present danger of causing riot, disorder, or other imminent threat to public safety, peace, or order. OFI shall, within 48 hours after written demand from City, at OFI's risk and expense, remove any advertising material or message that does not comply with the advertising criteria set forth in this Section, and which is not being disputed by OFI. If OFI fails to promptly cause the removal of such advertising, City may (but is not required to), without further process of law, cause the removal of the advertising. OFI shall reimburse City's costs of such actions upon demand and will bear the risk of any damage to the Billboard resulting from such actions. City may exercise such remedies without prejudice to any other remedies it may be entitled to exercise under this Agreement, at law or in equity. OFI agrees to ensure that businesses or organizations located within the City or residents of the City will be able to purchase advertising on the Billboard in such manner and at such rates as offered to businesses, organizations or persons located or

residing outside of the City and that it will not permit any exclusivity contracts or arrangements with advertisers that would violate this covenant.

9. **Subsequent Applicable Rules.** Rules, regulations and official policies of the City, including but not limited to the General Plan, the Specific Plan, zoning and other development regulations adopted after the Effective Date of this Agreement (“Subsequent Applicable Rules”) shall not be applicable to or binding upon the Project unless they are otherwise expressly allowed by this Agreement or are consented to in writing by OFI. The City shall not require OFI to obtain any approvals or permits for the development of the Project other than those permits or approvals which are required by the Applicable Rules. This Agreement will bind the City to the terms and obligations specified in this Agreement.

10. **No Conflicting Enactments.** The City shall not enact rules, regulation, ordinances or other measures which limit or control the development of any part of the Project which is inconsistent or in conflict with this Agreement.

11. **Moratorium or Initiative Measures.** OFI and the City intend that no moratorium or other limitation (whether relating to the rate, timing or sequence of the development of the Project and whether enacted by initiative or otherwise) affecting building permits or other entitlements shall apply to the Project to the extent such moratorium or other limitation is inconsistent with or conflicts with this Agreement.

12. **Legal Challenges.** City agrees to cooperate with OFI in all reasonable manners in order to keep this Agreement in full force and effect. Notwithstanding the preceding sentence, in the event of any legal action instituted by a third party or other government entity or official challenging the validity of this Agreement, the City and OFI agree to cooperate in defending such action, with OFI to indemnify the City pursuant to this Agreement. In the event of any litigation challenging the effectiveness of this Agreement or any portion thereof, this Agreement shall remain in full force and effect while such litigation, including any appellate review, is pending, unless a court of competent jurisdiction orders otherwise.

13. **Events of Default; Early Termination.**

13.1 **Defaults by OFI.** OFI will be in default under this Agreement (“Default”) upon occurrence of any of the following:

(a) OFI is at any time late in the payment of Rent or any other monetary sum called for by this Agreement and fails to make payment within thirty (30) days following a written notice to cure from City to OFI; or

(b) OFI fails to keep and perform any of its other covenants or agreements contained in this Agreement and such failure continues for more than thirty (30) days after a written notice to cure from City to OFI specifying, the obligation which OFI has failed to perform. Where it will reasonably take OFI more than thirty (30) days, as calculated from receipt of written notice from the City to cure the default and come into compliance with applicable covenants or agreements, the 30-day period shall be extended for a reasonable time to allow OFI to come in to compliance and OFI shall be in Default under this Agreement if it has

failed to commence such cure within such 30-day period and has failed to diligently pursue completion of such cure; or

(c) After receipt of a written notice to cure from the City, OFI fails to cure within thirty (30) days and abandons and ceases to use the Property OFI; or

(d) The Billboard is not Operational by the one (1) year anniversary of the later of: (i) OFI's receipt of approval from Caltrans for the Caltrans Permits, and (ii) OFI's receipt of all other approvals, permits and entitlements and associated CEQA review from the City and any other relevant responsible agencies for construction and other work related to the Billboard. The one (1) year anniversary shall, however, be tolled in the event of the filing of third party lawsuits, initiatives, or referenda, as specified in Sections 3 and 4.

13.2 City's Remedies for Default by OFI. Upon the occurrence and during the continuance of any Default identified in Section 13.1, in addition to any and all other rights or remedies of City hereunder, City will have the sole option to exercise the following rights and remedies:

(a) City may terminate this Agreement if OFI is in default and fails to cure as provided in Section 13.1(a)-(c), or is in default as provided in Section 13.1(d), including any applicable tolling period.

(b) Except as provided in subdivision (c) below, in the event of a default by OFI, City shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate City for OFI's specific obligations to the City pursuant to this Agreement.

(c) In the event that a third party lawsuit, referendum, or initiative has been filed that triggers the tolling provisions in Sections 3 and 4 and such lawsuit, referendum, or initiative has not been resolved, dismissed, terminated, or otherwise completed within the three (3) year tolling period, the City's sole remedy for OFI's failure to make the Billboard Operational as provided in Section 13.1(d), shall be to terminate this Agreement.

13.3 City Remedies Cumulative. Each right and remedy of City provided for herein will be cumulative and will not preclude City from exercising any other rights or remedies provided for in this Agreement. No payment by OFI of a lesser amount than the Rent nor any endorsement on any check or letter accompanying any check or payment of Rent will be deemed an accord and satisfaction of full payment of Rent; and City may accept such payment without prejudice to City's right to recover the balance of such Rent or to pursue other remedies.

13.4 Default by City. City will not be in default under this Agreement unless City fails to perform obligations required of City within thirty (30) days after written notice is delivered by OFI to City specifying the obligation which City has failed to perform; provided, however, that if the nature of City's obligation is such that more than thirty (30) days are required for performance, then City will not be in default if City commences performance within such 30-day period and thereafter diligently prosecutes the same to completion. All obligations of City hereunder will be construed as covenants, not conditions.

13.5 OFI's Remedies for Default by City. Upon the occurrence and during the continuance of any Default by City identified in Section 13.4, OFI will have the sole option to exercise the following rights and remedies:

(a) OFI may terminate this Agreement if City is in default and fails to cure as provided in Section 13.4.

(b) In the event of a default by City, OFI shall have the right to: (i) bring any proceeding in the nature of specific performance, injunctive relief, declaratory relief, or mandamus and/or; (ii) bring any action to compensate OFI for City's specific obligations to OFI pursuant to this Agreement.

13.6 OFI Remedies Cumulative. Each right and remedy of OFI provided herein will be cumulative and will not preclude OFI from exercising any other rights or remedies provided for in this Agreement.

13.7 OFI's Early Termination Rights. OFI may terminate this Agreement effective 30 days after OFI gives the City written notice of termination, if any of the following circumstances occur:

(a) The view of the Billboard's display area from the portion of U.S. 101 adjacent to the Property is materially obstructed, and OFI did not cause the obstruction.

(b) OFI cannot safely use the Property to renovate, operate, maintain, repair, or improve the Billboard because of a non-remediable condition, and OFI did not cause the condition.

(c) There is a material diversion of traffic from, or a material reduction or change in the directional flow of traffic on, the portion of U.S. 101 adjacent to the Property, and the diversion or disruption continues uninterrupted for at least six (6) consecutive months.

(d) Through no fault of its own, OFI cannot obtain or maintain the governmental permits required to construct, operate, maintain, and repair the Billboard, including the Caltrans Permits and City permits, or there is a legal challenge to such permits and approvals, including, but not limited to, any challenges under CEQA, and OFI elects, in its sole discretion, not to oppose such challenges, OFI may withdraw its applications for approval and terminate this Agreement.

(e) Use of the Billboard for its intended purpose is prevented or limited by law, or OFI is required by any court or other governmental entity, for reasons other than eminent domain, to remove the Billboard from the Property.

(f) The City is in default of this Agreement, and said default is not timely cured.

13.8 Consequential and Punitive Damages. Anything in this Agreement to the contrary notwithstanding, neither City nor OFI shall be liable to each other under or in connection with this Agreement for any consequential or punitive damages and each party

waives, to the full extent permitted by applicable laws, any claim for consequential or punitive damages, and any claim for loss of business or profits.

14. **Insurance.**

14.1 **Types of Policies.** During the Initial Term and, if OFI is removing the Billboard, during OFI's removal of the Billboard, at no cost to City except as otherwise contemplated by this Agreement, OFI shall procure and maintain the forms and amounts of insurance covering OFI's possession and use of the Property set forth below ("OFI's Insurance"). OFI's Insurance shall be primary to and not contributing with any other insurance, self-insurance or joint self-insurance maintained by City, and shall name the City as an additional insured.

14.2 **Commercial General Liability Insurance.** A policy of commercial general liability insurance (occurrence form) having a limit of Two Million Dollars (\$2,000,000) per occurrence and Four Million Dollars (\$4,000,000) annual aggregate, providing coverage for blanket contractual liability (including OFI's indemnification obligations under this Agreement), products and completed operations liability, broad form property damage, and bodily injury (including wrongful death) and advertising injury coverage.

14.3 **Workers' Compensation and Employer's Liability Insurance.** Workers' compensation insurance, if required by law, which complies with all applicable state statutes and regulatory requirements, and employer's liability insurance coverage in statutory amounts. OFI shall also require any contractor utilized to perform any services or work at the Property pursuant to this Agreement to maintain such workers' compensation insurance and provide proof of such insurance prior to commencing any services or work at the Property.

14.4 **Other Insurance.** Any other form or forms of insurance as City may reasonably require from time to time, in form, amounts and for insurance risks against which a prudent OFI would protect itself, but only to the extent such risks and amounts are available in the insurance market at commercially reasonable costs.

15. **City's Right to Enter and Inspect the Property.** City and its authorized representatives will have the right to enter upon and inspect the Property at reasonable times (and on no less than forty-eight (48) hours' notice) to determine OFI's compliance with this Agreement.

16. **Notification of Incidents.** OFI shall endeavor to notify City within forty-eight (48) hours after OFI has actual knowledge of the occurrence of any accident or event on or about the Billboard, the Property, any portion thereof, or any improvements thereon and which OFI actually determines could give rise to a claim against City, City's insurance, OFI, or OFI's Insurance, except that OFI will not be so obligated with respect to any accident or event which could give rise to a claim under OFI's workers' compensation insurance. OFI's notice shall be accompanied by a copy of any report(s) relating to such accident or event.

17. **Nonexclusive Easements.** The City reserves the right for itself and others in the future to establish nonexclusive utility easements (including easements for construction, maintenance, repair, replacement and reconstruction) over, under, through or on the Property in

locations that will not interfere with OFI's use of the Property as contemplated by this Agreement. Under no circumstances shall the City permit the construction of any improvement on the Property, or adjacent City-owned properties, that will obstruct views of the Billboard from US 101. OFI will not be required to maintain or repair the utility easements unless OFI has caused the need to repair.

18. **Expiration of Agreement; Holding Over.** This Agreement will expire at the end of the Initial Term. If OFI holds over on the Property after the expiration of the Initial Term with the consent of City, such holding over will be construed to be only a tenancy from month to month, subject to all the covenants, conditions and obligations contained in this Agreement that applied at the expiration of the Initial Term. If OFI does hold over on the Property after the Initial Term, then OFI agrees to pay City as monthly rental an amount which is equal to 1/12th of the annual Rent paid by OFI to City during the last year of the Initial Term.

19. **Condition of Property.** The Property and all improvements thereon, are being leased to OFI in its current, existing, "AS IS" condition. City makes no representations or warranties of any kind, express or implied, written or oral, about any of the following: the physical condition of the Property; the suitability of the Property for OFI's anticipated use; any limitations on OFI's use of the Property; the costs of conducting OFI's business on the Property; or the condition of the soils or ground waters of the Property. By taking possession of the Property, OFI accepts the Property "AS IS" and acknowledges that the Property are satisfactory for OFI's purposes. OFI has ascertained the condition of the Property through its own independent investigation and has relied solely on that independent investigation when entering into this Agreement.

20. **Permitted Uses.** Subject to any City Usage, OFI has the exclusive right to display an Off-site Outdoor Advertising Sign on the Property consistent with **Exhibit C**. City will not authorize any other Off-site Outdoor Advertising Signs on the Property. OFI's right to construct an Off-site Outdoor Advertising Sign on the Property includes the right to the following uses: constructing, operating, maintaining, and repairing, the Billboard, and any utilities installed in connection with the Billboard; installing and maintaining utility wires, poles, cables, conduits, and pipes over or under the Property from the nearest accessible public right-of-way that support the permitted operations of the Billboard; and all rights of ingress and egress over the Property that OFI needs to access the Billboard. Subject to the City's sole and absolute discretion as property owner, as well as the regulator through any generally applicable permit process, OFI may sublease the Property for telecommunications facilities on the Billboard with the written approval of the City and with any such revenue considered part of Annual Net Revenues. Such telecommunications facilities shall be "stealth;" not affect the aesthetic or structural integrity of the Billboard in the City's discretion.

21. **Prohibited Uses.** Hazardous Substances. Neither OFI nor any of OFI's representatives or agents may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials anywhere in, on, under or about the Property, the Billboard, or any improvements thereon. Notwithstanding the foregoing, OFI may use, handle, store, transport, treat, generate, release or dispose of any Hazardous Materials in such limited amounts as are customarily used to construct, operate, maintain, or repair the Billboard in accordance with this Agreement, and so long as OFI is at all times in full compliance with all applicable

environmental laws. OFI shall cause any and all Hazardous Materials brought onto, used, generated, handled, treated, stored, released or discharged by OFI or its authorized representatives on or under the Billboard, the Property, or any improvements thereon to be removed therefrom and transported for disposal in accordance with applicable laws, including Hazardous Materials Laws. City will have the right to enter the Property, or any improvements thereon, from time to time to conduct tests, inspections and surveys concerning Hazardous Materials and to monitor OFI's compliance with its obligations concerning Hazardous Materials and Hazardous Materials Laws (the City agrees that all such testing, inspections, surveys and monitoring will be at the City's expense unless the results of such testing, inspections, surveys or monitoring demonstrate that, with respect to OFI's use, handling, storage, transportation, treatment, generation, release or disposal of Hazardous Materials in, on, under or about the Property, the Billboard, or any improvements thereon, OFI has violated its obligations contained in this Section. OFI shall promptly notify City in writing upon its actual knowledge of: (a) any release or discharge of any Hazardous Material by OFI or its authorized representatives; (b) any voluntary clean-up or removal action instituted or proposed by OFI, (c) any enforcement, clean-up, removal or other governmental or regulatory action instituted or threatened against OFI, or (d) any claim made or threatened by any person against OFI, the Billboard, the Property, or any improvements thereon relating to Hazardous Materials or Hazardous Materials Laws. OFI shall also supply to City as promptly as possible, and in any event within five (5) business days after OFI receives or sends same, copies of all claims, reports, complaints, notices, warnings or asserted violations relating in any way to the Billboard, the Property, any portion thereof, or any improvements thereon or OFI's use thereof and concerning Hazardous Materials or Hazardous Materials Laws. In the event OFI institutes a cleanup or removal action, OFI shall provide copies of all work plans and subsequent reports submitted to the governmental agency with jurisdiction to City in a timely manner.

22. **Unlawful Activities.** OFI may not use or permit the Property to be used in any way that violates this Agreement or any valid and applicable statute, ordinance, regulation, rule, or order of any federal, state, or local governmental entity (including City). OFI may not maintain or commit, or permit the maintenance or commission of, any public or private nuisance as defined by any law applicable to the Property. OFI hereby waives any rights to compensation it may have if a court finds that the Billboard constitutes a public or private nuisance under any valid and applicable federal, state, or local law and for that reason orders OFI to remove or modify the Billboard.

23. **Encumbrances.** OFI may not encumber the Property or any part of the Property or the Billboard or any part of the Billboard, for any purpose, without City's prior written consent, which City may withhold for any reason. OFI shall keep the Property and the Billboard free of all liens and other encumbrances other than those, if any, to which City consents.

24. **Construction and Operation of Billboard.** Subject to any required permits and approvals, OFI shall construct, operate, maintain and repair the Billboard on the Property in accordance with the provisions of this Agreement. Upon completion of the Billboard, OFI shall provide City with a complete set of as-built drawings.

25. **Permitting Costs.** OFI will bear the costs associated with obtaining the Caltrans Permits and costs related to all other permitting and entitlements which are required for the

construction and operation of the Billboard, including obtaining any Project Approvals (as defined in Section 1.18), for the construction, operation, maintenance, and repair of the Billboard and the Property and any environmental review of the Property.

26. **Plans and Specifications.** At no cost to City, OFI shall prepare complete plans and specifications for the construction of the Billboard consistent with **Exhibit C** to this Agreement, working closely with City to develop plans and specifications that are mutually acceptable (the “Plans”). OFI shall submit the Plans to City for final approval, which City will not unreasonably withhold, condition or delay. The Billboard shall be designed to comply with all applicable state, county, and City codes and regulations.

27. **Caltrans Permits.** OFI is responsible for ensuring that the Billboard complies with all requirements of California’s Outdoor Advertising Act and Regulations if Caltrans determines that the Property fall within the scope of such law. As soon as practicable after the Effective Date, OFI shall apply for the Caltrans Permits, or, if necessary, engage in discussions with Caltrans to negotiate a Billboard Relocation Agreement that is mutually agreeable to both OFI and Caltrans which will permit OFI to seek all Caltrans Permits required in connection with the construction and operation of the Billboard contemplated by this Agreement. OFI agrees that upon request by the City, OFI will provide updates and any reasonably requested documentation relating to the negotiations with Caltrans for the Caltrans Permits and any status on the issuance of the Caltrans Permits. During the Initial Term, OFI shall perform all obligations under the Caltrans Permits at no cost to City. OFI shall have twelve (12) months from the Effective Date to obtain the Caltrans Permits, which period shall be subject to the three (3) year tolling period provided in Sections 3 and 4 in the event of a third party lawsuit, initiative, or referendum. If OFI has not received the Caltrans Permits at the end of such twelve (12) month period in addition to any tolling period as provided in Sections 3 and 4, and provided that OFI has diligently pursued the Caltrans Permits, City must provide OFI an extension of an additional six (6) months to obtain the Caltrans Permits. If, following such additional six (6) month extension period, OFI is still unable to obtain the Caltrans Permits, either the City or OFI can agree to another extension of time or terminate this Agreement.

28. **[Reserved]**

29. **Construction.** OFI shall begin design process and permitting process for the Billboard as soon as practicable after the Effective Date and shall diligently pursue construction to completion without unnecessary interruption so that the Billboard is Operational by the date established in Section 13.1(d). OFI will be excused, however, for any delays in beginning or completing construction that are caused by a Force Majeure Event, as defined in Section 33. OFI shall use reasonable diligence to avoid such delays and to resume work as promptly as possible after such a delay.

30. **Prevailing Wages.** The parties agree that any “construction, alteration, demolition, installation, or repair work” (“Improvement Work”) shall comply with applicable prevailing wage policies as set forth in California Labor Code section 1720 et seq., any applicable federal law and applicable regulations thereto (“Prevailing Wage Laws”). OFI shall defend, indemnify and hold harmless City and its officers, officials, employees, volunteers and

agents from any claims arising out of or in any way connected to OFI's obligations regarding compliance with Prevailing Wage Laws.

31. **Maintenance.** OFI shall be responsible for all the on-going repair, maintenance, installation, and operation costs of the Billboard, and related improvements on the Property at no cost to the City. OFI shall also be responsible for the prompt removal of any graffiti from the Billboard within forty-eight (48) hours of receiving notice of the graffiti.

32. **Damage or Destruction to the Billboard.** This Agreement will continue in full effect if the Billboard is substantially damaged or destroyed in whole or part by any cause whether or not covered by the fire-and-casualty insurance OFI maintains, subject to the following:

32.1 The Rent thereafter due under this Agreement will abate from the date of the casualty until the repair or replacement of the Billboard is completed.

32.2 The City and OFI will mutually agree upon the repair or replacement of the Billboard, which such repair or replacement will use any proceeds of insurance maintained by the City or otherwise at the expense of the City. In connection with any election to repair the casualty, OFI and the City will promptly apply for, and diligently pursue the issuance of, any permits or approvals needed to repair or replace the Billboard. Within thirty (30) days after obtaining the necessary permits and approvals, the party which will perform such repair or replacement will begin work to repair or replace the Billboard and diligently pursue the completion thereof.

32.3 In the event of any damage or destruction which is covered by insurance, the City will promptly make proof of loss and proceed promptly to collect, or cause to be collected, all valid claims which the City may have against insurers or others based upon any such damage or destruction. Except as otherwise provided above, amounts received on account of any losses pursuant to insurance policies shall be used and expended for the purpose of fully repairing or reconstructing the portions of the Billboard which has been destroyed or damaged.

32.4 Notwithstanding anything herein to the contrary, if (a) the cost to repair or replace the damage or destruction of the Billboard exceeds 50% of its fair-market value immediately before it is damaged or destroyed; and (b) the damage or destruction occurs during the last five (5) years of the Initial Term, then the City may terminate this Agreement upon written notice to OFI without penalty.

33. **Force Majeure** As used in this Agreement "Force Majeure Events" and "Pandemic Events" have the following meaning:

33.1 "Force Majeure Events" mean, collectively: (1) governmental preemption or governmental shutdowns of business in connection with a national emergency, (2) work stoppages or other delays due to pandemics or other unforeseen circumstances, (3) conditions that prevent or delay construction and which are affected by war, pandemic, civil unrest or other international, national, state or municipal emergency or other cause, (4) act of

God, (5) Pandemic Events (as hereinafter defined) or (6) any other cause, similar or dissimilar, beyond the reasonable control of either party; and

33.2 **“Pandemic Events”** shall mean (1) governmental shutdowns of business in Ventura County in connection with the occurrence of a pandemic or other public health emergency, or (2) the issuance of “shelter-in-place” orders affecting Ventura County by one or more governmental authorities due to the occurrence of a pandemic or other public health emergency.

34. **Utilities.** At no cost to City, OFI shall provide and pay for all utility connections, utility equipment, and utility service required to construct, operate, maintain, repair, improve, or reposition the Billboard throughout the Initial Term (provided that City will pay for all such costs and expenses in connection with the construction and operation of the City’s Telecommunication Facilities, if applicable). OFI shall coordinate with City and the applicable utility companies for utility tie-ins and electrical power sources that OFI may need to construct and operate the Billboard.

35. **Removal of Billboard.** OFI shall be responsible for the removal of the Billboard, and other improvements from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), at the expiration of the Initial Term of this Agreement, unless the City waives OFI’s removal obligation in writing. In the event this Agreement is otherwise terminated or cancelled prior to the expiration of the Initial Term, OFI shall remove the Billboard and other improvements installed by OFI from the Property and restore the Property to its condition immediately prior to the date that City delivered control of the Property to OFI (reasonable wear and tear, damage or destruction by the acts of God beyond the control of OFI, and damage caused by parties other than OFI (and its employees and contractors) excepted), unless the City waives OFI’s removal obligation in writing. Notwithstanding the above, OFI shall not be required to remove those portions of the Billboard and other improvements made by OFI on the Property that are more than eighteen (18) inches below grade. OFI shall cause the removal as required under this Section within thirty (30) days from the end of the Initial Term or from the date of early termination, whichever the case may be. If OFI does not timely remove the Billboard and other improvements as required by this Section, City may, but shall not be required to, remove or cause the removal of the Billboard and other improvements on the Property at OFI’s expense. OFI shall reimburse City within thirty (30) days of receipt of an itemized accounting of the cost for such removal and the restoration of the Property to its state immediately prior to the installation of the Billboard. City and OFI acknowledge and agree that OFI and its assigns shall be the exclusive owner and operator of the Billboard, and that all equipment comprising the Billboard shall remain the personal property of OFI and its assigns and shall not become fixtures of the Property. City shall have no right, title or interest in the Billboard or any component of the Billboard, notwithstanding the manner in which the Billboard is or may be physically attached, mounted or adhered to the Property.

36. **Taxes.** OFI shall pay without abatement, deduction, or offset any income taxes or possessory interest taxes levied on or assessed against the Billboard located on the Property, OFI’s equipment, fixtures, and personal property located on or in the Property, which are directly

attributable to this Agreement or OFI's use of the Property, whether belonging, owned, or chargeable against the City. OFI shall make all such payments directly to the charging authority prior to delinquency and before any fine, interest, or penalty becomes due or is imposed for OFI's non-payment. Following prior request by City, OFI shall provide City with proof of payment of such tax.

37. **Compliance Review.**

37.1 **Periodic Review.** Pursuant to Government Code section 65865.1, the City Manager shall, not less than once in every twelve (12) months, review the Project and this Agreement to ascertain whether or not OFI is in full compliance with the terms of this Agreement (the "Periodic Review").

37.2 **Review Procedure.** During a Periodic Review, OFI shall provide information reasonably requested by the City Manager that the Project is being developed in good faith compliance with the terms of this Agreement. Upon completion of a Periodic Review, the City Manager shall submit a report to the City Council setting forth the City Manager's findings. If, as a result of a Periodic Review, the City Council finds and determines on the basis of substantial evidence that OFI has not complied in good faith with the terms or conditions of this Agreement, the City shall issue a written "Notice of Noncompliance" to OFI specifying the grounds therefore and all facts demonstrating such noncompliance. OFI's failure to cure the alleged non-compliance within ninety (90) days after receipt of the notice, or, if such noncompliance is not capable of being cured within ninety (90) days, OFI's failure to initiate all actions required to cure such noncompliance within ninety (90) days after receipt of the notice, shall constitute a default under this Agreement on the part of OFI and shall constitute grounds for the termination of this Agreement by the City as provided for below.

37.3 **Termination or Modification for Non-Compliance.** Pursuant to Government Code Section 65865.1, if the City Council finds and determines, on the basis of substantial evidence, that OFI has not complied in good faith with the terms or conditions of this Agreement, the City Council may modify or terminate this Agreement. Any action by the City with respect to the termination or modification of this Agreement shall comply with the notice and public hearing requirements of Government Code section 65865.1 in addition to any other notice required by law. Additionally, the City shall give OFI written notice of its intention to terminate or modify this Agreement and shall grant OFI a reasonable opportunity to be heard on the matter and to oppose such termination or modification by the City.

37.4 **Modification. Amendment or Cancellation by Mutual Consent.** Pursuant to Government Code section 65868, this Agreement may be amended or canceled, in whole or in part, by mutual written consent of the City and OFI or their successors in interest. Public notice of the parties' intention to amend or cancel any portion of this Agreement shall be given in the manner provided by Government Code section 65867. Any amendment to the Agreement shall be subject to the provisions of Government Code section 65867.5.

37.5 **Inurement and Assignment.** This Agreement shall inure to the benefit of and bind the successors and assigns of the City and OFI and may be assigned by either the City or OFI to any party or parties pursuant to the requirements of this Section. The specific rights

and obligations of this Agreement shall be deemed covenants running with the land that concern and affect the Property. Prior to OFI's assignment of any rights, duties or obligations under this Agreement, OFI shall present such information to the City as will reasonably demonstrate to the City's satisfaction that the proposed assignee (the "**Assignee**") has the financial ability and experience to fulfill those specific rights, duties and obligations under the Agreement that the Assignee will assume. The City shall have the right to approve the proposed Assignee, provided that the City's approval may not be unreasonably withheld. Because this Agreement is a statutory Development Agreement, if City staff determine that they can recommend approval of the proposed Assignee, a public hearing before the Planning Commission and City Council will be necessary to approve the proposed amendment to this Agreement. If the City does not approve the Assignee, the City shall deliver notice to OFI of the reasons for the City's disapproval of the Assignee. Once such approved assignment or succession has occurred and the Assignee has agreed to accept the applicable obligations under this Agreement, OFI shall be released from its obligations under this Agreement assumed by the Assignee with respect to the Property, or portion thereof, so transferred. Notwithstanding anything herein to the contrary, OFI shall not be required to obtain the City's written consent prior to effecting a transfer of all or a portion of OFI's interests to OFI member agencies Foster Interstate, LLC and Outfront Media, LLC.

38. **Monetary Damages.** OFI and the City acknowledge that neither the City nor OFI would have entered into this Agreement if either were liable for monetary damages under or with respect to this Agreement or the application thereof. Both the City and OFI agree and recognize that, as a practical matter, it may not be possible to determine an amount of monetary damages which would adequately compensate OFI for its investment of time and financial resources in planning to arrive at the kind, location, intensity of use, and improvements for the Project, nor to calculate the consideration the City would require to enter into this Agreement to justify such exposure. Therefore, the City and OFI agree that neither shall be liable for monetary damages under or with respect to this Agreement or the application thereof and the City and OFI covenant not to sue for or claim any monetary damages for the breach of any provision of this Agreement. This foregoing waiver shall not be deemed to apply to any fees, payments, reimbursements or other monetary amounts specifically required to be paid by OFI to the City pursuant to this Agreement.

39. **Specific Performance.** OFI has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement and it is not possible to determine the amount of monetary damages that would adequately compensate OFI for such efforts. Damages would not be an adequate remedy if City fails to carry out its obligations under this Agreement, and that OFI shall have the right to seek and obtain specific performance as a remedy for any breach of this Agreement. The City's remedy to terminate or amend this Agreement in the event of OFI's uncured breach shall be sufficient in most circumstances.

40. **Administration of Agreement and Resolution of Disputes.** OFI shall at all times have the right to appeal to the City Council any decision or determination made by any employee, agent or other representative of the City concerning the Project or the interpretation and administration of this Agreement. All City Council decisions or determinations regarding

the Project or the administration of this Agreement shall also be subject to judicial review pursuant to Code of Civil Procedure section 1094.5, provided that, pursuant to Code of Civil Procedure section 1094.6, any such action must be filed in a court of competent jurisdiction not later than ninety (90) days after the date on which the City Council's decision becomes final.

41. **Recordation of this Agreement.** Pursuant to Government Code section 65868.5, the City Clerk shall record a copy of this Agreement in the Official Records of Ventura County within ten (10) days after the mutual execution of this Agreement.

42. **Constructive Notice and Acceptance.** Every person or entity who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is, and shall be, conclusively deemed to have consented and agreed to every provision contained herein, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Property.

43. **No Third-Party Beneficiaries.** This Agreement is made and entered into for the sole protection and benefit of the City, OFI and their respective successors and assigns. No other person or entity shall have any right of action based upon any provision of this Agreement.

44. **Miscellaneous.**

44.1 **Notices.** All notices, requests, demands, and other communications required or permitted under this Agreement shall be in writing and shall be (as elected by the person giving such notice) (i) hand delivered by messenger or courier service, (ii) by overnight delivery (including Federal Express), or (iii) by United States mail (postage prepaid), registered or certified, return receipt requested, addressed to the addresses set forth below. Each notice shall be deemed delivered (1) on the date delivered if by personal delivery, (2) on the date of delivery by the overnight delivery service if by overnight delivery, or (3) seventy-two (72) hours after deposit in the United States mail (postage prepaid) if by registered or certified mail. By giving to the other parties at least fifteen (15) days' written notice, the parties to this Agreement and their respective successors and assigns shall have the right from time to time and at any time during the term of this Agreement to change their respective addresses and each shall have the right to specify as its address any other address.

If to City: City of Oxnard
300 West Third Street
Oxnard, California 93030
Attention: City Manager

with a copy to: City of Oxnard
214 South C Street
Oxnard, California 93030
Attention: Community Development Director
Tel. No.: (805) 385 7877
Fax No.: (805) 385 7854

with a copy to: City of Oxnard
300 West Third Street
Oxnard, California 93030
Attention: City Attorney

If to OFI: Outfront Foster Interstate LLC
1111 Broadway, Suite 1515
Oakland, CA 94607
Attn: John B. Foster, President
Fax: (415) 832-7080

with a copy to: Outfront Media LLC
405 Lexington Avenue, 17th Floor
New York, NY 10174
Attn: General Counsel

with a copy to: Miller Starr Regalia
1331 North California Boulevard, Fifth Floor
Walnut Creek, CA 94596
Attn: Anthony Leones
Tel: (925) 941-3261
Fax: (925) 933-4126
Email: tony.leones@msrlegal.com

with a copy to: Wendel Rosen LLP
1111 Broadway, 24th Floor
Oakland, CA 94607
Attn: Matt Dambrov
Tel: (510) 834-6600
Fax: (510) 834-1928
Email: mdambrov@wendel.com

44.2 Severability. If any part of this Agreement is declared invalid for any reason, such invalidity shall not affect the validity of the remainder of the Agreement. The other parts of this Agreement shall remain in effect as if this Agreement had been executed without the invalid part. The City and OFI intend and desire that the remaining parts of this Agreement continue to be effective without any part or parts that have been declared invalid.

44.3 Entire Agreement; Conflicts. This Agreement represents the entire agreement between the City and OFI with respect to the subject matter hereof and supersedes all prior agreements and understandings, whether oral or written, between the City and OFI with respect to the matters contained in this Agreement. Should any or all of the provisions of this Agreement be found to be in conflict with any other provision or provisions found in the Applicable Rules or the Subsequent Applicable Rules, then the provisions of this Agreement shall govern and prevail.

44.4 Further Assurances. The City and OFI agree to perform, from time to time, such further acts and to execute and deliver such further instruments reasonably necessary to effect the intents and purposes of this Agreement, provided that the intended obligations of the City and OFI are not thereby modified.

44.5 Negation of Agency. The City and OFI acknowledge that, in entering into and performing under this Agreement, each is acting as an independent entity and not as an agent of the other in any respect. Nothing contained herein or in any document executed in connection herewith shall be construed as making the City and OFI joint venturers, partners or employer/employee.

44.6 Attorneys' Fees. In the event of any claim, dispute or controversy arising out of or relating to this Agreement, including an action for declaratory relief, the prevailing party in such action or proceeding shall be entitled to recover its court costs and reasonable out of pocket expenses not limited to taxable costs, including, but not limited to telephone calls, photocopies, expert witness, travel, and reasonable attorneys' fees and costs to be fixed by the court. Such recovery shall include, but not limited to, court costs, out of pocket expenses and attorneys' fees on appeal, if any. The court shall determine who is the "prevailing party," whether or not the dispute or controversy proceeds to final judgment. If the City or OFI is reasonably required to incur such out of pocket expenses and attorneys' fees as a result of any claim arising out of or concerning this Agreement or any right or obligation derived hereunder, then the prevailing party shall be entitled to recover such reasonable out of pocket expenses and attorneys' fees whether or not an action is filed.

44.7 Waiver. No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought.

44.8 Estoppel Certificates. Within thirty (30) days following the receipt by City of a written request by OFI, the City shall execute and deliver to the requesting OFI a statement (an "estoppel certificate") certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the City alleges that specified (date and nature) defaults exist. The estoppel certificate shall also provide any other reasonable information requested. The failure to timely deliver a requested estoppel certificate shall constitute a conclusive presumption that this Agreement is in full force and effect without modification, except as may be represented by the requesting OFI, and that there are no uncured defaults in the performance of the requesting OFI, except as may be represented by the requesting OFI. The requesting OFI shall pay to City all reasonable administrative costs incurred by City in connection with the issuance of estoppel certificates under this Section prior to City's issuance of such certificates. Any such certificate may be and is intended to be relied upon by any person, including, but not limited to, the other Party, potential purchasers or lessees of all or any part of the Property, lenders or potential lenders.

44.9 Section Headings. The section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.

44.10 Relationship of the Parties; Not Third-Party Beneficiaries. This Agreement does not create any relationship or association between City and OFI other than that of landlord and tenant, and it is expressly understood and agreed that City does not in any way nor for any purpose become a partner of OFI or a joint venturer with OFI in the conduct of OFI's business or otherwise; nor does this Agreement create between City and OFI the relationship of principal and agent. The parties do not intend to create any third-party beneficiaries to the Agreement.

44.11 Time of Essence. Time is of the essence of this Agreement, and all performances required hereunder shall be completed within the time periods specified. Any failure of performance shall be deemed as a material breach of this Agreement.

44.12 Counterparts. This Agreement and any modifications hereto may be executed in any number of counterparts with the same force and effect as if executed in the form of a single document.

45. Indemnification.

45.1 Definitions. For the purposes of this Section, the following definitions will apply:

(a) "Person" is to be interpreted broadly and includes OFI and OFI's directors, officers, employees, contractors, and agents; and City and City's elected officials, officers, employees, contractors, and agents.

(b) "Liabilities" means all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through final resolution on appeal) that arise directly or indirectly from OFI's possession or use of the Property.

(c) "Occurrence" means (A) the death of, or injury to, any person; and (B) damage to, or destruction of, any real property, personal property (including intellectual property), or the environment (broadly interpreted to include the air, soil, soil vapor, surface water, groundwater, flora, and fauna on or about the Property).

45.2 General Indemnity. Except to the extent claims are caused by the negligence or willful misconduct of the City and its employees, agents and contractors, and not waived by OFI, OFI shall indemnify, protect, defend, and hold harmless City and its elected officials, officers, employees, volunteers, lenders, agents, and representatives and each of their successors and assigns from and against any and all third party claims, judgments, causes of action, damages, penalties, costs, liabilities, and expenses, including all reasonable out-of-pocket costs, attorneys' fees, expenses and liabilities incurred in the defense of any such claim or any action or proceeding brought thereon, arising at any time during or after the Initial Term as a result (directly or indirectly) of or in connection with (a) any OFI default under this Agreement (including in the performance or non-performance of any obligation on OFI's part to be

performed under the terms of this Agreement); (b) OFI's performance of the design and construction of the Billboard; (c) OFI's or OFI's representatives or agents use of the Property, the Billboard, any portion thereof, or any improvements thereon, the conduct of OFI's business or any activity, work or thing done, permitted or suffered by OFI or its representatives or agents in or about the Property or any portion thereof, or any improvements thereon, except that with regard to the presence of Hazardous Materials, the Property or any improvements thereon, OFI will not be responsible for conditions that existed prior to the date that City delivers exclusive control of the Property to OFI and, whether prior to the Effective Date or not, were not caused by OFI or its authorized representatives; and (d) any negligent or willful act, error or omission of OFI or its representatives or agents in or about the Billboard, any portion thereof, or any improvements thereon (collectively, "Indemnification"). OFI shall provide such Indemnification by and through counsel reasonably approved by City. Without limiting the foregoing, OFI's obligation under this Section includes Liabilities arising from any of the following:

(a) Any Occurrence that is caused by, or related in any way to, a verbal or nonverbal display on the Billboard.

(b) OFI's failure to perform any provision of this Agreement due to no fault of City, to comply with any requirement of law applicable to OFI, or to fulfill any requirement imposed by any governmental entity (including City when acting as a government) on OFI or on OFI's use of the Property.

(c) Any claim that OFI's policies with respect to the allocation of advertising time violate any person's or persons' First Amendment rights.

(d) Any Occurrence caused or allegedly caused by (i) any condition of the Property created by OFI or by any Person on the Property with OFI's permission; or (ii) some act or omission on the Property by OFI or by any Person on the Property with OFI's permission.

OFI agrees that its obligation under this Section includes the reasonable costs of attorney fees incurred by City's City Attorney's Office to monitor and consult with OFI regarding the defense of any such Liabilities, including providing direction with regard to strategy, preparation of pleadings, settlement discussions, and attendance at court hearings, mediations, or other litigation related appearances. City will use its best efforts to avoid duplicative attorney work or appearances in order to keep litigation costs to a reasonable minimum. OFI further acknowledges and agrees that settlement of any Liabilities requires the consent of City. City agrees that its consent will not be unreasonably withheld provided that OFI is financially able (based on demonstrated assets) to fulfill its obligation to indemnify City for the costs of any such settlement as required under this Agreement

45.3 Hazardous Materials. Except to the extent caused by City's negligence or willful misconduct, caused by a third party or with regard to the presence of Hazardous Materials on the Property as of the date City delivers exclusive control of the Property to OFI, OFI shall indemnify, defend and hold City harmless from any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses (including attorneys' fees and expenses and consultant fees and expenses) caused or alleged to have been caused by OFI's use,

storage, handling, treatment, generation, discharge or release of Hazardous Materials in violation of OFI's obligations under this Agreement, whether such claims, causes of action or liabilities are first asserted during the Initial Term or thereafter, and including claims made against City with respect to bodily injury, death or property damage sustained by third parties caused or alleged to have been caused by OFI's use, storage, handling, treatment, generation, discharge or release of Hazardous Materials. For the purposes of clarification, the indemnity contained in this Section will be the sole indemnity OFI provides to the City with respect to Hazardous Materials and (b) OFI will not be responsible for nor indemnifies the City for any claims, causes of action, liabilities, losses, damages, injunctions, suits, fines, penalties, costs or expenses with respect to Hazardous Materials which do not directly result from OFI's use, storage, handling, treatment, generation, discharge or of Hazardous Materials in violation of OFI's obligations under this Agreement.

45.4 Survival. Each party's obligations under this Agreement will survive expiration or termination of this Agreement for a period of three (3) years following termination.

45.5 Reference of California Law. Unless expressly stated to the contrary, all references to statutes herein are to the California codes.

45.6 Interpretation of Agreement. The language in all parts of this Agreement shall in all cases be construed simply, as a whole and in accordance with its fair meaning and not strictly for or against any party. City and OFI acknowledge and agree that this Agreement has been prepared jointly by City and OFI and has been the subject of arm's length and careful negotiation over a considerable period of time, that each party has been given the opportunity to independently review this Agreement with legal counsel, and that each party has the requisite experience and sophistication to understand, interpret, and agree to the particular language of the provisions hereof. Accordingly, in the event of an ambiguity in or dispute regarding the interpretation of this Agreement, this Agreement shall not be interpreted or construed against the party preparing it, and instead other rules of interpretation and construction shall be utilized.

45.7 Institution of Legal Actions. In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy consistent with the purpose of this Agreement. Such legal actions must be instituted in the Superior Court of the County of Ventura, State of California or in the United States District Court for the Central District of California.

45.8 No Relocation Benefits. It is agreed that nothing contained in this Agreement shall give OFI any right to occupy the Property at any time after the expiration of the term of this Agreement or its termination. OFI agrees that, upon the expiration or termination of this Agreement, OFI's use of the Property for the location of a Billboard or this Agreement shall not entitle OFI to any relocation benefits from the City pursuant to any federal, state or local law and waives any such claim against the City.

IN WITNESS WHEREOF, the City and OFI hereto have each executed this Agreement as of the date first written above.

CITY:

CITY OF OXNARD, a California municipal corporation

By: _____
Mayor

ATTEST:

Rose Chaparro, City Clerk

APPROVED AS TO FORM:

Stephen Fischer, City Attorney

OUTFRONT FOSTER INTERSTATE LLC

By Its Members:

FOSTER INTERSTATE LLC

By: _____

Print Name: John B. Foster

Title: Manager

OUTFRONT MEDIA, LLC

By: _____

Print Name: _____

Title: _____

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO ENA

City-owned property and right-of-way on the north side of U.S. Highway 101 between Santa Clara River and Rose Avenue.

EXHIBIT "B"

LEGAL DESCRIPTION OF PROPERTY

B
EXHIBIT "A"

DESCRIPTION

A VARIABLE WIDTH LEASE AREA FOR ALL THAT PORTION OF LAND IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, BEING A PORTION OF PROPERTY AS DESCRIBED IN THE RELINQUISHMENT TO THE COUNTY OF VENTURA, AS RECORDED IN BOOK 1518, AT PAGES 81 THROUGH 84 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDS, AND PER THE EFFECT OF ORDINANCE NO. 746, ANNEXATION 61-11, ADOPTED FEBRUARY 20, 1962, PURPORTEDLY TO BECOME EFFECTIVE MARCH 22, 1962, PURPORTING TO ANNEX THE SUBJECT LAND INTO THE CITY OF OXNARD, STATE OF CALIFORNIA, PURSUANT TO THE TERMS COVENANTS, CONDITIONS AND PROVISIONS CONTAINED THEREIN, THE LEASE AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY TERMINUS OF A TANGENT LINE BEARING NORTH 82°02'39" EAST, HAVING A DISTANCE OF 245.42 FEET, ALSO BEING THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 780.00 FEET, AS SHOWN ON TRACT NO. 4434, RECORDED IN MAP BOOK 114, PAGES 62 THROUGH 66, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE LEAVING SAID TANGENT LINE, SOUTH 59°48'46" WEST, A DISTANCE OF 851.86 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,054.96 FEET AND A RADIAL LINE BEARING NORTH 52°46'55" WEST, SAID BEGINNING OF CURVE BEING THE **POINT OF BEGINNING**; THENCE, SOUTHWESTERLY ALONG SAID CURVATURE,

1. THROUGH A CENTRAL ANGLE OF 03°04'15", AN ARC DISTANCE OF 56.54 FEET; THENCE,
2. NORTH 66°28'23" WEST, A DISTANCE OF 25.28 FEET, TO THE NORTHWESTERLY LINE OF RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81 OF OFFICIAL RECORDS OF SAID COUNTY RECORDER, BEING A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 140.00 FEET AND A RADIAL LINE TO SAID CURVATURE BEARING NORTH 57°26'00" WEST; THENCE NORTHEASTERLY ALONG SAID CURVATURE,
3. THROUGH A CENTRAL ANGLE OF 24°31'24", AN ARC DISTANCE OF 59.92 FEET, TO THE INTERSECTION WITH A LINE BEARING NORTH 65°58'23" WEST FROM THE POINT OF BEGINNING; THENCE, ALONG SAID LINE,
4. SOUTH 65°58'23" EAST, A DISTANCE OF 15.59 FEET, TO THE POINT OF BEGINNING.

ALL AS SHOWN ON EXHIBIT "B", AND BY REFERENCE HEREIN, MADE A PART HEREOF.

Chris Nelson

CHRIS NELSON, PLS 6385

DATED: JUNE 14, 2021



LEASE AREA
1,244.5 ± SQ. FT

EXHIBIT 'B'



SCALE: 1" = 10'



DATED: 06/09/2021

POINT OF COMMENCEMENT
BEGINNING CURVE
 $\Delta=30^{\circ}07'01''$ $R=780.00'$
 $T=209.85'$ $L=410.00'$
TO BEGINNING CURVE PER TRACT
NO. 4334, M.B. 114, PAGES 62-66
 $N82^{\circ}02'39''E$ 245.42'
CENTERLINE PER TRACT NO.
4334, M.B. 114, PAGES 62-66
E/L VARIES

NORTH VENTURA ROAD

IDENTICAL

POINT OF BEGINNING

NORTHWESTERLY LINE OF RELINQUISHMENT
OF STATE HIGHWAY TO VENTURA COUNTY
PER BOOK 1518, PAGE 81, O.R.
 $L=59.92'$
 $R=140.00'$
 $\Delta=24^{\circ}31'24''$

VARIABLE WIDTH LEASE AREA

RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81, O.R.
AND ANNEXATION TO THE CITY OF OXNARD PER ORDINANCE NO. 746, ANNEXATION 61-11,
ADOPTED 2/20/1962 AND PURPORTED TO BECOME EFFECTIVE 3/22/1962
 $\Delta=03^{\circ}04'15''$
CURB FACE
 $R=1,054.96'$
 $L=56.54'$

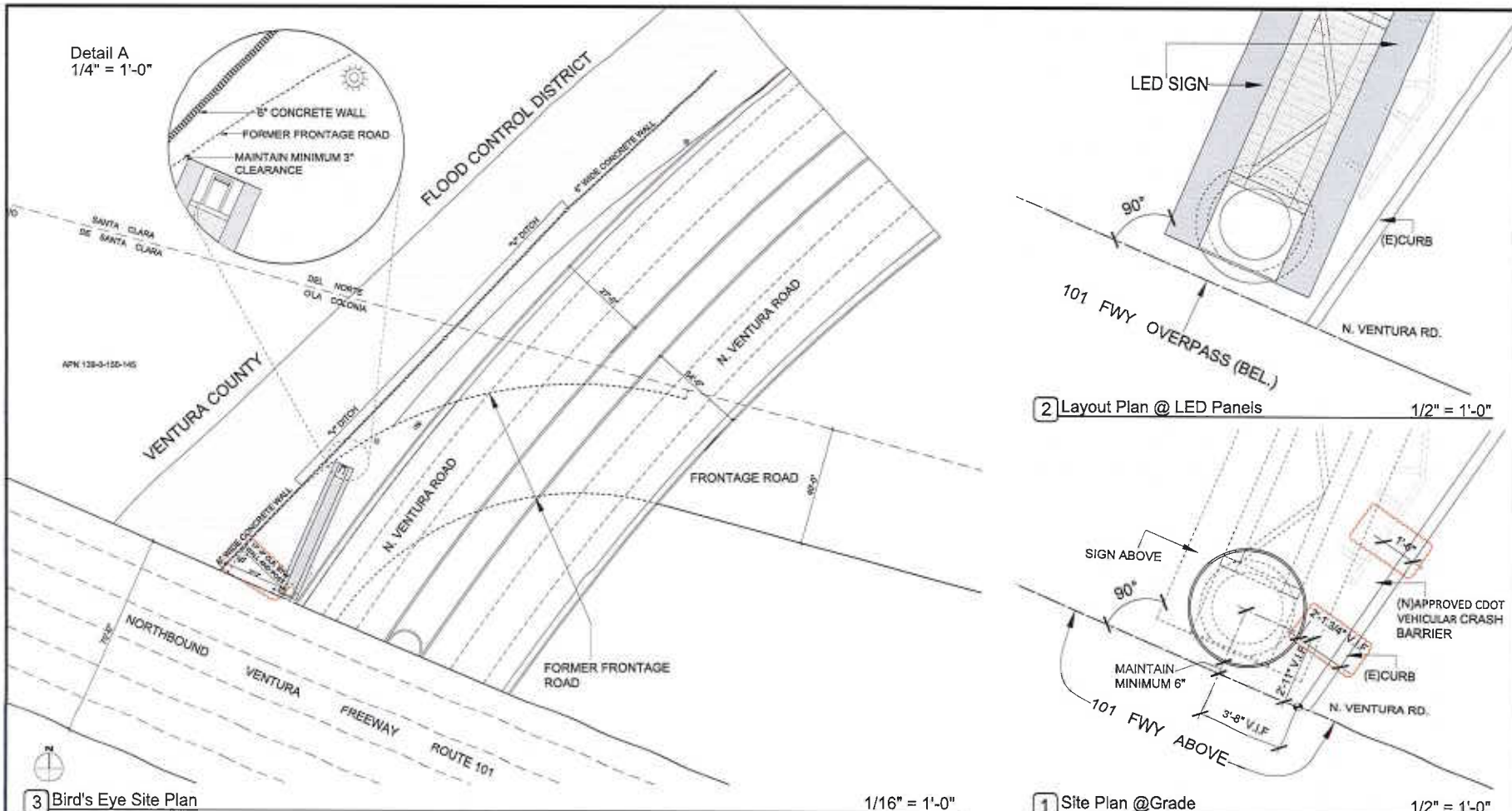
SOUTHEASTERLY LINE OF RELINQUISHMENT OF STATE
HIGHWAY TO VENTURA COUNTY PER BOOK 1518,
PAGE 81, O.R.

VENTURA FREEWAY
U.S. HIGHWAY NO. 101

NORTHEASTERLY LINE OF FREEWAY OVERPASS

EXHIBIT "C"

BILLBOARD



LEGEND		SHEET NOTES	
	GROUND	1. ALL WORK SHALL COMPLY WITH APPLICABLE BUILDING CODES, COMPLETE WITH ALL STATE AND CITY REQUIREMENTS AND ORDINANCES WHERE THE SPECIFICATIONS DO NOT EXCEED THE REQUIREMENTS OF THE LATEST EDITIONS OF THE BUILDING CODES, AS ADOPTED BY THE CITY OF OXNARD.	10. CONTRACTOR TO PROVIDE ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION AND CONSTRUCTION OF NEW AND RETROFIT OF EXISTING POWER, SIGNAL, LIGHTING, ALARMS, AND LIFE SAFETY SYSTEMS.
	LIGHT POLE	2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	11. CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS TO THE CITY OF OXNARD FOR REVIEW AND APPROVAL.
	TRAFFIC SIGNAL BOX	3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	12. CONTRACTOR TO SUBMIT ENGINEERING DRAWINGS, CALCULATIONS, TITLE 24 ENERGY DOCUMENTATION, AND CITY SAFETY OF ALL ADJACENT LOTS, BUILDINGS, EXISTING PLANS, ETC. TO BE REVIEWED FOR REVIEW BY ARCHITECT AND OWNER.
		4. THE WORK, INFORMATION, DESIGN, CONCEPTS AND DATA SHOWN ON THESE DRAWINGS ARE NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT AND OWNER.	13. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.
		5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	14. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.
		6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	15. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.
		7. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	16. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.
		8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	17. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.
		9. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.	18. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF OXNARD AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CDOT) FOR THE CONSTRUCTION OF THE SIGNAGE.

1111 Post Street,
Suite 500
San Francisco, CA 94109
Tel: (415) 512-0660
Fax: (415) 512-0663
www.ibaarchitect.com

PROJECT NAME

OXNARD SIGNAGE PROJECT
APN 158-0-150-145

Owner,
California

SHEET

OUTFRONT FOSTER INTERSTATE

FOR SITE PERMIT ONLY

REV DATE ISSUE

SHEET DESCRIPTION

SITE PLAN

DATE: 8/6/2020

SCALE: 1/16" = 1'-0"

DRAWN BY:

CHECKED BY:

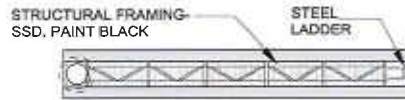
JOB NO. 10116

A-1.0

BY: [Signature]

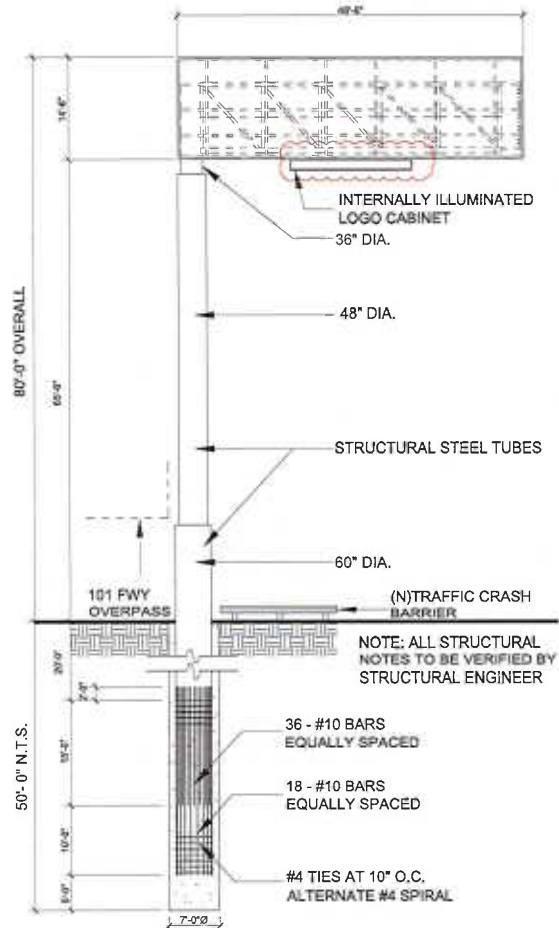
No drawings are to be used without the written consent of the designer and the owner. The designer and the owner shall be held harmless for any and all damages, claims, or liabilities arising out of the use of the drawings without the written consent of the designer.

Project: Oxnard Signage Project



2 Plan View

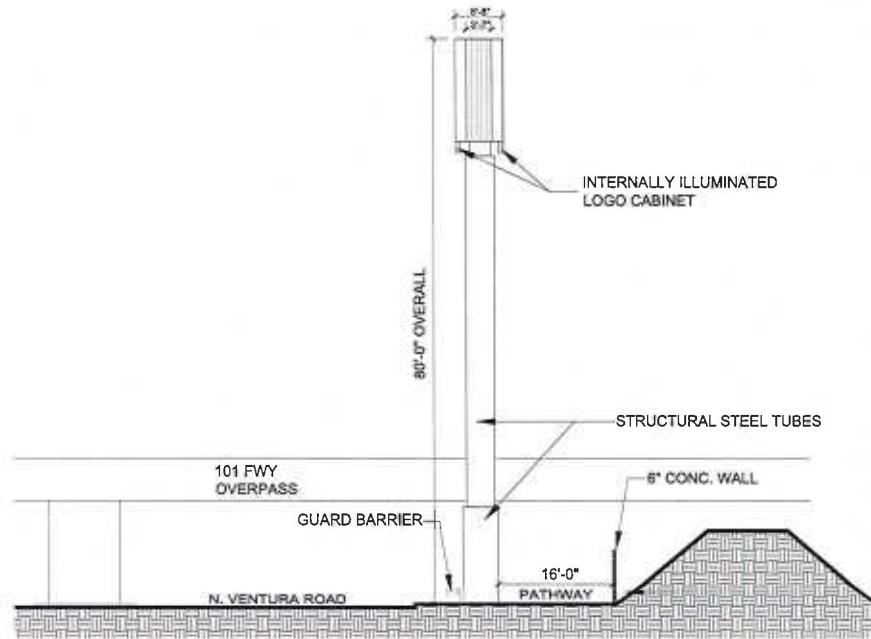
SCALE - 1/8" = 1'-0"



1 Overall Elevation

(See A-3.0 For Color Scheme)

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



3 CROSS SECTION VIEW

(See A-3.0 For Color Scheme)

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

ib+a
ARCHITECTURE

177 Peel Street,
Suite 200
San Francisco,
CA 94108

tel: (415) 512-9800
fax: (415) 512-9863
www.ib+a.com

PROJECT NAME

OXNARD
SIGNAGE
PROJECT
APR 138-0-150-165
Oxnard,
California

DATE

OUTFRONT
FOSTER
INTERSTATE

FOR SITE PERMIT ONLY

REV DATE ISSUE



PROJECT LOCATION

SIGN
ELEVATIONS
AND PLAN

DATE: 05/2020

FILE #

DESIGNED BY

ENGINEERED BY

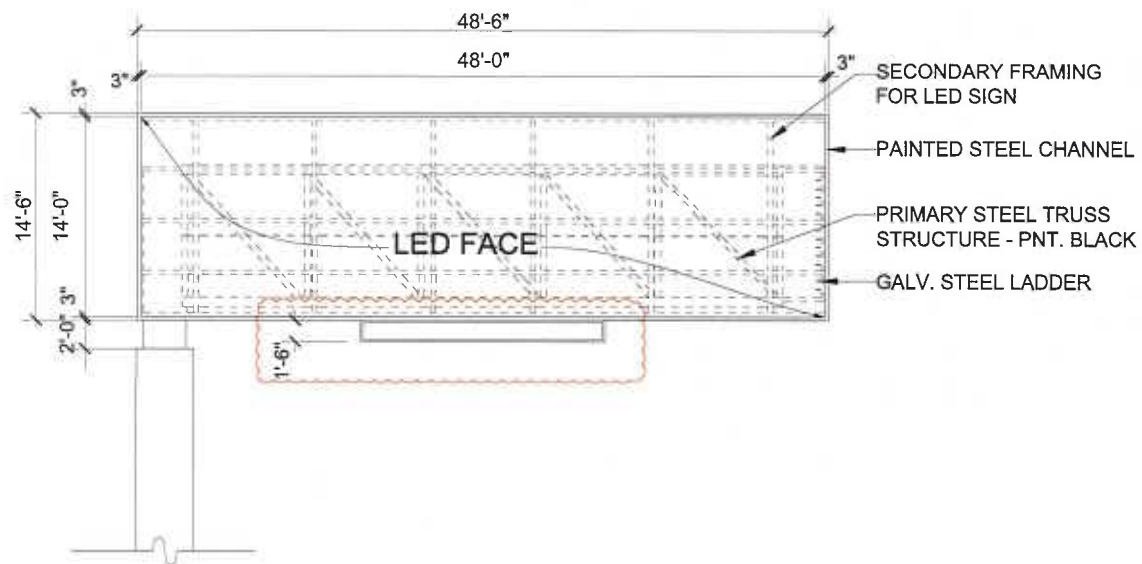
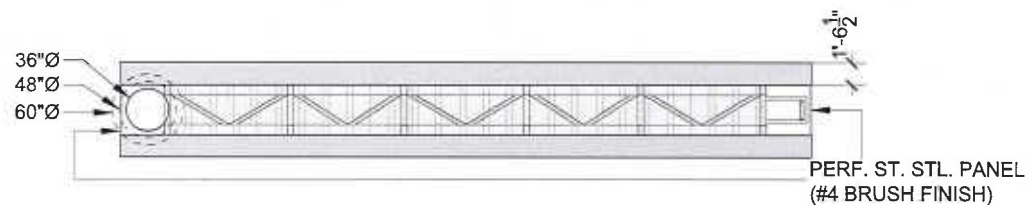
JOB NO.

1814

A-2.0

SHEET NO.

All drawings and specifications are subject to change without notice. The user shall verify the accuracy of the information shown on this drawing and the user shall be responsible for any errors or omissions. The user shall not be held liable for any damages or losses resulting from the use of this drawing.

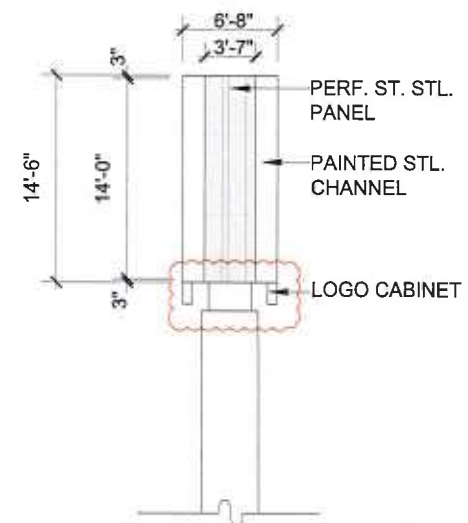


1 Face Elevation

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



2 GUARD BARRIER FRONT VIEW SCALE - 1/4" = 1'-0"



3 End Elevation

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

ib+a
architects

177 Pool Street,
Suite 107
San Francisco,
CA 94108

tel: (415) 512-9660
fax: (415) 512-9663
www.ibaarchitects.com

PROJECT NAME

**OXNARD
SIGNAGE
PROJECT**

APR 156-0-150-148

Oxnard,
California

CLIENT

**OUTFRONT
FOSTER
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE ISSUE



PROJECT DESCRIPTION

**SIGN
ELEVATIONS
AND PLAN**

DATE: 8/6/2020

SCALE:

DESIGNED BY:

CHECKED BY:

DATE:

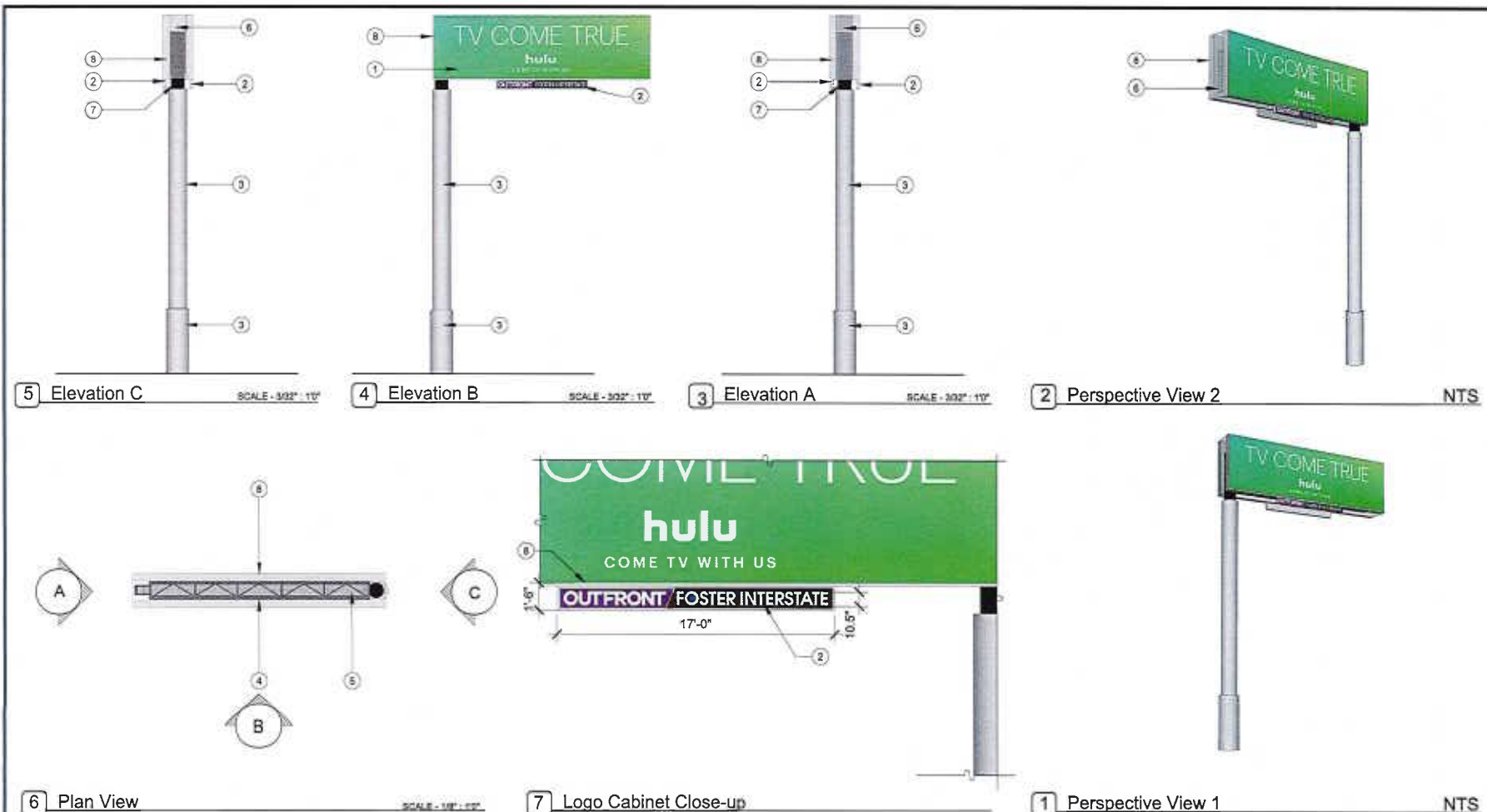
12/16

A-2.1

PROJECT NO:

All drawings are subject to change without notice. The client is responsible for obtaining all necessary permits and approvals. The designer and its employees shall not be held responsible for any errors or omissions on the part of the client or its employees.

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LEGEND	SHEET NOTES
(1) LED SIGN FACE (2) INTERNALLY ILLUMINATED ANODIZED ALUMINUM LOOSE CABINET (3) STEEL TUBE PAINTED GRAY (MATCHES PAINT TO MATCH PAINTING - SATIN) (4) STEEL TRUSS PAINTED BLACK (MATCHES PAINT TO MATCH PAINTING - SATIN) (5) ALUMINUM GRATES PLATFORM (NATURAL ANODIZED) (6) PERFORATED STAINLESS STEEL CLOSURE PANEL IN BRUSH (7) STEEL TUBE PAINTED BLACK (MATCHES PAINT TO MATCH PAINTING - SATIN) (8) PAINTED STEEL CHANNEL (MATCHES PAINT TO MATCH PAINTING - SATIN)	1. ALL WORK SHALL CONFORM WITH APPLICABLE BUILDING CODES, COMPLETE WITH ALL STATE AND CITY REQUIREMENTS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. 3. 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177 Post Street,
Suite 320
San Francisco,
CA 94108

tel: (415) 513-8800
fax: (415) 513-8803
www.ibadesign.com

PROJECT NAME

OXNARD SIGNAGE PROJECT

APN 139-0-130-143

Client
Chenest, California

SHEET

OUTFRONT FOSTER INTERSTATE

FOR SITE PERMIT ONLY

REV DATE ISSUED

1 8/6/2025

2 8/6/2025

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27 8/6/2025

28 8/6/2025

29 8/6/2025

30 8/6/2025

SHEET DESCRIPTION

COLORED ELEVATIONS

A-3.0

All drawings and notes are subject to change without notice. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for obtaining all necessary permits and approvals.

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2 View From Northbound On U.S.101



1 View From Southbound On U.S.101

ib+a
architecture

177 Post Street,
Suite 503
San Francisco,
CA 94108
tel: (415) 512-8860
fax: (415) 512-8863
www.ibadesign.com

Project Name

**OXNARD
SIGNAGE
PROJECT**
APN 139-0-150-148
Oxnard,
California

Client

**OUTFRONT
FOSTER
INTERSTATE**

FOR SITE PERMIT ONLY

REV DATE DESIGNED BY



Sheet Description

RENDERINGS

DATE 8/10/2020

SCALE

DESIGNED BY

ENGINEER BY

DATE 10/10/2020

A-4.0

Sheet No.

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© 2020 ib+a architecture

D

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DETERMINING THAT THE CITY OF OXNARD'S PROPOSED VACATION OF APPROXIMATELY 1,000-SQUARE FEET OF UNDEVELOPED RIGHT OF WAY LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A) IS IN CONFORMANCE WITH THE OXNARD 2030 GENERAL PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE AND RECOMMENDING CITY COUNCIL ORDER THE VACATION. FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE "APPLICANT") ON BEHALF OF THE CITY OF OXNARD (THE "PROPERTY OWNER").

WHEREAS, on October 15, 2020, Lars Skugstad (the "Applicant" and/or "Permittee" and/or "Developer") submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard ("Project"); and

WHEREAS, The Property, includes a approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard, as shown in Exhibit 1 of this resolution, and incorporated by reference; and

WHEREAS, The City of Oxnard is the owner of record of the right of way easement; and

WHEREAS, The 2030 General Plan in a comprehensive, long term plan that guides land use and physical development of land within the City of Oxnard and provides policy direction regarding land uses that are intended to serve the community; and

WHEREAS, Whenever a public agency proposes to acquire, dispose, vacate or abandon any real property, California Government Code Section 65402 requires a report on conformity with the General Plan; and

WHEREAS, The subject property is designated Commercial Regional (CR) by the City's 2030 General Plan and is zoned RiverPark Specific Plan (RPSP); and

WHEREAS, The vacation of this easement and the ultimate use of the parcel for an Electronic Billboard is inconsistent with the land use designation on the subject site, subject to City Council's approval of Ordinance Amendment (PZ 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to 250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies, including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard; and

WHEREAS, on January 19, 2023, the Planning Commission considered the proposed vacation of real property located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard in light of the Oxnard 2030 General Plan and the requirements of Government Code section 65402.

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

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 after implementation of standard conditions and mitigation measures identified in the Final IS/MND 22-03, all potentially significant impacts associated with the proposed project would be reduced to less than significant levels.

SECTION 2. Based on the findings set forth herein, and 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 hereby determines that the proposed City's vacation of the subject right of way is not in conformity with the Oxnard 2030 General Plan, as the Project is consistent with Ordinance Amendment (PZ No. 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to 250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies,

including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard. Therefore, the Planning Commission recommends City Council not order the vacation.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

Ronald Arruejo, 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 2nd day of February 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

EXHIBIT A

PROPERTY AREA EXHIBIT

EXHIBIT "A"

DESCRIPTION

A VARIABLE WIDTH LEASE AREA FOR ALL THAT PORTION OF LAND IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, BEING A PORTION OF PROPERTY AS DESCRIBED IN THE RELINQUISHMENT TO THE COUNTY OF VENTURA, AS RECORDED IN BOOK 1518, AT PAGES 81 THROUGH 84 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDS, AND PER THE EFFECT OF ORDINANCE NO. 746, ANNEXATION 61-11, ADOPTED FEBRUARY 20, 1962, PURPORTEDLY TO BECOME EFFECTIVE MARCH 22, 1962, PURPORTING TO ANNEX THE SUBJECT LAND INTO THE CITY OF OXNARD, STATE OF CALIFORNIA, PURSUANT TO THE TERMS COVENANTS, CONDITIONS AND PROVISIONS CONTAINED THEREIN, THE LEASE AREA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLY TERMINUS OF A TANGENT LINE BEARING NORTH 82°02'39" EAST, HAVING A DISTANCE OF 245.42 FEET, ALSO BEING THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 780.00 FEET, AS SHOWN ON TRACT NO. 4434, RECORDED IN MAP BOOK 114, PAGES 62 THROUGH 66, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE LEAVING SAID TANGENT LINE, SOUTH 59°48'46" WEST, A DISTANCE OF 851.86 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1,054.96 FEET AND A RADIAL LINE BEARING NORTH 52°46'55" WEST, SAID BEGINNING OF CURVE BEING THE **POINT OF BEGINNING**; THENCE, SOUTHWESTERLY ALONG SAID CURVATURE,

1. THROUGH A CENTRAL ANGLE OF 03°04'15", AN ARC DISTANCE OF 56.54 FEET; THENCE,
2. NORTH 66°28'23" WEST, A DISTANCE OF 25.28 FEET, TO THE NORTHWESTERLY LINE OF RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81 OF OFFICIAL RECORDS OF SAID COUNTY RECORDER, BEING A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 140.00 FEET AND A RADIAL LINE TO SAID CURVATURE BEARING NORTH 57°26'00" WEST; THENCE NORTHEASTERLY ALONG SAID CURVATURE,
3. THROUGH A CENTRAL ANGLE OF 24°31'24", AN ARC DISTANCE OF 59.92 FEET, TO THE INTERSECTION WITH A LINE BEARING NORTH 65°58'23" WEST FROM THE POINT OF BEGINNING; THENCE, ALONG SAID LINE,
4. SOUTH 65°58'23" EAST, A DISTANCE OF 15.59 FEET, TO THE POINT OF BEGINNING.

ALL AS SHOWN ON EXHIBIT "B", AND BY REFERENCE HEREIN, MADE A PART HEREOF.

Chris Nelson

CHRIS NELSON, PLS 6385
DATED: JUNE 14, 2021





LEASE AREA
1,244.5 ± SQ. FT

EXHIBIT 'B'



SCALE: 1" = 10'



DATED: 06/09/2021

36.5'
POINT OF COMMENCEMENT
BEGINNING CURVE
 $\Delta=30^{\circ}07'01''$ $R=780.00'$
 $T=209.85'$ $L=410.00'$
S59° 48' 46"W
N82° 02' 39"E 245.42'
TO BEGINNING CURVE PER TRACT
NO. 4334, M.B. 114, PAGES 62-66
CENTERLINE PER TRACT NO.
4334, M.B. 114, PAGES 62-66
C/L
VARIES
47.5'

NORTH VENTURA ROAD

IDENTICAL

NORTHWESTERLY LINE OF RELINQUISHMENT
OF STATE HIGHWAY TO VENTURA COUNTY
PER BOOK 1518, PAGE 81, O.R.
 $L=59.92'$
 $R=140.00'$
 $\Delta=24^{\circ}31'24''$

VARIABLE WIDTH LEASE AREA

RELINQUISHMENT OF STATE HIGHWAY TO VENTURA COUNTY PER BOOK 1518, PAGE 81, O.R.
AND ANNEXATION TO THE CITY OF OXNARD PER ORDINANCE NO. 746, ANNEXATION 61-11,
ADOPTED 2/20/1962 AND PURPORTED TO BECOME EFFECTIVE 3/22/1962
CURB FACE
 $\Delta=03^{\circ}04'15''$
 $R=1,054.96'$
 $L=56.54'$

POINT OF BEGINNING

SOUTHEASTERLY LINE OF RELINQUISHMENT OF STATE
HIGHWAY TO VENTURA COUNTY PER BOOK 1518,
PAGE 81, O.R.

VENTURA FREEWAY
U.S. HIGHWAY NO. 101

NORTHEASTERLY LINE OF FREEWAY OVERPASS

E

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD DETERMINING THAT THE CITY OF OXNARD'S PROPOSED VACATION OF APPROXIMATELY 1,000-SQUARE FEET OF UNDEVELOPED RIGHT OF WAY LOCATED ON THE NORTH SIDE OF THE U.S. 101 AND IMMEDIATELY WEST OF VENTURA ROAD IN THE NORTHERN PORTION OF THE CITY OF OXNARD. (APN: N/A) IS IN CONFORMANCE WITH THE OXNARD 2030 GENERAL PLAN PURSUANT TO SECTION 65402 OF THE GOVERNMENT CODE AND RECOMMENDING CITY COUNCIL ORDER THE VACATION. FILED BY LARS SKUGSTAD, 1111 BROADWAY, SUITE 1515, OAKLAND, CA 94607 (THE "APPLICANT") ON BEHALF OF THE CITY OF OXNARD (THE "PROPERTY OWNER").

WHEREAS, on October 15, 2020, Lars Skugstad (the "Applicant" and/or "Permittee" and/or "Developer") submitted a request to approve Planning and Zoning Permit Nos. 20-500-06 (Special Use Permit), 20-670-05 (Development Agreement), and 21-660-03 (Street Vacation) to allow for the installation and operation of an electronic billboard on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard. The Special Use Permit allows for the development of an electronic billboard that would include a digital display of advertisements of various businesses, activities, services or products. The top of the billboard would be approximately 80 feet in height above the ground, and the dimensions of the electronic billboard sign would be 14.5 feet in height and 48.5 feet in width. The electronic billboard would have a two-sided light-emitting diode (LED) digital display that would have dimensions of 14 feet in height and 48 feet in width. The proposed Development Agreement will allow for the use of City property for the purpose of a Freeway Adjacent Digital Display Billboard and outline the required public benefits to be provided by the future development. The proposed Street Vacation would vacate the existing right-of-way to the City of Oxnard ("Project"); and

WHEREAS, The Property, includes a approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard, as shown in Exhibit 1 of this resolution, and incorporated by reference; and

WHEREAS, The City of Oxnard is the owner of record of the right of way easement; and

WHEREAS, The 2030 General Plan in a comprehensive, long term plan that guides land use and physical development of land within the City of Oxnard and provides policy direction regarding land uses that are intended to serve the community; and

WHEREAS, Whenever a public agency proposes to acquire, dispose, vacate or abandon any real property, California Government Code Section 65402 requires a report on conformity with the General Plan; and

WHEREAS, The subject property is designated Commercial Regional (CR) by the City's 2030 General Plan and is zoned RiverPark Specific Plan (RPSP); and

WHEREAS, The vacation of this easement and the ultimate use of the parcel for an Electronic Billboard is inconsistent with the land use designation on the subject site, subject to City Council's approval of Ordinance Amendment (PZ 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to 250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies, including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard; and

WHEREAS, on January 19, 2023, the Planning Commission considered the proposed vacation of real property located on an approximately 1,000-square foot undeveloped site located on the north side of the U.S. 101 and immediately west of Ventura Road in the northern portion of the City of Oxnard in light of the Oxnard 2030 General Plan and the requirements of Government Code section 65402.

WHEREAS, on January 19, 2023, the Planning Commission deliberated the merits of the Project and made a Motion of Intent to Deny the Project, subject to the preparation of a written Resolution of Denial to be considered at the Planning Commission meeting on February 2, 2023.

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 after implementation of standard conditions and mitigation measures identified in the Final IS/MND 22-03, all potentially significant impacts associated with the proposed project would be reduced to less than significant levels.

SECTION 2. Based on the findings set forth herein, and 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 hereby determines that the proposed City's vacation of the subject right of way is not in conformity with the Oxnard 2030 General Plan, as the Project is consistent with Ordinance Amendment (PZ No. 20-580-06), as recommended. The Planning Commission recommendation to the City Council on PZ No. 20-580-06, included increasing the setback from residential to 250 feet. As the proposed sign is within 250 feet of a residentially zoned property, the Project does not conform with the proposed ordinance regulating the placement of the Electronic Billboards. Therefore, the proposed project is not in compliance with the 2030 General Plan and other adopted policies,

including the proposed Freeway Adjacent Digital Display Billboard regulation, of the City of Oxnard. Therefore, the Planning Commission recommends City Council not order the vacation.

SECTION 3. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 19th day of January 2023 by the following vote:

Ronald Arruejo, 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 2nd day of February 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

SECTION 3. Based on the findings set forth above, each of which provides a separate and distinct basis for denial, the Planning Commission hereby denies Planning and Zoning Permit No. 20-500-06 (Special Use Permit) as the Planning Commission is unable to make all of the Findings required by Oxnard City Code Section 16-531 in order to grant a Special Use Permit.

SECTION 4. The proposed project is Statutorily Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 (“Projects Which are Disapproved”) because the proposed Project is denied.

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 Oxnard City Code Section 16-545.

SECTION 6. The Secretary shall certify the adoption of this Resolution.

PASSED and ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023.

Ronald Arruejo, 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 2nd day of February, 2023, and carried by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

RECUSED: Commissioners:

Joe Pearson II, Secretary

F.4

PZ 22-400-01

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Susan Hernandez, Contract Planner

DATE: February 2, 2023

SUBJECT: **Project Name: 940 Dunes Duplex;** Planning and Zoning Permit No. 22-400-01 (Coastal Development Permit) to authorize the construction of a residential duplex totaling 5,591 square-feet, located at 940 Dunes (APN: 196-0-031-155)

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 15303 (New Construction or Conversion of Small Structures); and
- b) Adopt Resolution 2023-XX approving Planning and Zoning Permit No. 22-400-01 (Coastal Development Permit), subject to certain findings and conditions.

2) Project Description and Applicant: A request to construct a two-story 5,591 square-foot residential duplex building consisting of two, attached two-bedroom dwelling units on a 6,366 square-foot vacant lot. Unit 1, which is 2,910 square feet, includes an 881 square foot garage and 257 square feet of balcony area. Unit 2 is 2,681 square feet and includes an 890 square foot garage and a 108 square foot balcony.

The Project is located at 940 Dunes Street within the Coastal Multiple-Family (R-2-C) zone within the Oxnard Dunes Neighborhood (Attachment A). For the purposes of this Staff Report, the foregoing project description shall be referred to as the “**Project.**” Filed by Leonid Muller, on behalf of property owner Ekaterina and Leonid Muller, 1370 Maine Ave, Unit F, Baldwin Park, California, 91706 (the “**Applicant**”).

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

3) Existing & Surrounding Land Uses: The project site is presently vacant with an Assessor’s Parcel Number of 196-0-031-155 and legal description of Lot 25, Tract 1567-01 as recorded in book 196, page 3 of Miscellaneous Records. The 6,366 square-foot (0.15 acre) lot is located in the Oxnard Dunes Neighborhood.

The following table summarizes the land uses and zoning designation of the Project site and adjacent properties, which are also illustrated on Attachment A.

LOCATION	GENERAL PLAN	ZONING	EXISTING LAND USE
Project Site	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Vacant
North	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Vacant
South	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Vacant
East	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential Duplexes
West	Residential Existing (REX)	Coastal Multiple-Family (R-2-C)	Residential Duplexes

4) Background Information:

- In 1964, the subject lot was created by Tract No. 1567-1; this map created 99 lots, drive lanes, and streets within the Dunes Neighborhood. Over the past 50+ years, the lots have been independently developed with mostly single and duplex dwelling units; some duplex developments have been subdivided for condominium purposes to accommodate home ownership opportunities. Additionally, when the tract map was approved in 1964, the City Council passed Resolution No. 3349 approving varying front yard setbacks for the entire tract from 25 feet to not less than 15 feet.
- On January 12, 1982, the City Council adopted Resolution No. 8289, establishing design and development standards for duplex residential structures within the Dunes Neighborhood.
- The subject property is vacant and has no permit history.

5) Environmental Determination: In accordance with Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the State of California Environmental Quality Act (CEQA) Guidelines, projects involving “construction of small structures such as a duplex” may be found to be exempt from the requirements of CEQA. This proposed Project meets the requirements of a Class 3 Categorical Exemption because it consists of a duplex totaling two units, which is less than the allowable limit of six units in urbanized areas. The Applicant has also submitted evidence from a biologist that demonstrates it is unlikely that any special status species would occur on the site due to the prior grading, the size of the property, the property’s decades-long isolation from the dune system, and surrounding development and human activity. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Therefore, staff has determined that there is no substantial evidence that the project will have a significant effect on the environment and recommends that the Planning Commission direct the Planning & Environmental Services Manager to file the Notice of Exemption (Attachment C) with the Ventura County Clerk pursuant to Section 15062 of the State CEQA Guidelines within five (5) working days of passage, approval and adoption of the project.

6) Analysis:

a) General Discussion: The proposed residential duplex project will result in the construction of two residential units which will be constructed side-by-side on a single parcel. Unit 1, which is 2,910 square feet, includes an 881 square foot garage and 257 square feet of balcony area. Unit 2 is 2,681 square feet and includes an 890 square foot garage and a 108 square foot balcony. Each unit will have four (4) bedrooms and three (3) bathrooms. Each unit also has a balcony and a two-car garage facing Dunes Street. No Affordable residential units are included in the Project as Oxnard's Affordable Housing Program does not apply to projects with fewer than 10 residential units.

b) General Plan and Local Coastal Program (LCP) Consistency: The project site has a 2030 General Plan land use designation of Residential Existing (REX) which allows residential uses. The proposed use of the site is for a residential duplex on an existing lot of record consistent with the density indicated by the land use designation, and consistent with surrounding development; therefore, the project is consistent with the City's 2030 General Plan and complies with all applicable Coastal Land Use Plan Policies (see below consistency tables).

Consistency with the 2030 General Plan is defined by the relationship between 2030 General Plan policies and the proposed project. The three consistency classification levels are:

- I. Direct Applicability to a Proposed Project or Program (full text of the policy and an explanation).
- II. Related or Indirect Applicability to the Proposed Project or Program (policy title and an explanation for each or groups of related or indirectly related policies).
- III. No or Distant Applicability to the Proposed Project or Program (all policies not listed as Level I and II are assumed to be consistent).

POLICY	LEVEL	POLICY OR TITLE	EXPLANATION
CD-1.5	I	Housing Variety Promote the development of a variety of housing types throughout the City including apartments, condominiums, lofts, townhouses, and attached and detached single-family units.	The Project is proposed on a vacant 6,366 square-foot parcel. Site improvements and new homes will add to the housing stock in the immediate area and create uses on an underutilized property.
CD-8.1	I	Limiting Development Continue to limit development to these areas that can be served by	The proposed Project will be served by existing utilities

		existing or planned utilities, transportation, and service systems.	already serving the Dunes Neighborhood that can adequately serve the proposed Project.
CD-9.1	I	Neighborhood Identity Recognize, preserve, and improve the visual character of existing neighborhoods.	Project is within an existing neighborhood subject to design and development standards. The project is consistent with City Council Resolution No. 8289 (see below table).
ICS-1.2	I	Development Impacts to Existing Infrastructure Review development proposals for their impacts on infrastructure (e.g., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures to ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.	The proposed development and associated improvements would tie into existing infrastructure, which has the capacity to provide service to the proposed residential units. The project includes standards and special development project conditions by City Department representatives.
ER-9.2	I	Enhance Neighborhood Diversity Enhance neighborhood diversity and reinforce the desirable elements of neighborhood character and quality through incorporation of design guidelines, use of landscape materials, and encouraging new developments to integrate historical and culturally significant elements into proposed projects.	The proposed development will maintain existing neighborhood characteristics (see below table).
ICS-8.5	I	Public Sidewalks and Pedestrian Orientation	The project includes improvements to the existing public

		Consider and require where appropriate and feasible the enhancement of the pedestrian environment as part of private development and public works projects, especially for public sidewalks.	sidewalk and parkway along the front of the site that will contribute to the streetscape of the community.
CD-3.4 CD-14.1 CD-14.2 CD-14.3 ICS-11.10 ER-9.4 ER-10.1	II	Neighborhood Quality of Life Design Review Process Development Advisory Committee Functions Quality of Design Water Supply Findings for Smaller Projects Human Scale Development, Promote Use of Native and Water Wise Plants.	The project is subject to conditions of approval that meet these Level II policies.
All others	III	All policies not listed above	No or distant applicability to the proposed project.

In addition to being subject to the 2030 General Plan, the proposed development is subject to the Coastal Act and Local Coastal Plan. The applicable policies have been compared with the proposed project as follows:

Coastal Act Policies (CA) and Local Coastal Plan (LCP) Policies

POLICY NO.	POLICY	EXPLANATION
CAP 30250	New development shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it.	The project is within the Dunes area (an approved residential area designated for in-fill development) of the Local Coastal Plan. The surrounding development is mostly duplexes located on similarly sized lots.
CAP 30251	Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal	The Project site is not immediately adjacent to the ocean, but is within a designated

LCP 37	areas to minimize the alteration of natural landforms, and to be visually compatible with the character of the surrounding areas. All new development in the coastal zone shall be designed to minimize impacts on the visual resources in the area.	scenic coastal area. The project has been designed in accordance with the Oxnard Duplex Resolution (No. 8289). Therefore, the project is consistent with these policies.
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The proposed Project complies with the above CA and LCP policies and, as shown below, the Project is fully consistent with the development standards of the Coastal Multiple-Family (R-2-C) zone which implements the above LCP policies.

- c) **Conformance with Zoning Development Standards:** The proposed duplex is subject to the policies and development standards of the Coastal Multiple-Family (R-2-C) zone. Pursuant to Section 17-13(C) (Coastal Multiple-Family Zone) of the Coastal Zoning Code, a duplex or multiple-family dwelling unit either in separate buildings or combined in one or more main buildings is permitted and subject to the Planning Commission's approval of a Coastal Development Permit. The proposed development has been reviewed for consistency with the development standards of the Coastal Zoning Code as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Max. building height 17-13(D)(1)	2 stories, 25 feet max.	24 feet	YES
Minimum Lot Area 17-13(D)(2)	3,500 square feet per dwelling unit.	6,366 square feet existing	YES
Lot Width 17-13(D)(3)	50 feet	72 feet existing	YES
Interior Yard Space 17-13(D)(4)	1,591 square feet (25% of lot area); minimum dimension of 15 feet X 15 feet	1,597.5 sf (25%),	YES
Front Yard Setback 17-13(D)(5)	20 feet	20 feet	YES
Rear Yard Setback 17-13(D)(6)	25 feet	25 feet	YES

Side Yard Setback 17-13(D)(7)	5 feet	5 feet	YES
Building Lot Coverage	Not to exceed 60%	48.6%	YES
Off Street Parking 16-622(F)	2 garage spaces per unit 1 visitor space per unit	2 garage spaces and 1 visitor spaces per unit	YES

In 1982, the City adopted design and development standards for duplex developments within the Oxnard Dunes Neighborhood (Attachment D).

The proposed residential development has been reviewed for consistency with the adopted development and design standards referenced in City Council Resolution No. 8289 applicable to the subject site as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Building Lot Coverage	Not to exceed 60 percent	48.6 percent	YES
Design & Architecture	1. Wood and natural materials 2. Fire resistant roofing 3. Duplex to appear as one unit from street 4. Decorative wood garage door	1. A mix of finishes include white stucco and lava rock black accents on window frames and railings. 2. Flat roof 3. The elevations share common design treatments with front entrances along the sides. 4. Exterior wood grade garage doors and wood railing on upper decks	YES
Driveway & Curb Cut	1. Maximum 32 feet wide curb cut 2. Textured surface driveway required 3. Dual driveways separated by 3 feet wide planter	1. Two 16 foot wide curb cuts 2. Driveways with county cobble pattern pavers	YES

		3. Dual driveways separated by 3 feet wide planter	
Landscape	1. Landscape plans required 2. One 24 inch box tree in front of each unit	1. Landscape plans submitted 2. One 24 inch box tree in front of each unit	YES
Recommended Architectural Standards (Resolution No. 8289)	1. Minimize garage door exposure 2. Comparable scale & bulk 3. Appropriate roof for community 4. Appropriate color & materials 5. Varied entry orientations Single-family character	1. Garages are recessed to break linear appearance from the street. 2. The units are similar to each other and as a whole are comparable in size and bulk to the nearby buildings. 3. A flat roof which matches neighboring property 4. Contrasting colors between the white and wood ash lend depth and dimension to design 5. Entry to each unit is on the side of the garage.	YES

As conditioned, the project is consistent with the Coastal Zoning Ordinance and Resolution No. 8289.

- d) Site Design:** The site design is similar to other existing duplex type developments within the Oxnard Dunes neighborhood. Pedestrian and vehicular entry will be provided from Dunes Street. The side-by-side design of the homes are designed to face and front onto Dunes Street with direct vehicular access from Dunes Street. Each unit's front entry door will be on

opposite sides from one another. The first floor of each dwelling unit consisting of a garage, kitchen, bath and storage room. The second floor of each unit will have a master bedroom with a walk-in closet and bathroom, three bedrooms, two bathrooms and balcony.

f) Circulation and Parking: Vehicular access to the two dwelling units is via 16-foot wide curb cuts and driveway approaches from Dunes Street. The driveway aprons along the street are consistent with the City's design and construction standards.

g) Building Design: The two-story building will have two primary finish materials. The predominant finish will be white stucco. The trim around the windows and railings will be black. Along the front and street side facing exterior there will be marmor white doric faceted columns which will provide depth. The roof will be a flat roof.

7) Community Workshop and Public Input: The project site is located within the Dunes Neighborhood. On November 21, 2022, the project was presented to the public during a Community Workshop meeting. A notice of this meeting was posted on the Project site with a brief description and contact information. During the meeting, staff did not receive any comments regarding the project.

Consistent with public noticing requirements, the Planning Commission Hearing was advertised in the newspaper, with an on-site posting and by mail to property owners within 300 feet of the project site, and residents within 100 feet of the project site. To date, Planning Staff has not received any comments or inquiry from the public regarding the proposed project.

8) Appeal Procedure: In accordance with Section 17-58(J) of the City Code, the Planning Commission's action may be appealed to the City Council within 10 working days after the decision is made. 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 10 working days of the Planning Commission's decision, the decision of the Planning Commission shall be considered final and a Notice of Final Action shall be filed on the 11th working day with the Coastal Commission.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning, Aerial)
- B. Development Project Plans
- C. Notice of Exemption
- D. City Council Resolution No. 8289
- E. Resolution (Coastal Development Permit)
- F. Staff Presentation

A

Vicinity Map

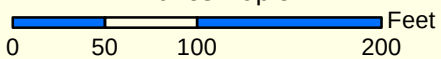


2030 General Plan Land Use Map



Oxnard Planning
November 8, 2022

PZ 22-400-01
Location: 940 Dunes
APN: 1960031155
Dunes Duplex



2030 General Plan Land Use Map



1:1,250

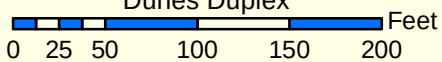
Zoning/Specific Plan Map



Oxnard Planning

November 8, 2022

PZ 22-400-01
Location: 940 Dunes
APN: 1960031155
Dunes Duplex



Zoning/Specific Plan Map



1:1,250



B

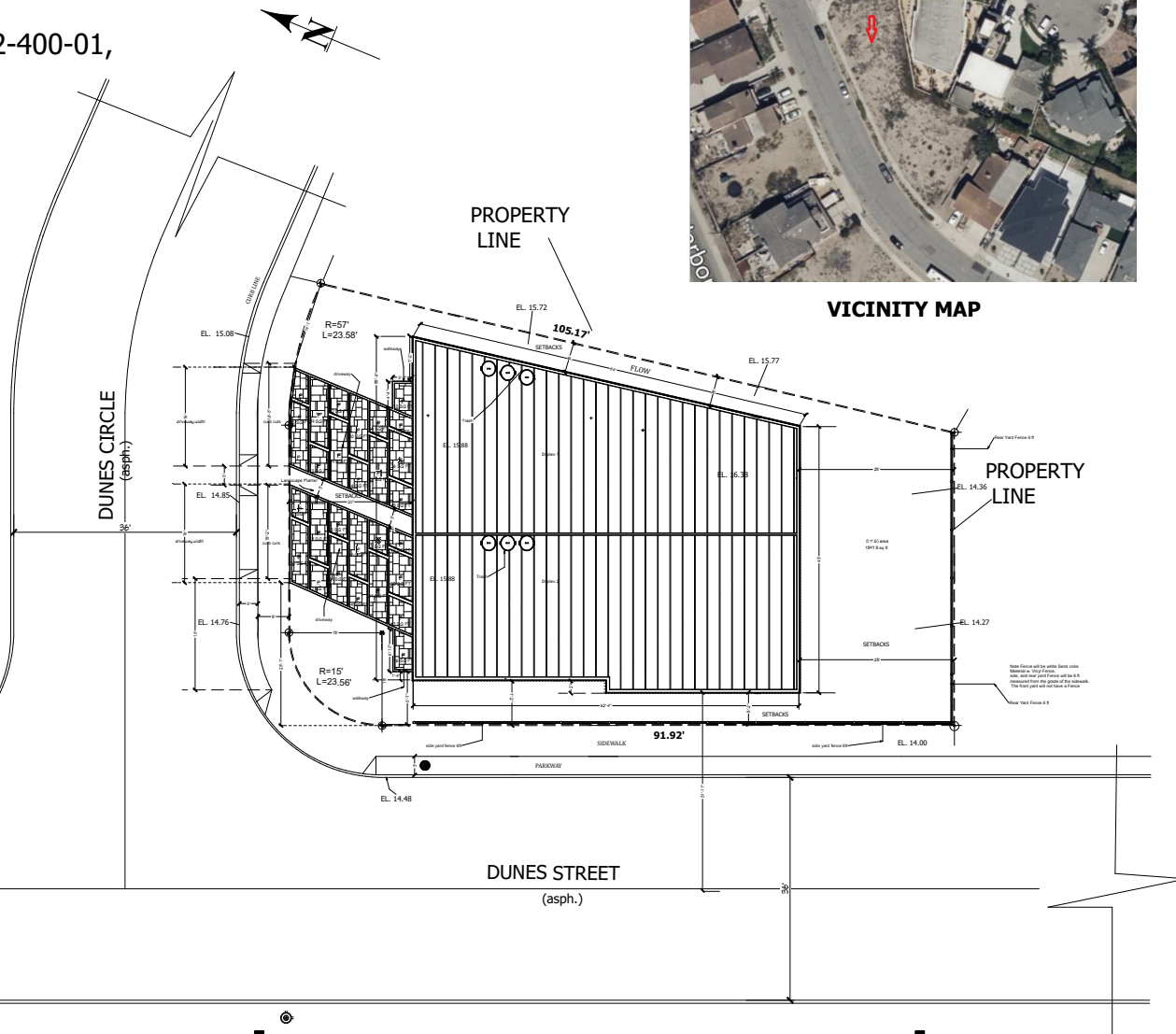
Residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

LEGEND



	Buildings		Property Corner
	Concrete		Public Utility
	Asphalt		Electric Pole
			Fire Hydrant

Property Description		
340 DUNES ST, OXNARD, CA 93035		
40' R/W		
Lot Dimension	Lot Area	Acres
	6,366.5 Sq Ft	0.15
Proposed Building Coverage Percentage		
Structure	Dimension	Square Footage
Proposed Dwelling	Foot Print	3,099.5
	Total Building Coverage	3,099.5
	Total Building Percentage	48.6%
Proposed Lot Disturbance Percentage		
		%
Lot Area	6,366.5 Sq Ft	
Interior Yard space 1.5' F	63' 4" x 29' 1547.5 Sq Ft	25.04 %
Building Coverage	3,099.5 Sq Ft	48.6%
Faving Coverage	524 Sq Ft	8.3%
Total coverage	3,099.5 SqFt + 529 SqFt = 3628.5 SqFt	56.4 %
Landscape Coverage	405 Sq Ft	6.3 %
Open Air Space	3267 Sq Ft	51.4 %



VICINITY MAP

note's

Plans were reviewed by ARC and are complying with all standards

1. NO existing or proposed detention basins, drainage inlets, channels or other watercourses

ARCHITECT
Archytrend
archytrend1@gmail.com
234 9027286536

DESIGNED : ARC

CHECKED :	ARC
-----------	-----

DATE	: 08/26/2022
------	--------------

DEVELOPER:

Leonid Muller
1370 maine ave unit F,
baldwin park, ca , 19706
tel: 3235399781

OWNER
• Ekaterina and Leonid Muller
1370 maine ave unit F,
baldwin park, ca , 19706
tel: Leonid 3235399781,
Ekaterina 3235399383

PROJECT
ENGINEERING
SITE PLAN

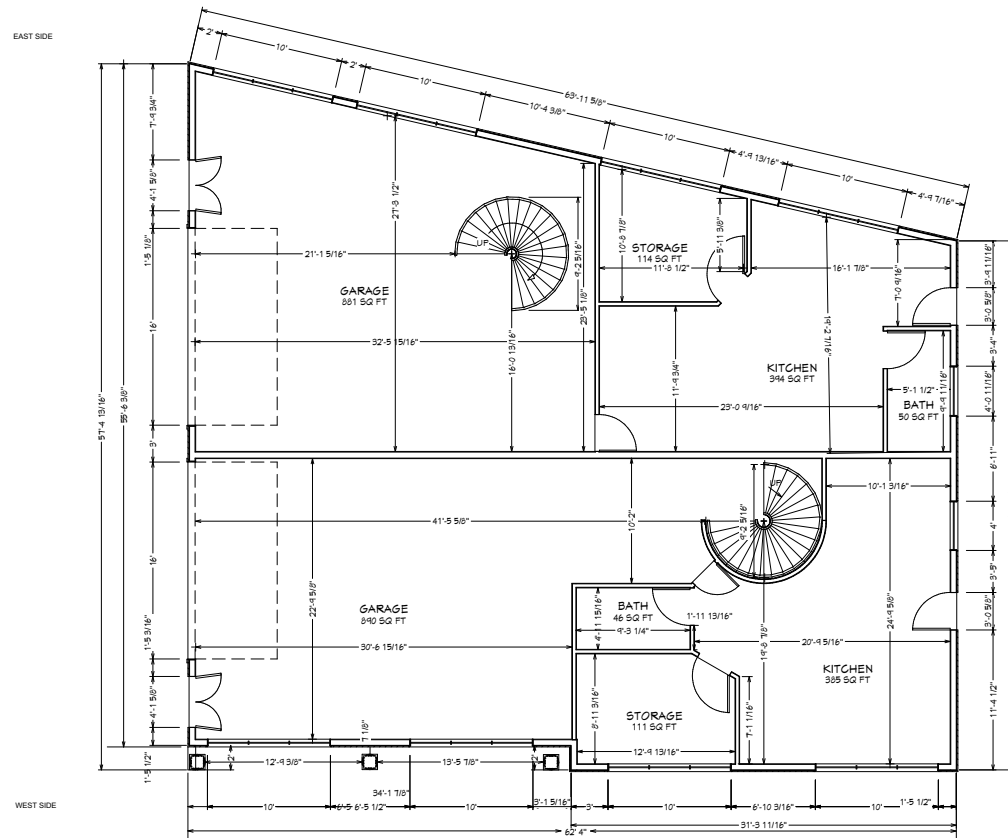
LOCATION

940 Dunes Street, 940,
APN: 196-0-031-155

SHEET NO:

A1

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



1st Floor

AREAS			
EAST SIDE		WEST SIDE	
FLOOR	558 sq.ft	FLOOR	542 sq.ft
GARAGE	881 sq.ft	GARAGE	890 sq.ft
TOTAL	1439 sq.ft	TOTAL	1432 sq.ft

Building will be equipped with an automatic sprinkler system



Project Information
Residential Duplex
940 Dunes St. Oxnard, CA 93035
A.P.N. 196-0-031-155

MULLER DESIGNS
Alexander Muller
1370 maine Ave Unit F,
Baldwin park, Ca 91706
tel. 3236786583

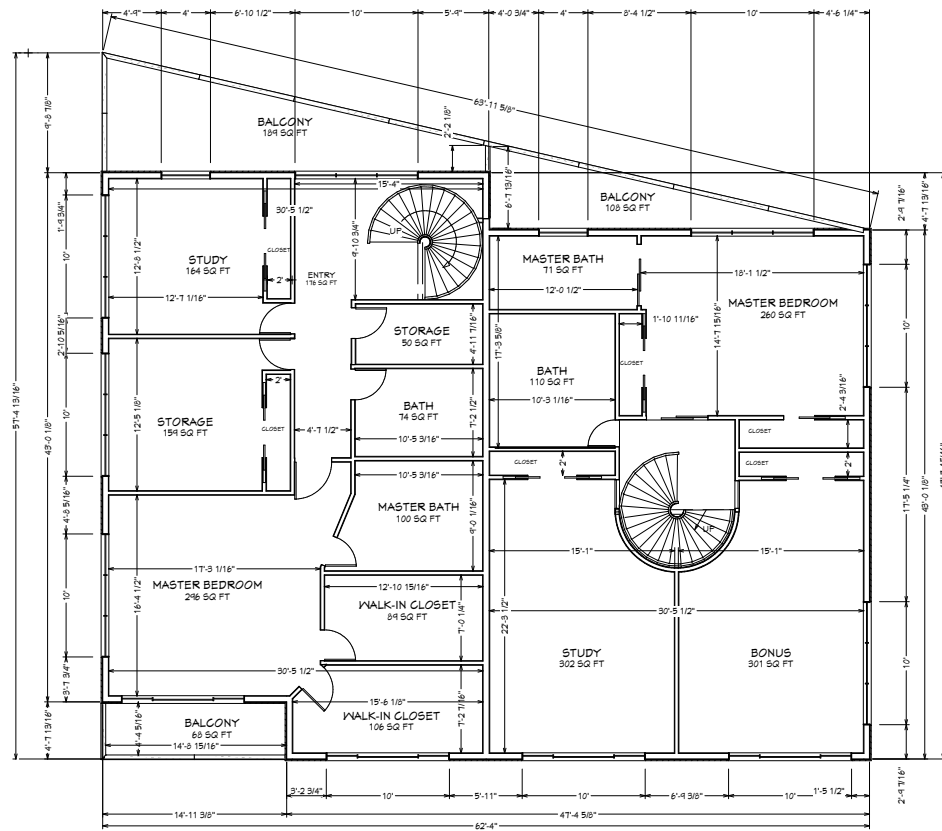
PROJECT DESCRIPTION:
2 STORY DUPLEX DUNES STREET

DRAWINGS PROVIDED BY:
Alexander Muller

DATE:
10/03/2022

SCALE:
1/7" = 1'

Floor plan
1 ST Floor



2nd Floor

AREAS			
NORTH SIDE		SOUTH SIDE	
FLOOR	1214 sq.ft	FLOOR	1044 sq.ft
BALKONY/S	257 sq.ft	BALKONY	108 sq.ft
TOTAL	1471 sq.ft	TOTAL	1249 sq.ft

Project Information
Residential Duplex
940 Dunes St. Oxnard, CA 93035
A.P.N. 196-0-031-155

MULLER DESIGNS
Alexander Muller
1370 maine Ave Unit F,
Baldwin park, Ca 91706
tel. 3236786583

PROJECT DESCRIPTION:
2 STORY DUPLEX DUNES STREET

DRAWINGS PROVIDED BY:
Alexander Muller

DATE:
10/03/2022

SCALE:
1/7" = 1'

Floor plan
Second Floor



Project Information
Residential Duplex
940 Dunes St. Oxnard, CA 93035
A.P.N. 196-0-031-155

MULLER DESIGNS
Alexander Muller
1370 maine Ave Unit F,
Baldwin park, Ca 91706
tel. 3236786583

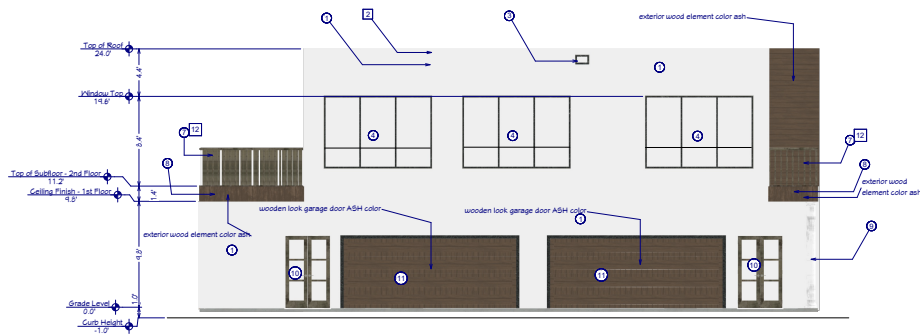
PROJECT DESCRIPTION:
2 STORY DUPLEX DUNES STREET

DRAWINGS PROVIDED BY:
Alexander Muller

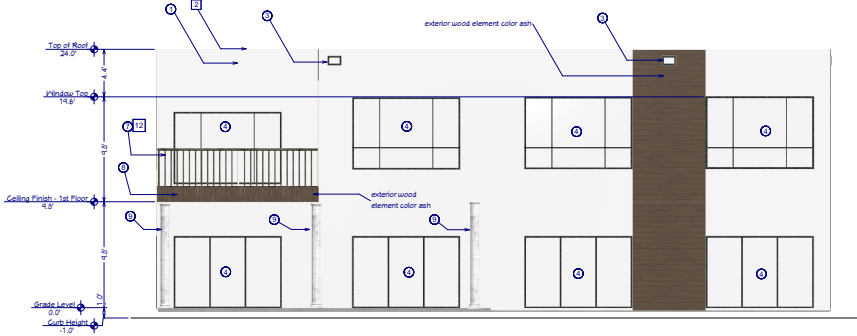
DATE:
12/27/2022

SCALE:
1/8" = 1'

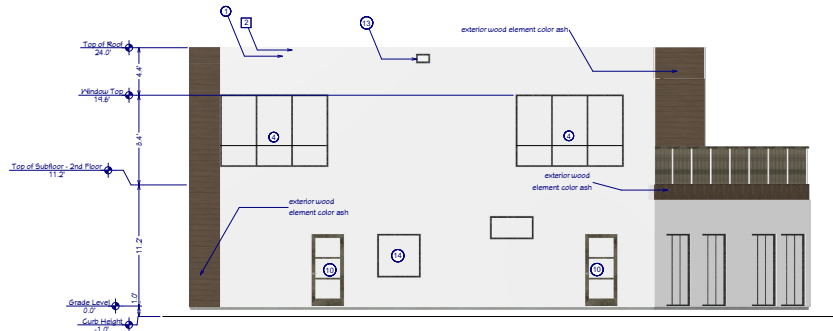
Colored
Building
Elevations



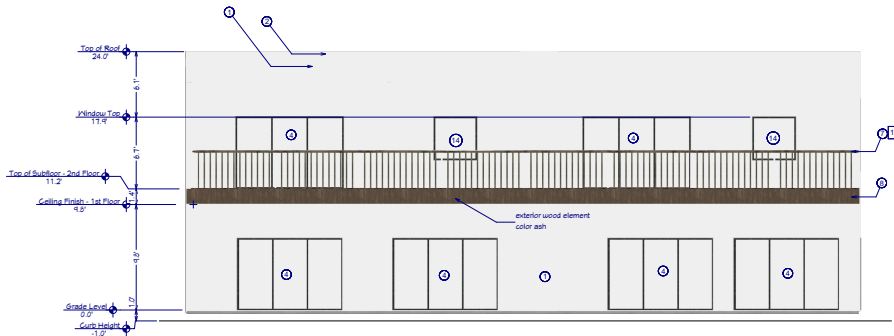
Exterior Elevation Left



Exterior Elevation Front



Exterior Elevation Right



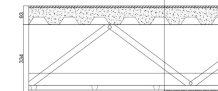
Exterior Elevation Back

EXTERIOR FINISH	
1	STUCCO
2	WHITE PAINT
3	ROOF DRAINAGE
4	ALUMINUM ALLOY GLASS WINDOW DEPTH 1 1/2" x HEIGHT 6 1/2" x 4 FINISH COLOR IS BLACK
5	ALUMINUM ALLOY GLASS WINDOW DEPTH 1 1/2" x HEIGHT 6 1/2" x 4 FINISH COLOR IS BLACK
6	ALUMINUM ALLOY GLASS WINDOW DEPTH 1 1/2" x HEIGHT 6 1/2" x 4 FINISH COLOR IS BLACK
7	RAILING
8	BALCONY EXTERIOR
9	SOME FACETED COLUMNS 10" HEIGHT HARBOR WHITE
10	DOOR
11	DRINK DOOR
12	JAVA ROCK BLACK COLOR
13	ROOF DRAINAGE
14	ALUMINUM ALLOY GLASS WINDOW DEPTH 1 1/2" x HEIGHT 6 1/2" x 4 FINISH COLOR IS BLACK

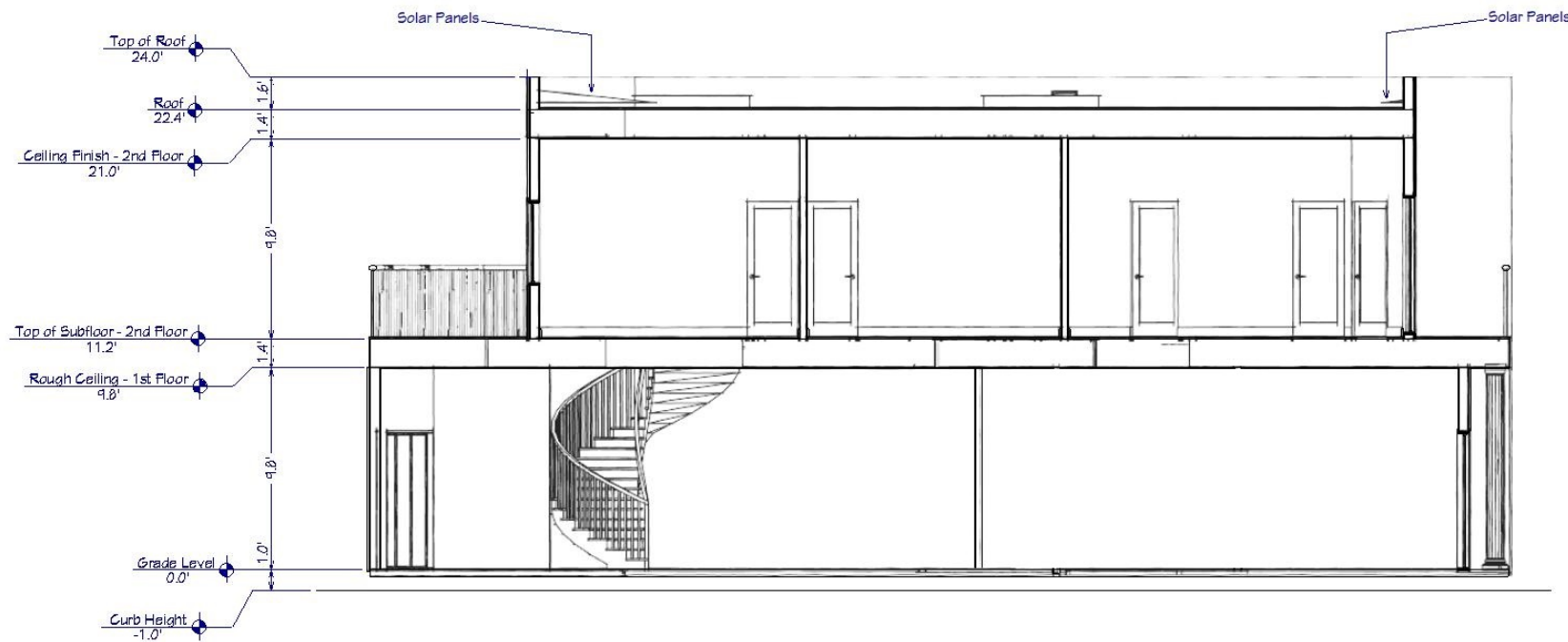
exterior notes

For the exterior finish, One Coat" Stucco color white will be used and wood element color ash

25/64"	ceramic tile 10mm
3/64"	Waterproof Coating 1mm
1 31/32"	concrete 50mm
11/2"	floor deck 38mm
5 29/32"	steel with 150mm Fiberglass Insulation
55/64"	Steel Batten 22 mm
15/32"	Plasterboard 12mm



Second Floor Detail



Cross Section North

Notes
HVAC will not be installed



Project Information
Residential Duplex
340 Dunes St. Oxnard, CA 93035
A.P.N. 196-0-031-155

MULLER DESIGNS

Alexander Muller
1370 maine Ave Unit F,
Baldwin park, Ca 91706
tel. 3236786593

PROJECT DESCRIPTION

2 STORY DUPLEX DUNES STREET

DRAWINGS PROVIDED BY:

Alexander Muller

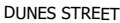
DATE:

10/03/2022

SCALE:

1/4" 1'

Cross
Section
North



- L1 - Project summary
- L2 - Hardscape and permeability plan
- L3 - Planting plan
- L4 - Planting notes and details
- L5 - Hydrozones and water budget
- L6 - Irrigation plan
- L7 - Irrigation details
- L8 - Irrigation details
- L9 - Irrigation notes

PROJECT SUMMARY
Scale: 1/16"=1'-0"



Name: Alexander Muller
Phone: 3236786583
Address: 1370 Maine ave unit F Baldwin park,ca
email: alex541987@hotmail.com

Project: 940 Dunes Street,
Oxnard Dunes, CA 93035

This project does incorporate Landscaping
Total landscape area: 405 Sq Ft
Turf area: 0 sq.ft.
Water type: Potable
Water Purveyor:
Compliance Method:
Submittal date:
Signature:

TOTAL DROUGHT TOLERANT PLANT MATERIAL 100%P
TREE CANOPIES ARE SHOWN IN FULL MATURITY
THE TYPE OF SOIL IS SUITABLE FOR ALL THE PROPOSED PLANTS IN
THIS LANDSCAPE
THIS APPROVAL IS FOR LANDSCAPE/IRRIGATION PLANS AND ALL
COMMON AREAS TO COMPLY WITH THE WATER-EFFICIENT
LANDSCAPING (AB1881) ONLY.
ALL HARDSCAPE, RETAINING WALLS, AND/OR BLOCK WALL FENCES
MUST BE REVIEWED AND/OR APPROVED UNDER A SEPARATE
PERMIT.
NO RECYCLED WATER FEATURE WITHIN THIS PROJECT.
SHREDDED WOOD CHIPS 1"-3" LENGTH, 3/8"-5/8" DIAMETER-3
INCHES THICK MIN, DISPENSED EVENLY THROUGHOUT ALL
PLANTING AREAS EXCEPT GROUND COVER AREA.
CONTRACTOR TO PROTECT AND PRESERVE IN PLACE ALL
EXISTING SURVEY MONUMENT. ANY MONUMENTS DISTURBED
SHALL BE RESET BY A LICENSED SURVEYOR AND APPROPRIATE
CORNER RECORD MUST BE FILED WITH THE COUNTY

All drawings, specifications, and documents prepared by P.L. performance designs landscape are instruments of service for use solely with respect to this project and shall not be used on other projects, for additions to this project, or for completion of this project without the express written permission of P.L. performance designs landscape. P.L. performance designs landscape shall be deemed the author of these documents and shall retain all common law, statutory and other rights, including copyright. Viewing these drawings and or documents shall constitute acceptance of the above terms.

DATE _____

P.L.
performance
designs
landscape
landscapinoca1952@gmail.com

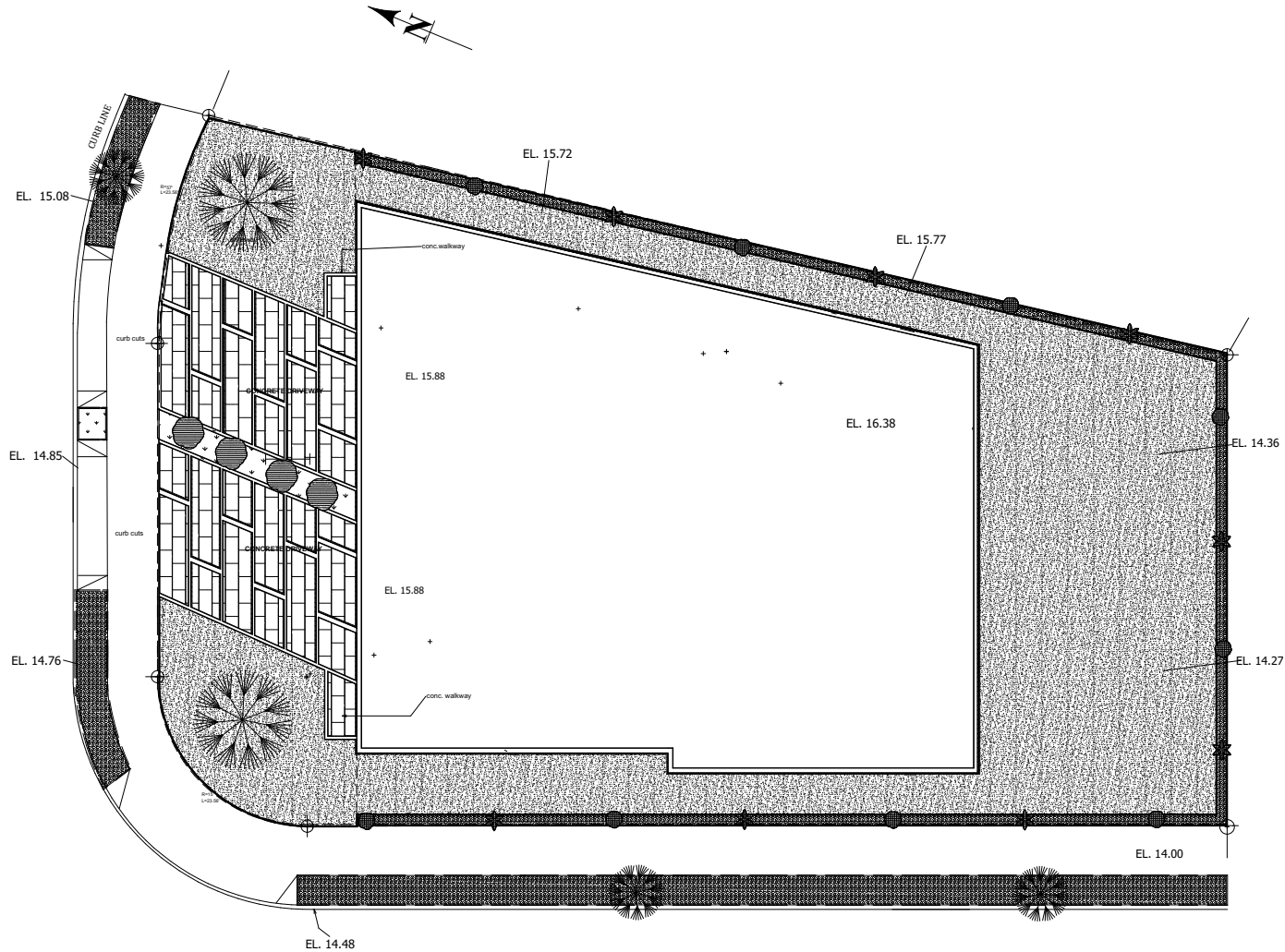
Project

9/9/2022

1/7" 1'

L1

DUNES CIRCLE



Permeability Pable
Parcel 6,366.5 Sq Ft
Building Footprint 3,099.5 Sq Ft
permeable hardscape 529 Sq Ft

SIGNATURE

DATE

All drawings, specifications, and documents prepared by P.L. performance designs landscape are instruments of service for use solely with respect to this project and shall not be used on other projects, for additions to this project, or for completion of this project without the express written permission of P.L. performance designs landscape. P.L. performance designs landscape shall be deemed the author of these documents and shall retain all common law, statutory and other rights, including copyright. Viewing these drawings and/or documents shall constitute acceptance of the above terms.

HARDSCAPE AND PERMEABILITY PLAN

P.L.
performance
designs
landscape
glandscape@gmail.com

Project
Residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

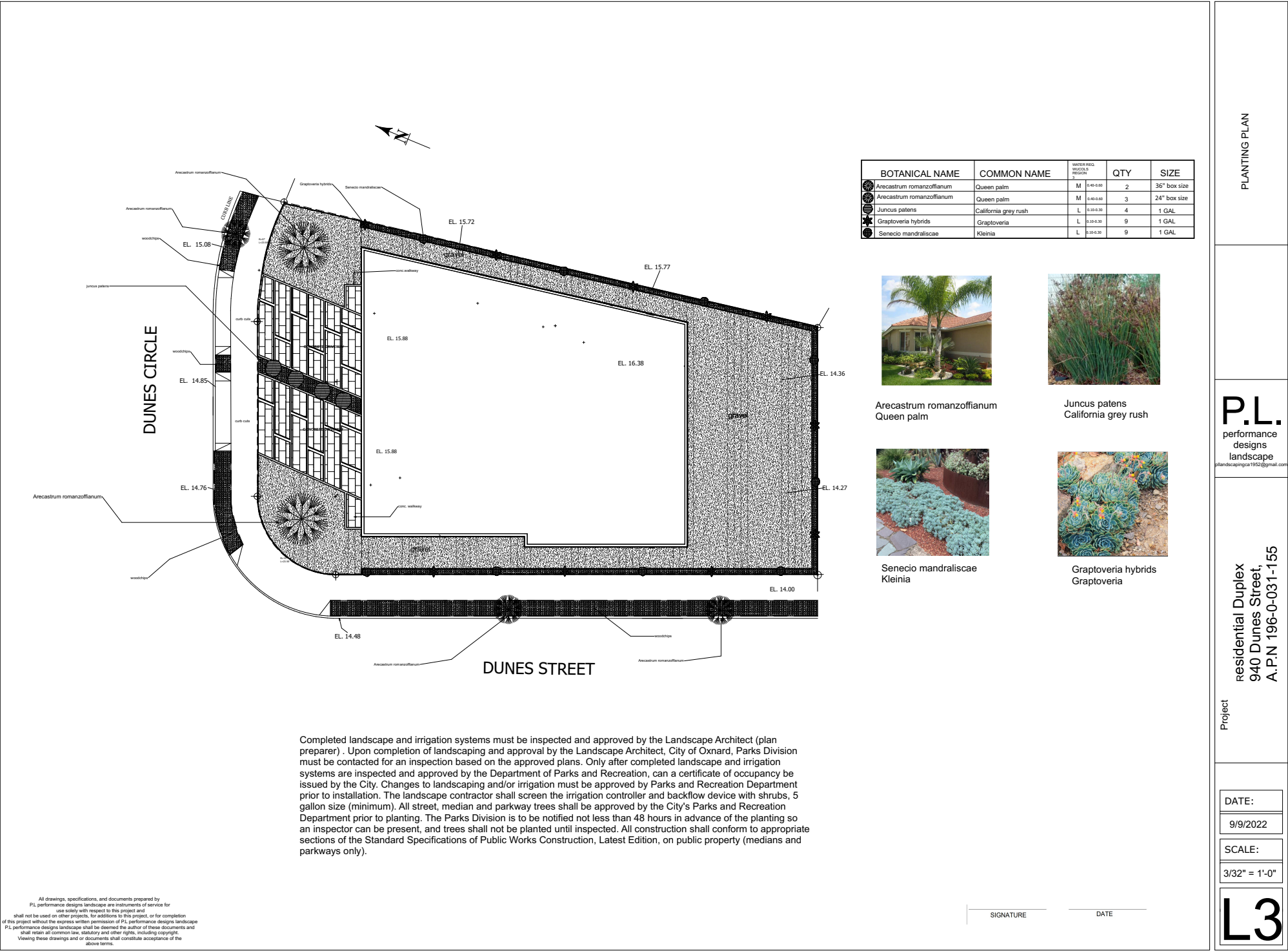
DATE:

9/9/2022

SCALE:

1/8" = 1'-0"

L2



BOTANICAL NAME	COMMON NAME	WATER REQ. (INCHES REGION 5)	QTY	SIZE
Arecastrum romanzoffianum	Queen palm	M 0.40-0.60	2	36" box size
Arecastrum romanzoffianum	Queen palm	M 0.40-0.60	3	24" box size
Juncus patens	California grey rush	L 0.10-0.30	4	1 GAL
Graptoveria hybrids	Graptoveria	L 0.10-0.30	9	1 GAL
Senecio mandraliscae	Kleinia	L 0.10-0.30	9	1 GAL



Arecastrum romanzoffianum
Queen palm



Juncus patens
California grey rush



Senecio mandraliscae
Kleinia



Graptoveria hybrids
Graptoveria

Completed landscape and irrigation systems must be inspected and approved by the Landscape Architect (plan preparer) . Upon completion of landscaping and approval by the Landscape Architect, City of Oxnard, Parks Division must be contacted for an inspection based on the approved plans. Only after completed landscape and irrigation systems are inspected and approved by the Department of Parks and Recreation, can a certificate of occupancy be issued by the City. Changes to landscaping and/or irrigation must be approved by Parks and Recreation Department prior to installation. The landscape contractor shall screen the irrigation controller and backflow device with shrubs, 5 gallon size (minimum). All street, median and parkway trees shall be approved by the City's Parks and Recreation Department prior to planting. The Parks Division is to be notified not less than 48 hours in advance of the planting so an inspector can be present, and trees shall not be planted until inspected. All construction shall conform to appropriate sections of the Standard Specifications of Public Works Construction, Latest Edition, on public property (medians and parkways only).

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SIGNATURE

DATE

PLANTING PLAN

P.L.
performance
designs
landscape
plandscape@gmail.com

Project
Residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

DATE:
9/9/2022
SCALE:
3/32" = 1'-0"

L3

Planting Notes

"A certificate of completion shall be signed by the designer of the landscape plans, irrigation plans, or the licensed landscape contractor for the project."

"All Planting areas to include a min. of 3in of mulch shall be applied to all exposed soil surfaces of planting areas except turf areas, creeping or rooting groundcovers or direct seeding applications where mulch is contraindicated."

"For soils less than 6% organic mater in the top 6in of soil, compost at a rate of 4 cubic yards per 1,000 square feet."

"Recirculating water systems shall be used for all water features."

COMPOST SPECIFICATION:

COMPOST SHALL BE PRODUCED BY A COMPOST FACILITY FULLY LICENSED BY THE STATE OF CALIFORNIA WHICH DOCUMENTS THE PATHOGEN REDUCTION PROCESS. COMPOST IS TO BE WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER. PH RANGE OF 6.5 TO 8; MOISTURE CONTENT 35 TO 65 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/8" SLEEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISIMENS/M; AND NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCE TOXIC TO PLANTINGS.

A) ORGANIC MATTER CONTENT: 50 TO 60 PERCENT OF DRY WEIGHT

B) FEEDSTOCK: AGRICULTURAL FOOD, OR INDUSTRIAL RESIDUALS; YARD TRIMMINGS; OR SOURCE-SEPARATED OR COMPOSTABLE MIXED SOLID WASTE. SLUDGE OR SEWAGE WASTE COMPOSTS ARE NOT ACCEPTABLE.

C) AMEND SOIL WITH AGRI SERVICE OR COMPARABLE HUMIC COMPOST SOIL AMENDMENT, SIX CUBIC YARDS PER 1,000 SQUARE FEET TO A DEPTH OF 6" TO 8" OF SOIL.

"A minimum 3-inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated."

"Unless contradicted by a soils test, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil."

"For soils less than 6% organic matter in the top 6 inches of soil, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches of soil."

PLANTING NOTES:

1. SOIL PREPARATION:
- A. CLEAR SITE OF ALL VEGETATION, INCLUDING LARGE ROOT SYSTEMS FROM PLANTS REMOVED.
- B. ROTOTILL TOGETHER 90% SITE SOIL AND 10% COMPOST TO A DEPTH OF 6".
- C. REMOVE ALL VEGETATION REMNANTS, CLODS OF 2" DIAMETER OR LARGER, STONES, SMALLER ROOTS, AND OTHER DELETERIOUS MATERIAL.
- D. IF SOIL IS OVERLY COMPACTED (OVER 150 PSL OR 85% PROCTOR), TILL COMPACTED AREA BY HAND TO A DEPTH OF 6-8". IF SOIL IS COMPACTED BELOW 8" DEPTH, BREAK UP COMPACTION WITH AN AUGER.
- E. WHEN PLANTING PER DETAIL, BACKFILL WITH 90% SITE SOIL AND 10% COMPOST.
- F. ALL LANDSCAPE AREAS ARE TO RECEIVE AN EVEN APPLICATION OF SOIL HUMATE WITH AN APPLICATION RATE PER PRODUCT SPECIFICATIONS DEPENDING ON TYPE USED. THE HUMATE AMENDMENT IS TO BE INCORPORATED UNIFORMLY ONTO TOP OF SOIL. THESE ARE ACCEPTABLE SOIL AMENDMENT PRODUCTS OR EQUIVALENT:
- 1.1. GRANULAR PRODUCT PREMIUM HUMATE FROM TRI-C. APPLICATION RATE IS 50 LBS PER 1,000 S.F. FOLLOW DIRECTION ON PRODUCT LABEL.
- 1.2. LIQUID PRODUCT SPRAY APPLICATION "TERAVITA LC-10 PLUS 7" (WWW.SIMPLICI-TEA.COM). FOLLOW DIRECTIONS ON PRODUCT LABEL.
- 1.3. "SOLLU-PLUKS" FROM EARTH-FORT (WWW.EARTHFORT.COM). LIQUID APPLICATION- 1 GALLON/ACRE OR 7 OZ FOR 2,375 S.F. FOLLOW DIRECTIONS ON PRODUCT LABEL.
2. PLANTING DEPTH: ALL PLANTS ARE TO BE PLANTED SO THAT AFTER SETTLING, THE CROWN OF THE PLANT IS EVEN WITH FINISH GRADE AND ALL ROOTS ARE FULLY COVERED WITH SOIL.
3. NO WATERING BASINS: DO NOT INSTALL WATERING BASINS AROUND PLANTS.
4. MULCH SPECIFICATION: INSTALL A 3-4" DEEP LAYER OF WOOD BARK AND LEAF MIXTURE MULCH ON TOP OF IRRIGATION TUBING. WOOD CHIPS OR ARTIFICIALLY COLORED MULCH SHALL NOT BE USED. KEEP ALL MULCH 4" AWAY FROM CROWN OF PLANTS.
5. COMPOST TEA: APPLICATION OF BREWED COMPOST TEA IS HIGHLY RECOMMENDED. PLEASE CONTACT COMPOST TEANA AT 310.367.6485.
6. MAINTENANCE: SIZES OF PLANTS AND TREES ARE SHOWN ON PLAN AT 75% OF MATURE SIZE. THE GARDENER WILL NEED TO ENSURE THAT ALL PLANTS AND TREES RECEIVE REGULAR MAINTENANCE I.E. PRUNING, THINNING, AND DIVIDING, AND MULCH RENEWAL TO MAINTAIN LONGEVITY, HEALTH, AND AESTHETIC INTENT OF THE PLANTING. CONTRACTOR SHALL BE RESPONSIBLE FOR MONITORING PLANT HEALTH AND WATERING SCHEDULING THROUGH WARRANTY. GARDENER RESPONSIBLE FOR DAY-TO-DAY MAINTENANCE.
7. QUANTITIES: CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES. QUANTITIES IN PLANTING PLAN SUPERCEDES QUANTITY IN PLANTING LEGEND.
8. PLANTING PATTERN: PLANT ALL GROUND COVERS IN A TRIANGULAR PATTERN FOR MOST EFFICIENT COVERAGE.
9. SUBSTITUTIONS: IF CERTAIN PLANTS ON PLANT LIST ARE NOT AVAILABLE AT THE TIME OF PLANTING, CONTACT STOUT DESIGN BUILD TO DETERMINE IF A SUITABLE SUBSTITUTION COULD BE MADE.
10. ON SITE POSITIONING: G.O. DESIGNS RESERVES THE RIGHT TO ADJUST PLANT MATERIAL ON SITE. PLANTS TO BE PLACED AND POSITIONED ON SITE PER PLAN BY LANDSCAPE CONTRACTOR. FINAL PLANT LAYOUT SHALL BE APPROVED BY G.O. DESIGNS PRIOR TO PLANTING.
11. GUARANTEE: ALL PLANT MATERIAL PURCHASED BY LANDSCAPE CONTRACTOR SHALL BE GUARANTEED FOR A PERIOD OF 3 MONTHS. GUARANTEE PERIOD COMMENCES FROM THE TIME OF FINAL INSPECTION AND ACCEPTANCE BY THE OWNER. PLANTS USED FOR REPLACEMENT OF DEAD PLANTS SHALL BE THE SAME KIND AND SIZE AS ORIGINALLY PLANTED, UNLESS OTHERWISE DIRECTED BY STOUT DESIGN BUILD. REPLACEMENT PLANTS ARE TO BE PLANTED FOLLOWING THE ORIGINAL PLANS AND SPECIFICATIONS.
12. MEADOW AREA: SPACE PLUGS EVENLY THROUGHOUT. SEE LEGEND FOR SPACING (IN A TRIANGULAR PATTERN). USE 2" OR SMALLER PLUGS. SPREAD WILDFLOWER SEED BETWEEN GRASS PLUGS AFTER ALL PLANTING IS COMPLETE. SPREAD SEED PER NURSERY RECOMMENDATIONS. CONTACT S&S SEEDS FOR SEED RATE & TO PURCHASE SEEDS: WWW.SSSEEDS.COM, (805) 684-0436. EMAIL: INFO@SSSEEDS.COM. ADDRESS: PO BOX 1275, CARPINTERIA, CA.

SHRUB PLANTING NOTES:

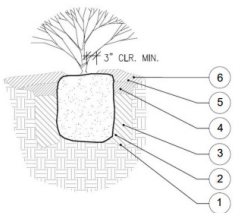
1. EXCAVATE PLANTING PIT MIN. TWICE AS WIDE AS ROOT BALL AND 1/2" LESS IN DEPTH THAN THE SOIL CONTAINER. SOIL AT BOTTOM OF PIT SHOULD BE FIRM AND SLIGHTLY MOIST. SHARP EDGES OF PIT MOUNTED. SHARP EDGES OF PIT.
- 1.1. AFTER EXCAVATION OF PIT, FILL HOLE WITH WATER AND ENSURE THAT IT DRAINS WITHIN ONE HOUR. IF WATER DOES NOT DRAIN, USE AUGER TO BREAK THROUGH HARDPAN. FILL HOLE 1-2" MORE TIMES IF SOIL IS DRY. IF HOLE DOES NOT DRAIN, NOTIFY GARDENER'S REPRESENTATIVE IMMEDIATELY.
- 1.2. DRENCH PLANT ROOTBALL BY DUNKING INTO WATER (OR MYCORRHIZAL DRENCH IF LIQUID PRODUCT IS USED) PRIOR TO PLACING IN HOLE. FOR CONTAINER SIZES LESS THAN 15 GAL. FOR 15 GAL. DRENCH IN CONTAINER.
2. ADD MYCORRHIZAL FUNGI DIRECTLY TO PLANT ROOTS PER PRODUCT LABEL. COLLAR MYCO. (REVIVAL ENDS) SET PLANT ROOT BALL IN HOLE PLUMB AND CENTERED WITH COLLAR 1" HIGHER THAN FINISHED GRADE. USE 10% COMPOST AND 90% NATIVE SOIL TO BACKFILL HOLE TO 2/3 OF ROOTBALL. MOISTENING AND TAMPING ALL AROUND. FILL REMAINING PORTION OF PIT TO THE TOP OF ROOTBALL WITH MORE BACKFILL MIX. ENSURE PLANT COLLAR IS STILL 1" HIGHER THAN GRADE. PROVIDE POSITIVE DRAINAGE AWAY FROM ROOTBALL.
3. APPLY 3-4" SHREDED BARK MULCH (ORGANIC, WEED AND DISEASE FREE) TOP DRESSING AROUND ENTIRE ROOTBALL AREA, STAYING 3" AWAY FROM COLLAR OF PLANT. AFTER PLANTING, WATER THOROUGHLY, ALLOWING MULCH TO SETTLE AND WATER TO SOAK IN. REPEAT THOROUGH WATERING.

TREE PLANTING NOTES:

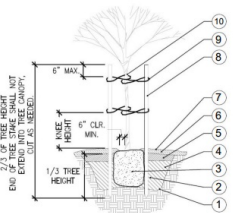
1. EXCAVATE PLANTING PIT MIN. TWICE AS WIDE AS ROOT BALL AND 1/2" LESS IN DEPTH THAN THE SOIL CONTAINER. SOIL AT BOTTOM OF PIT SHOULD BE FIRM AND SLIGHTLY MOIST. SHARP EDGES OF PIT. FILL HOLE WITH WATER AND ENSURE THAT IT DRAINS WITHIN ONE HOUR. IF WATER DOES NOT DRAIN, USE AUGER TO BREAK THROUGH HARDPAN. FILL HOLE 1-2" MORE TIMES IF SOIL IS DRY. IF HOLE DOES NOT DRAIN, NOTIFY GARDENER'S REPRESENTATIVE IMMEDIATELY.
- 1.2. ADD MYCORRHIZAL FUNGI DIRECTLY TO PLANT ROOTS PER PRODUCT LABEL.
2. SET PLANT ROOT BALL IN HOLE PLUMB AND CENTERED WITH COLLAR 1" HIGHER THAN FINISHED GRADE.
3. USE 10% COMPOST AND 90% NATIVE SOIL TO BACKFILL HOLE TO 2/3 OF ROOTBALL. MOISTENING AND TAMPING ALL AROUND.
4. FILL REMAINING PORTION OF PIT TO THE TOP OF ROOTBALL WITH MORE BACKFILL MIX. ENSURE PLANT COLLAR IS STILL 1" HIGHER THAN GRADE. PROVIDE POSITIVE DRAINAGE AWAY FROM ROOTBALL.
5. APPLY 3-4" SHREDED BARK MULCH (ORGANIC, WEED AND DISEASE FREE) TOP DRESSING AROUND ENTIRE ROOTBALL AREA, STAYING 6" AWAY FROM TREE COLLAR.
6. AFTER PLANTING, WATER THOROUGHLY, ALLOWING MULCH TO SETTLE AND WATER TO SOAK IN. REPEAT THOROUGH WATERING.
7. 2" DIAMETER UNTREATED LUGGE POLE PINE TREE STAKE. 2 PER TREE. STAKES SHALL EXTEND A MIN. OF 2' INTO UNDISTURBED SOIL, NEXT TO ROOTBALL.
8. TREE STRAP - USE VIT CLUNCH TREE TIES, OR APPROVED EQUIVALENT. LENGTH AS REQUIRED, 2 PER TREE. NAILED OR SCREWED TO STAKE. PASTED TO ALLOW FOR 3"-6" TREE MOVEMENT IN WIND.
9. TREE TIES SHALL BE PLACED 27"-31" ABOVE THE BRIDLE LEAD POINT AND A SECOND SET PLACED AT KNEE HEIGHT AND SHALL BE REMOVED AFTER THE FIRST YEAR.

NOTE: FOR STANDARD 1/2" BOX AND LARGER TREES:

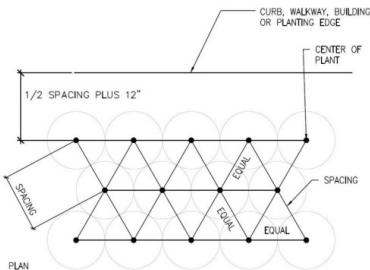
10. REMOVE NURSERY STAKES.
11. MAINTAIN A SINGLE LEADER FOR STANDARD TREES. DISCUSS INSTALL PRUNING WITH LANDSCAPE ARCHITECT. PRUNE ANY DEAD WOOD WITH FLUSH CUTS. USE CLEAN PRUNERS. CLEAN OUT SMALL STEMS AND BRANCHES BELOW LOWEST BRANCHES.
12. REMOVE PLANT TAGS AND KEEP IN SINGLE PLACE FOR LANDSCAPE ARCHITECT.
13. TREE IN CONTAINER OR LARGER SHALL RECEIVE TWO STAKES PER THIS DETAIL, UNLESS OTHERWISE APPROVED BY LANDSCAPE ARCHITECT.



SHRUB PLANTING

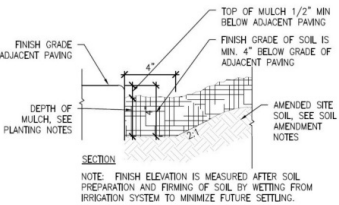


TREE PLANTING AND STAKING



NOTE: SEE PLANT LEGEND FOR SPACING (WIDTH) FOR EACH PLANT SPECIES.

PLANT SPACING



NOTE: FINISH ELEVATION IS MEASURED AFTER SOIL PREPARATION AND FINING OF SOIL BY WETTING FROM IRRIGATION SYSTEM TO MINIMIZE FUTURE SETTLING.

GRADE AT EDGE OF PAVING

SIGNATURE

DATE

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Planting notes and details

P.L. performance designs landscape
landscape@ppldesigns.com

Project
residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

Project

DATE:

9/9/2022

SCALE:

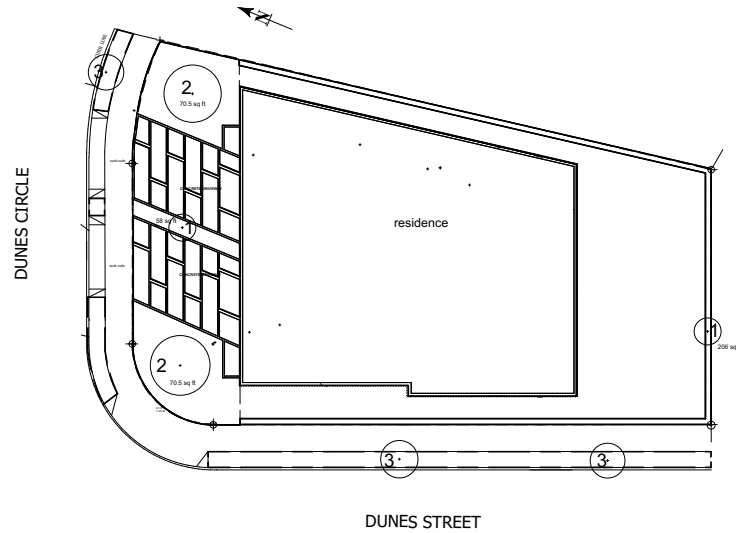
N/A

L4

Zone	1
Wucols	L
Area	264
Total Zone Flow	2.64
Precip.Rate	0.96in/hr
Emmitter Flow	0.9 GPH
3/4" Pipe	

Zone	2
Wucols	M
Area	141
Total Zone Flow	1.41
Precip.Rate	0.96in/hr
Emmitter Flow	0.9 GPH
3/4" Pipe	

Zone	3
Wucols	M
Area	
Total Zone Flow	
Precip.Rate	0.96in/hr
Emmitter Flow	0.9 GPH
3/4" Pipe	



WATERING SCHEDULE

WATER DURING INTIAL PLANTING PERIOD:
SHRUB AND GROUNDCOVERS SYSTEMS: 30 MINUTES 1X PER DAY FOR FIRST 10 DAYS

SPRING WATERING DURING PLANT ESTABLISHMENT
TREE, SHRUB AND GROUNDCOVER SYSTEMS: 30 - 35 MINUTES 2X PER WEEK

SUMMER WATERING AFTER PLANT ESTABLISHMENT
TREE, SHRUB AND GROUNDCOVER SYSTEMS: 45 MINUTES 1X PER WEEK (FOR NATIVE OR DROUGHT TOLERANT PLANTS)

FALL WATERING AFTER PLANT ESTABLISHMENT
TREE, SHRUB AND GROUNDCOVER SYSTEMS: 35-45 MINUTES 2X PER WEEK (FOR NATIVE OR DROUGHT TOLERANT PLANTS)

WINTER WATERING AFTER PLANT ESTABLISHMENT
TREE, SHRUB AND GROUNDCOVER SYSTEMS: 40 MINUTES 1X PER WEEK (SUPPLEMENTAL WATER ONLY REQUIRED IN DROUGHT CONDITIONS)

NOTE:
1. "WATERING SCHEDULE IS PROVIDED AS A GENERAL GUIDELINE. TIME AND DAYS PER WEEK SHALL BE ADJUSTED WATERING SCHEDULE IS PROVIDED AS A GENERAL GUIDELINE. TIME AND DAYS PER WEEK SHALL BE ADJUSTED BASED ON WEATHER CONDITIONS, PLANT TYPE, SOIL, ETC."
2. "ESTABLISHMENT IS TYPICALLY FIRST 3-6 MONTHS ESTABLISHMENT IS TYPICALLY FIRST 3-6 MONTHS"
3. "I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE."

STATIC WATER PRESSURE
1. CONTRACTOR SHALL VERIFY EXISTING STATIC WATER PRESSURE ONSITE
2. STATIC PRESSURE: 70 PSI
3. CONTRACTOR SHALL VERIFY SIZE OF EXISTING WATER METER ONSITE

DRIP APPLICATION RATE: 0.96 in/hr

"A minimum 3-inch layer of mulch shall be applied on all expose soil surfaces of planting areas except turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated."
"Unless contradicted by a soils test, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil."

"I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN."

"I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE."

"THE PACKAGE COMPLIES WITH THE PRESCRIPTIVE APPROACH OF THE MWEO."

water efficient worksheet landscape

Reference evapotranspiration (42.3)

Landscape area	PF	Irrigation Method	Irrigation Efficiency	ETAF PF/IE	landscape area sq ft	ETAF x Area	estimated total water use (ETWU)
Zone 1 Low Water	0.2	Drip	0.81	0.25	264	66	2087.6
Zone 2 Moderate Water	0.5	Drip	0.81	0.62	141	87.42	2796.7
Zone 3 Moderate Water	0.5	Drip	0.81	0.62	60	37.2	1190.1
			Totals		465	190.62	6074.4
special landscape areas					0	0	
Totals				C	D	ETWU Total	6,074.4
						maximum allowed water allowance MAWA	8,534
						MAWA = (ETo) (0.62) [0.7 x LA + 0.3 x SLA]	
						ETWU=ETO x 0.62 X ETAF X Area	

MAWA = (ETo) (0.62) [0.7 x LA + 0.3 x SLA]= 8534 GAL

6074.4 < 8534

ETWU=ETO x 0.62 X ETAF X Area = 6074.4 GAL

ETWU COMPLIES WITH MAWA

ZONE	VALVE	WUCOLS	DESCRIPTION	AREA sq/ft	% OF LANDSCAPE	IRRIGATION METHOD	FLOW (GMP)	MICROCLIMATE	SLOPE %	APPLICATION RATE (inch/hr)
1	1	LOW	BACKYARD AND FROMNT	264	65.185	DRIP	2.64	FULL SUN	0	0.96
2	2	MOD	FRONTYARD TREES	141	34.814	DRIP	1.41	FULL SUN	0	0.96
3	3	MOD	PARKWAY TREES	60	N/A	DRIP	0.6	FULL SUN	0	0.96
			TOTAL LANDSCAPE	405						

HIDROZONES-PLANTS BY ZONE		
1	LOW	Senecio mandraliscae, Juncus patens, Graptoveria hybrids
2	MOD	Arecastrum romanzoffianum
3	MOD	Arecastrum romanzoffianum

SIGNATURE

DATE

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Hydrozones and water budget

P.L.
performance
designs
landscape
glandscape@gmail.com

Project
residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

Project

DATE:

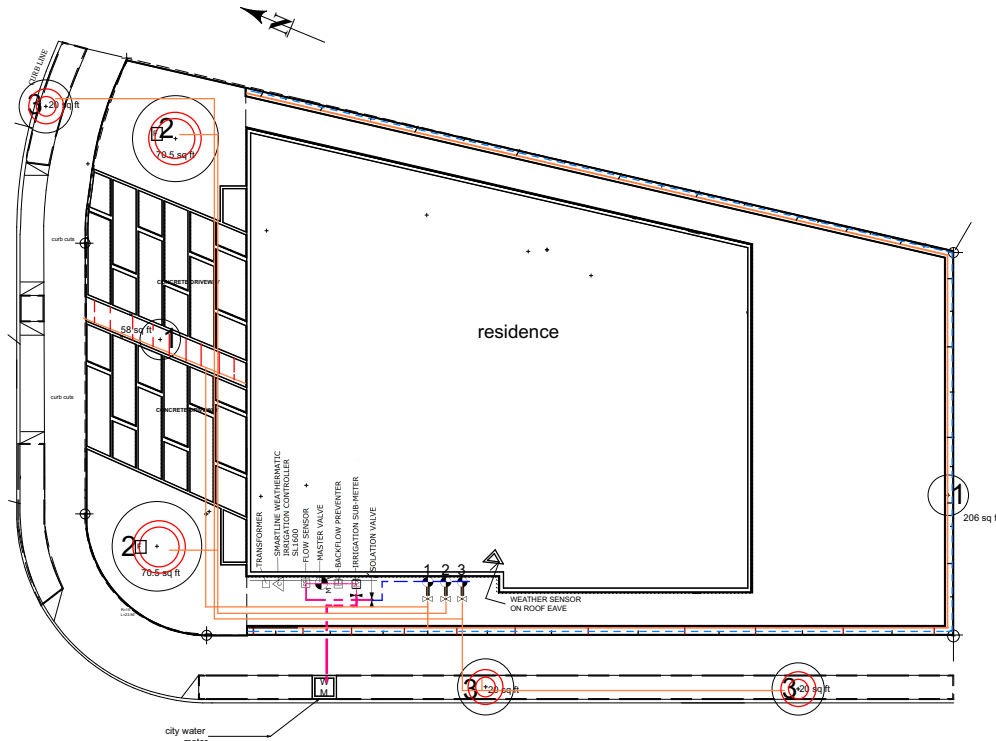
9/9/2022

SCALE:

1/8" = 1'-0"

L5

DUNES CIRCLE



DUNES STREET

GENERAL IRRIGATION NOTES

1. A DIAGRAM OF THE HYDROZONE PLAN SHALL BE KEPT WITH THE IRRIGATION CONTROLLER FOR SUBSEQUENT MANAGEMENT PURPOSES.
2. A CERTIFICATE OF COMPLETION SHALL BE FILLED OUT AND CERTIFIED BY EITHER THE SIGNER OF THE LANDSCAPE PLANS, THE SIGNER OF THE IRRIGATION PLANS, OR THE LICENSED LANDSCAPE CONTRACTOR FOR THE PROJECT.
3. AN IRRIGATION AUDIT REPORT SHALL BE COMPLETED AT THE TIME OF FINAL INSPECTION.
4. IRRIGATION WATER SUPPLY IS CITY SUPPLIED POTABLE WATER FROM THE EXISTING WATER METER LOCATED AT THE PARKWAY.
5. AT THE TIME OF FINAL INSPECTION, THE PERMIT APPLICANT MUST PROVIDE THE OWNER OF THE PROPERTY WITH A CERTIFICATE OF COMPLETION, CERTIFICATE OF INSTALLATION, IRRIGATION SCHEDULE, SCHEDULE OF LANDSCAPE MAINTENANCE AND SCHEDULE OF IRRIGATION MAINTENANCE.
6. RECIRCULATING WATER SYSTEMS SHALL BE USED FOR WATER FEATURES.
7. PRESSURE REGULATING DEVICES ARE REQUIRED IF WATER PRESSURE IS BELOW OR EXCEEDS THE RECOMMENDED PRESSURE OF THE SPECIFIED IRRIGATION DEVICES.
8. CHECK VALVES OR ANTI-DRAIN VALVES ARE REQUIRED ON ALL SPRINKLER HEADS WHERE LOW POINT DRAINAGE COULD OCCUR.
9. MANUAL SHUT-OFF VALVES SHALL BE REQUIRED, AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY, TO MINIMIZE WATER LOSS IN CASE OF AN EMERGENCY OR ROUTINE REPAIR.

IRRIGATION DETAIL NOTES

- DRIP
1. ALL PLANTED AREAS ARE DRIPPED WITH NETAFIM TLOW-12 GRID. THE EMITTER SPACING IS 18" AND THE ROW SPACING FOR ALL ZONES IS 12".
 2. ALL DRIP GRIDS HAVE BEEN POSITIONED TO BE SITUATED ON THE CONTOUR OF THE SLOPE. WHEN INSTALLING RIDG, ENSURE LINES OF THE GRID ARE PARALLEL TO THE SLOPE.
 3. ENSURE THAT ALL PLANTS HAVE ONE EMITTER POSITIONED ON THE ROOTBALL. IF AN EMITTER DOES NOT FALL DIRECTLY ON TOP OF A ROOTBALL, USE THE NETAFIM MICRO TUBING ADAPTOR PLUGGED INTO A NEAREST NETAFIM PALINE EMITTER, AND RUN 1/4" DRIP TUBE ONTO ROOTBALL AND STAKE DOWN.
 4. THE DRIP ZONES HAVE DASHED LINES DRAWN IN MARKING THE POSITIONS OF ALL THE DRIP TUBING.
 5. ALL ZONES HAVE EITHER 12" PVC, 3/4" PVC OR 1/2" BLANK POLYETHYLENE TUBING RUNNING DIRECTLY FROM THE VALVE WHERE THE ZONE BEGINS. THESE INDIVIDUAL SIZES ARE CLEARLY MARKED ON THIS PLAN. BE SURE TO INSTALL THE CORRECT SIZE PIPE OR TUBING, AS THEY ARE DESIGNED TO HANDLE THE MAXIMUM FLOW OF EACH ZONE.
 6. ON THE EDGES OF THE DRIP ZONES, START THE EMITTER LINE ROWS NO MORE THAN 4" FROM THE HARDSCAPING EDGE.
 7. THE SUPPLY AND EXHAUST HEADERS FOR EACH SUB-GRID CONSIST OF 1/2" BLANK POLYETHYLENE TUBING.
 8. DRIP GRIDS AND SUB-GRIDS HAVE A FLUSH POINT AT THE HYDRAULIC OPPOSITE END OF THE SUPPLY HEADER. INSTALL PER INSTALLATION DETAIL.
 9. TEMPORARILY PLUG ANY EMITTER THAT WILL NOT BE NEEDED WITH NETAFIM PLUG. THIS PLUG CAN BE EASILY REMOVED LATER, WHEN THE ROOTS HAVE REACHED THAT AREA.

IRRIGATION LEGEND

QUANTITY	SYMBOL	DESCRIPTION
METERS/PUMPS		
1		1 INCH IRRIGATION SUB-METER (SL 100)
BACKFLOW DEVICES		
1		FISCO B60 - 1"
CONTROL VALVES		
3		RAIN BIRD RZC 1/2 100 PWP (30 psi)
1		RAIN BIRD 100 - PWS
IRRIGATION ACCESSORIES		
1		SMARTLINE WEATHERMATIC SL 1000
1		WEATHERMATIC WEATHER SENSOR SLW10
2		NETAPH MANUAL LINE-FLUSHING VALVE - FTL50V
3		PRESSURE REGULATOR (INCLUDED WITH VALVE)
3		DRIP FILTER (INCLUDED WITH VALVE)
1		RAIN BIRD 1" ISOLATION VALVE (BALL VALVE)
1		RAIN BIRD FLOW SENSOR
MAINLINE PIPE		
20 ft		SCHEDULE 40 1"
LATERAL PIPE		
350 ft		SCHEDULE 40 3/4"
PVC SLEEVES		
50 ft		2" CLASS 200 PVC
DRIP TUBING		
100 ft		NETAPHM TLOW-12
200ft		1/2" BLANK POLYETHYLENE TUBING
180		NETAPHM MICRO TUBING ADAPTOR - TUBTUBADAP
180		NETAPHM EMITTER PLUG - TSLRPLUG

IRRIGATION MAINTENANCE SCHEDULE

DURING FIRST SIX WEEKS AFTER INSTALLATION:

1. CHECK CONTROLLER AND LANDSCAPE EVERY TWO WEEKS TO ENSURE THAT THE AUTOMATIC PROGRAM IS FUNCTIONING WELL, AND THE PLANTS ARE THRIVING.
2. CHECK WATERING HISTORY ON CONTROLLER.
3. CHECK THAT ALL DATA IN CONTROLLER ARE CURRENT AND CORRECT.
4. TURN ON ALL ZONES AND WALK THROUGH TO ENSURE PROPER FUNCTION OF ALL COMPONENTS.

EVERY SIX MONTHS:

1. FLUSH ALL DRIP ZONES TO REMOVE ANY DEBRIS FROM THE SYSTEM.
2. FLUSH ALL DRIP FILTERS AT THE VALVES EVERY SIX MONTHS.
3. TURN ON EACH ZONE, AND THROUGH TO ENSURE THAT ALL IS FUNCTIONING WELL. MAKE ANY REPAIRS OR ADJUSTMENTS NEEDED.

ANNUALLY:

1. PERFORM AN ANNUAL, FULL-SYSTEM IRRIGATION CHECK. MAKE ANY NEEDED REPAIR OR ADJUSTMENTS.

"THE LANDSCAPE FOR THIS PROPERTY MUST BE BUILT TO THE APPROVED LANDSCAPE PLANS WITHIN THIS APPROVED BUILDING PLAN SET. ANY REVISIONS TO APPROVED PLANS WILL REQUIRE RE-SUBMITTAL AND APPROVAL AND MUST STILL COMPLY WITH THE CURRENT WATER-EFFICIENT LANDSCAPE AND IRRIGATION STANDARDS. ANY AREAS OF LANDSCAPE NOT COMPLETED AT TIME OF THE CLOSE OF THE BUILDING CONSTRUCTION PERMIT MUST BE COVERED WITH A MINIMUM 3 INCH (3") LAYER OF MULCH. THIS INCLUDES ALL EXPOSED SOIL SURFACES OF EXISTING PLANTING AREAS EXCEPT IN TURF AREAS, OVER CREEPING OR ROOTING GROUNDCOVERS, OR IN DIRECT SEEDING APPLICATIONS, WHERE MULCH IS NOT APPROPRIATE. FUTURE LANDSCAPE INSTALLATIONS FOR INCOMPLETE LANDSCAPE INSTALLATIONS MUST BE TO THE APPROVED LANDSCAPE PLANS. I HAVE READ AND UNDERSTAND THE TERMS OF THIS STATEMENT."

VALVES

1. VALVES ARE 3/4" RAIN BIRD CONTROL ZONE KITS WITH PRE-INSTALLED FILTERS AND 30 PSI PRESSURE REGULATORS. THEY ARE TO BE INSTALLED PER INSTALLATION DETAIL.
2. VALVE MAINFOLDS HAVE AN ISOLATION VALVE DIRECTLY UPSTREAM.

PIPES

1. THE MAINLINE PIPE IS 1" SCHEDULE 40 PVC ALL THE WAY FROM THE WATER METER, THROUGH THE POINT OF CONNECTION AND ONWARD TO EACH VALVE MAINFOLD. CONNECT TO THE CITY WATER SUPPLY WHERE SHOWN ON PLAN.

CONTROLLER, WEATHER SENSOR AND IRRIGATION SUB-METER

1. THE IRRIGATION CONTROLLER IS A 16-STATION WEATHERMATIC SL1000 SMART CONTROLLER.
2. WEATHERMATIC WEATHER SENSOR SLW10 INSTALLED ABOVE CONTROLLER, ON ROOF EAVE, WITH NO OBSTRUCTION FROM ABOVE. ENSURE THE WEATHER SENSOR IS IN A SUNNY SPOT, AND THAT NOTHING BLOCKS RAIN.
3. THERE IS A MASTER VALVE DIRECTLY DOWNSTREAM OF THE IRRIGATION SUB-METER. BE SURE TO WIRE IT TO CONTROLLER.

"I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN."

"I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE."

"THE PACKAGE COMPLIES WITH THE PRESCRIPTIVE APPROACH OF THE MMWO."

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SIGNATURE

DATE

IRRIGATION PLAN

P.L.
performance
designs
landscape
glandscape@gmail.com

Project
residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

Project

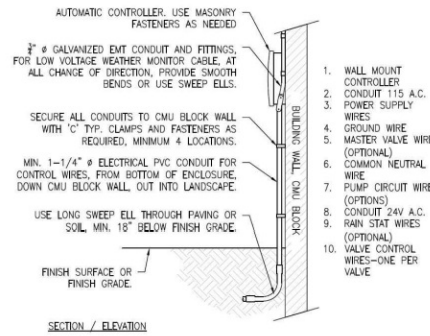
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9/9/2022

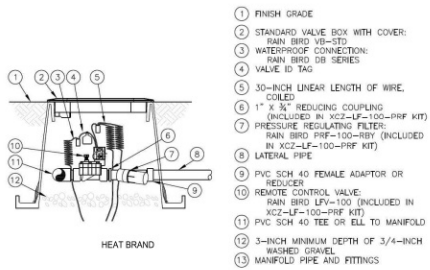
SCALE:

1/7" 1"

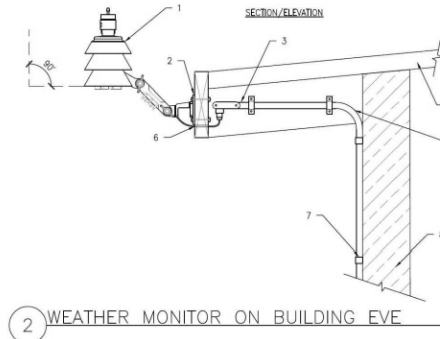
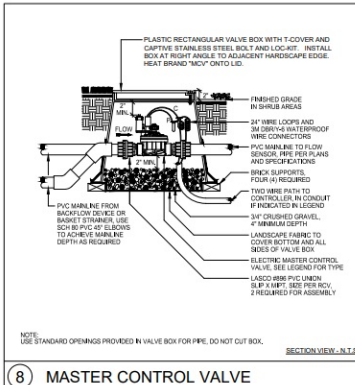
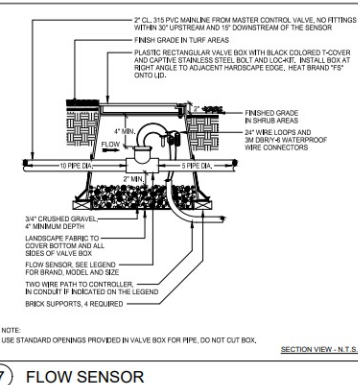
L6



1 IRRIGATION SYSTEM CONTROLLER

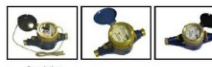


3 DRIP ZONE CONTROL VALVE



DLJ Epoxy Coated Bronze Water Meters

Models DLJ 50, DLJ 75, DLJ 75TS, DLJ 100

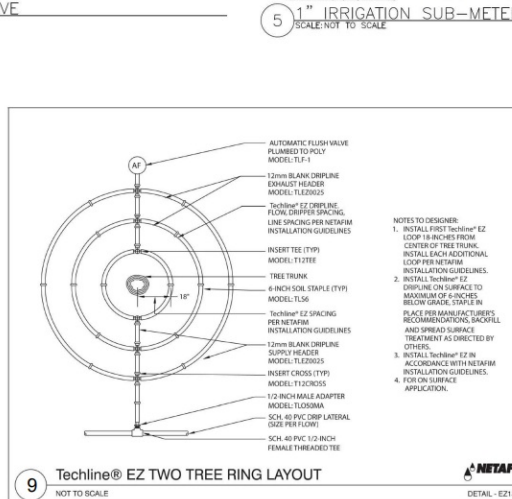
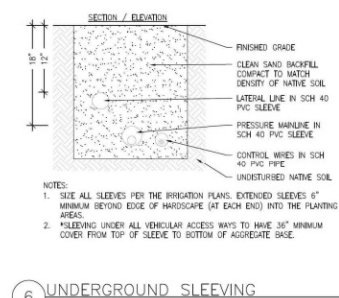


Description

Operation: The DLJ 50, 75, 75TS and 100 are 1/2" NPT and 1/2" NPT meters. The DLJ 50 and 75 are 1/2" NPT and 1/2" NPT. The DLJ 75TS and 100 are 1/2" NPT and 1/2" NPT. The DLJ 50 and 75 are 1/2" NPT and 1/2" NPT. The DLJ 75TS and 100 are 1/2" NPT and 1/2" NPT.

Specifications	DLJ 50	DLJ 75	DLJ 75TS	DLJ 100
Normal Flow Rate	1.00	1.00	2.00	3.00
Max. Flow Rate	1.50	1.50	3.00	4.50
Min. Flow Rate	0.50	0.50	1.00	1.50
Pressure Rating	150	150	150	150
Material	Brass	Brass	Brass	Brass
Finish	Epoxy Coated	Epoxy Coated	Epoxy Coated	Epoxy Coated
Weight	1.50	1.50	3.00	4.50

NOTE: INSTALL WATER METER IN STANDARD RECTANGULAR VALVE BOX.



IRRIGATION DETAILS

P.L.
performance
designs
landscape

Project
residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

DATE:

9/9/2022

SCALE:

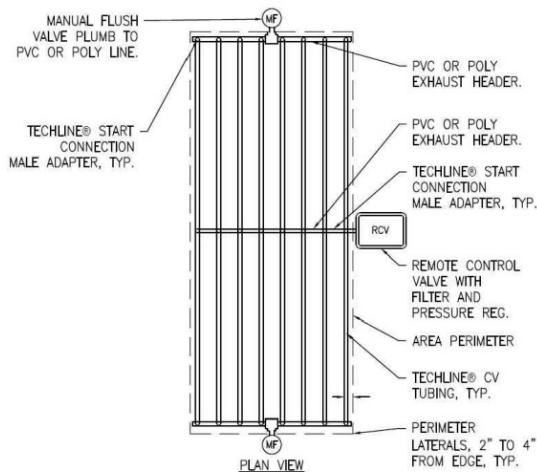
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L7

SIGNATURE

DATE

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1 INLINE DRIP CENTER FEED



NOTE: IF THERE ARE ANY EMITTERS IN THE NETAFIM GRID THAT WILL NOT BE NEEDED IN THE PRESENT, PLUG THEM WITH THE "DRIPPER PLUG RING" FROM NETAFIM. THESE PLUGS ARE REUSABLE.

2 DRIPPER PLUG RING

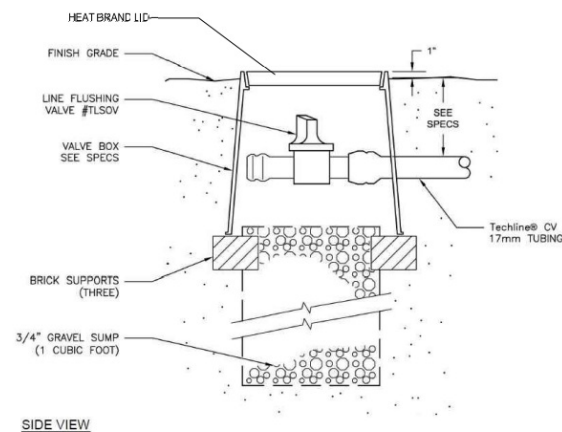


TO ENSURE THAT EACH NEW PLANT HAS AN EMITTER ON ITS ROOT BALL, USE THIS ADAPTOR FROM NETAFIM. IT IS CALLED A MICRO TUBING ADAPTOR. THE MODEL NUMBER IS: TLMTUBEADP.

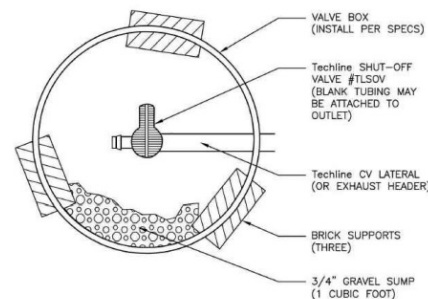
CLIP THIS ADAPTOR ONTO THE NEAREST INLINE EMITTER IN THE GRID TO THE PLANT. THEN ATTACH A LENGTH OF $\frac{1}{2}$ " DRIP TUBING, AND RUN IT TO THE TOP OF THE ROOT BALL, AND STAPLE IT DOWN.

THIS ADAPTOR AND $\frac{1}{2}$ " TUBING MAY BE REMOVED AFTER THE ROOTS OF THE PLANTS MOVE OUT INTO THE NATIVE SOIL.

3 NETAFIM MICRO-TUBING ADAPTOR



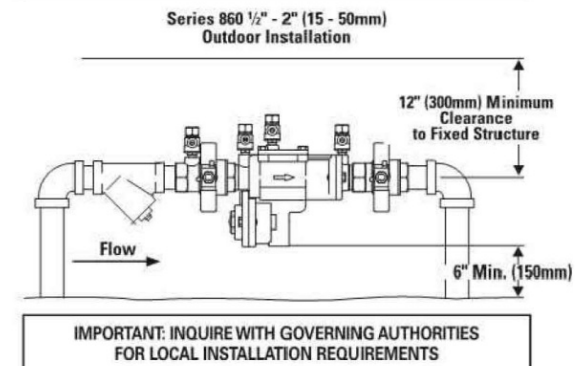
SIDE VIEW



TOP VIEW

4 NETAFIM TECHLINE CV MANUAL FLUSHLINE VALVE

Typical Installation



5 BACKFLOW PREVENTER

GENERAL IRRIGATION NOTES "CONTRACTOR SHALL BE LICENSED; IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO READ, UNDERSTAND, AND ADHERE S RESPONSIBILITY TO READ, UNDERSTAND, AND ADHERE TO PROJECT NOTES AND SPECIFICATION, PERTAINING TO ALL PLANS, INCLUDING THE FOLLOWING GENERAL AND SITE SPECIFIC NOTES." 1. "THIS DESIGN IS DIAGRAMMATIC. ALL VALVES, ETC., SHOW WITHIN PAVED AREAS FOR DESIGN CLARIFICATION ONLY, AND SHALL BE INSTALLED IN THE PLANTING AREAS WHERE POSSIBLE, AVOID ANY CONFLICTS BETWEEN THE IRRIGATION SYSTEM AND EXISTING STRUCTURES, UTILITIES AND PLANTING." 2. "ALL MAINLINE PIPING UNDER PAVING SHALL BE INSTALLED IN SEPARATE SLEEVES, MAIN LINE SLEEVE, CONTROL WIRE SLEEVES SHALL BE OF SUFFICIENT SIZE FOR THE REQUIRED NUMBER OF WIRES UNDER PAVING, OR SIZE AS INDICATED ON PLANS." 3. "ALL EXTERIOR LOW VOLTAGE WIRE CONNECTIONS SHALL BE FULLY ENCLOSED USING WATERPROOF CONNECTORS." 4. "EXTEND ALL SLEEVES A MINIMUM OF SIX (6) INCHES BEYOND PAVING EDGES." 5. "PROVIDE A MINIMUM OF 18" COVER OVER ALL PRESSURE MAINLINE PIPE AND 12" MINIMUM COVER OVER ALL COVER OVER ALL PRESSURE MAINLINE PIPE AND 12" MINIMUM COVER OVER ALL MINIMUM COVER OVER ALL NON-PRESSURE LATERAL LINES." 6. "CONTRACTOR SHALL BE RESPONSIBLE FOR PULLING VALVE WIRING THROUGH SLEEVING WHEN NECESSARY." 7. "ALL LATERAL LINE PIPING UNDER PAVING SHALL BE PVC SCHEDULE 40 PIPE AND SHALL BE INSTALLED PRIOR TO PAVING." 8. "EXERCISE EXTREME CARE WHEN EXCAVATING FOR IRRIGATION SYSTEM DUE TO EXISTING UTILITIES. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BECOME FAMILIAR WITH ALL GRADE DIFFERENCES, LOCATION OF WALLS, STRUCTURES, AND UNDERGROUND UTILITIES. THE CONTRACTOR SHALL COORDINATE HIS WORK WITH AND ALL OTHER TRADES ON SITE." 9. "DO NOT WILLFULLY INSTALL THE IRRIGATION SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTION, GRADE DIFFERENCES OR DIFFERENCES IN THE AREA DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE DESIGN. SUCH OBSTRUCTIONS OR DIFFERENCES SHOULD BE BROUGHT TO THE ATTENTION OF G.O. DESIGNS. IN THE EVENT THIS NOTIFICATION IS NOT PERFORMED, THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY REVISIONS NECESSARY." 10. "ALL THREADED PIPE CONNECTIONS MADE TO SLIP-JOINT PVC PIPE SHALL BE MADE WITH A PVC THREADED COUPLING. ALL THREADED ADAPTERS AND COUPLINGS ARE TO BE 'DURA' DEEP SOCKET TYPE. DURA' DEEP SOCKET TYPE. DEEP SOCKET TYPE." 11. "ALL VALVES SHALL BE LOCATED IN GROUND COVER AREAS WHENEVER POSSIBLE. REMOTE CONTROL VALVES SHALL BE INSTALLED IN BELOW GRADE BOXES. USE BROWN COLORED BOXES UNLESS OTHERWISE SPECIFIED." 12. "THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING THE FINAL CONNECTION OF CONTROL WIRES BETWEEN EXISTING WIRES AND NEW CONTROL VALVES." 13. "CONTRACTOR SHALL PROVIDE SEPARATE SLEEVE FOR PRESSURIZED MAINLINE AND LATERALS ROUTED UNDER EXISTING WALKWAYS AS NEEDED." 14. "CONTRACTOR SHALL FOLLOW ALL MANUFACTURER'S INSTRUCTIONS AND RECOMMENDATIONS FOR INSTALLATION AND S INSTRUCTIONS AND RECOMMENDATIONS FOR INSTALLATION AND COORDINATION OF THE IRRIGATION SYSTEM TO INSURE A COMPLETE SYSTEM." 15. "COVER ALL DRIP LINES WITH MINIMUM 3" THICK LAYER OF APPROVED BARK MULCH." 16. "PRESSURE REGULATION DEVICES ARE REQUIRED IF WATER PRESSURE IS BELOW OR EXCEEDS THE RECOMMENDED PRESSURE REGULATION DEVICES ARE REQUIRED IF WATER PRESSURE IS BELOW OR EXCEEDS THE RECOMMENDED PRESSURE OF THE SPECIFIED IRRIGATION DEVICES." 17. "MANUAL SHUT-OFF VALVES SHALL BE REQUIRED, AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE MANUAL SHUT-OFF VALVES SHALL BE REQUIRED, AS CLOSE AS POSSIBLE TO THE POINT OF CONNECTION OF THE WATER SUPPLY, TO MINIMIZE WATER LOSS IN CASE OF AN EMERGENCY OR ROUTINE REPAIR." 18. "CHECK VALVES OR ANTI-DRAIN VALVES AREA REQUIRED ON ALL SPRINKLER HEADS WHERE LOW POINT DRAINAGE CHECK VALVES OR ANTI-DRAIN VALVES AREA REQUIRED ON ALL SPRINKLER HEADS WHERE LOW POINT DRAINAGE COULD OCCUR." 19. "A DIAGRAM OF THE IRRIGATION PLAN SHOWING HYDROZONES SHALL BE KEPT WITH THE IRRIGATION CONTROLLER A DIAGRAM OF THE IRRIGATION PLAN SHOWING HYDROZONES SHALL BE KEPT WITH THE IRRIGATION CONTROLLER FOR SUBSEQUENT MANAGEMENT PURPOSES." 20. "AT THE TIME OF FINAL INSPECTION, THE PERMIT APPLICANT MUST PROVIDE THE OWNER OF THE PROPERTY WITH A AT THE TIME OF FINAL INSPECTION, THE PERMIT APPLICANT MUST PROVIDE THE OWNER OF THE PROPERTY WITH A CERTIFICATE OF COMPLETION, CERTIFICATE OF INSTALLATION, AND AN IRRIGATION SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE." 21. "AN IRRIGATION AUDIT REPORT SHALL BE COMPLETED AT THE TIME OF FINAL INSPECTION." 22. "AN OPEN-TRENCH INSPECTION BY CITY STAFF IS REQUIRED PRIOR TO COVERING BELOW GRADE PIPES, LATERALS, AND MAINS. THE DESIGNER OF THE LANDSCAPE, OR THEIR DESIGNEE, AND GENERAL CONTRACTOR, OR THEIR DESIGNEE, PERFORMING THE INSTALLATION MUST BE PRESENT AT THE OPEN- TRENCH INSPECTION. FOR OPEN-TRENCH INSPECTIONS, CALL THE OFFICE OF SUSTAINABILITY AND THE ENVIRONMENT AT (310) 458-8405." 23. "PRIOR TO FINAL INSPECTION INSTALLER SHALL TEST THE IRRIGATION SYSTEM TO VERIFY THAT IT MEETS THE APPROVED DESIGN AND SPECIFICATIONS." 24. "PRIOR TO FINAL INSPECTION INSTALLER MUST PROGRAM THE IRRIGATION CONTROLLER." 25. "A FINAL INSPECTION BY CITY STAFF IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY TO ENSURE THAT THE SYSTEM WAS BUILT TO APPROVED PLANS AND SPECIFICATIONS. FOR FINAL INSPECTIONS, CALL THE OFFICE OF SUSTAINABILITY AND THE ENVIRONMENT AT (310) 458-8405. THE FOLLOWING ITEMS WILL BE REQUIRED AT FINAL INSPECTION PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY: POST-INSTALLATION SOIL TEST RESULTS WHICH MUST CONTAIN THE PERCENTAGE (%) OF ORGANIC MATTER; MAY ALSO INCLUDE BUT IS NOT LIMITED TO SOIL TEXTURE; INFILTRATION RATE OR SOIL TEXTURE INFILTRATION RATE TABLE; PH; TOTAL SOLUBLE SALTS; SODIUM; AND RECOMMENDATIONS DETERMINED BY LABORATORY TEST. EXCEPTION: LANDSCAPES CONTAINED ENTIRELY IN PLANTERS OR CONTAINERS ARE EXEMPT FROM THIS REQUIREMENT. A DETAILED IRRIGATION CONTROLLER MAP MUST BE INSTALLED INSIDE OR NEAR THE IRRIGATION CONTROLLER WITH AT MINIMUM A DESCRIPTION FOR EACH ZONE INCLUDING: PLANT MATERIAL, WATERING DEVICE, VALVE, OR STATION NUMBER, RUN TIME FOR PEAK DEMAND MONTH AND PRECIPITATION RATE. IRRIGATION SCHEDULES INCLUDING ESTABLISHMENT PERIOD START AND END DATES, MUST BE POSTED INSIDE THE IRRIGATION CONTROLLER HOUSING UNIT BY THE INSTALLER." 26. "ELECTRONIC SUBMISSION OF AN AS-BUILT SET OF PLANS TO THE CITY IS REQUIRED IF REQUESTED BY CITY INSPECTOR." 27. "PRIOR TO CONSTRUCTION OF LANDSCAPED AREA OR IRRIGATION, THE CONTRACTOR MUST OBTAIN AND REVIEW A COPY OF THE WATER-EFFICIENT LANDSCAPE AND IRRIGATION STANDARDS." 28. "ALL LANDSCAPING AND IRRIGATION SYSTEMS MUST COMPLY WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS." 29. "THE IRRIGATION SYSTEM MUST COMPLY WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS." 30. "THE IRRIGATION DESIGNER OR LANDSCAPE ARCHITECT OR LANDSCAPE DESIGNER SHALL PERFORM ONE OR MORE SITE OBSERVATIONS DURING SYSTEM INSTALLATION TO CHECK FOR ADHERENCE TO THE DESIGN. INCLUDING THAT THE PROPER INSTALLATION OF THE BACKFLOW PREVENTION ASSEMBLY, MAIN LINE, LATERALS, VALVES, SPRINKLER HEADS, DRIP IRRIGATION EQUIPMENT, CONTROL WIRE, CONTROLLERS, AND SENSORS MEETS THE INTENT OF THE IRRIGATION DESIGN PLAN AS DESIGNED AND APPROVED." 31. "AREAS DESIGNATED AS MULCH ON APPROVED LANDSCAPE PLANS, INCLUDING AREAS COVERED BY WOOD CHIPS, GRAVEL, STONE, DECOMPOSED GRANITE, AND AREAS DESIGNATED AS ARTIFICIAL TURF ON APPROVED LANDSCAPE PLANS CANNOT BE REPLACED WITH TURFGRASS OR HIGH WATER USE PLANTS AS DEFINED IN THE CURRENT EDITION OF THE WATER USE CLASSIFICATION OF LANDSCAPE SPECIES (WUCOLS), ONCE MULCH OR ARTIFICIAL TURF HAS BEEN INSTALLED." 32. "TURFGRASS, INCLUDING EXISTING PLANT MATERIAL, IS NOT ALLOWED ON SLOPES GREATER THAN TWENTY-FIVE PERCENT (25%) WHERE THE TOE OF THE SLOPE IS ADJACENT TO AN IMPERMEABLE HARDSCAPE." 33. "PLANT MATERIAL LISTED IN THE CURRENT INVASIVE PLANT INVENTORY FOR THE SOUTHWEST REGION BY THE CALIFORNIA INVASIVE PLANT COUNCIL OR LISTED FOR THE SOUTH COAST REGION BY THE PLANTRIGHT ORGANIZATION ARE PROHIBITED, INCLUDING EXISTING PLANT MATERIAL, EXCEPT FOR KNOWN NON-FRUITING, NON-INVASIVE, STERILE VARIETIES, CULTIVARS OR SELECTIONS." 34. "AUTOMATIC WEATHER-BASED OR SOIL-MOISTURE BASED IRRIGATION CONTROLLERS SHALL BE INSTALLED ON THE IRRIGATION SYSTEM." 35. "A CERTIFICATE OF COMPLETION SHALL BE FILLED OUT AND CERTIFIED BY EITHER THE SIGNER O F THE LANDSCAPE PLANS OR THE LICENSED LANDSCAPE CONTRACTOR FOR THE PROJECT"	
---	--

DATE:

9/9/2022

SCALE:

N/A

L9

SIGNATURE

DATE

Project

residential Duplex
940 Dunes Street,
A.P.N 196-0-031-155

Irrigation notes

C

NOTICE OF EXEMPTION

Project Description: PZ No. 22-400-01 (Coastal Development Permit): A request to construct a two-story 5,591 square-foot duplex on a 6,366 square-foot vacant site. The proposed development includes two attached units. Each unit will be two stories and will include three bedrooms, two and one-half bathrooms, an attached two-car garage and a balcony. Filed by Alexander Muller, on behalf of property owner Ekaterina and Leonid Muller, 1370 Maine Ave, Unit F, Baldwin Park, California, 91706.

Finding: The Planning Division of the Development Services 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 CEQA Guidelines, §15303 (Class 3, New Construction or Conversion of Small Structures), projects involving “construction of small structures such as a duplex” may be found to be exempt from the requirements of CEQA. This Project meets the requirements of a Class 3 Categorical Exemption because it consists of a duplex totaling two units, which is less than the allowable limit of six units in an urbanized area. This project qualifies for this exemption because the proposed use is allowed by zoning, the residential structure will provide two dwelling units, the project complies with all the development standards of the underlying zoning district, and the applicant has also submitted evidence from a biologist that demonstrates it is unlikely that any special status species would occur on the site due to the prior grading, the size of the property, the property’s decades-long isolation from the dune system, and surrounding development and human activity. No Exceptions to the Exemptions (Section 15300.2) apply to defeat the Exemption. Based on the above exemption and in accordance with CEQA, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment and hereby authorizes and directs the Planning and Environmental Services Manager to file a Notice of Exemption with the Ventura County Clerk.

(Date)

Joe Pearson II, Planning Manager
City of Oxnard

D

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 8289

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
ESTABLISHING DESIGN AND DEVELOPMENT STANDARDS FOR DUPLEX
RESIDENTIAL STRUCTURES ON THE R-2-PD ZONED LOTS ON TRACT
1567 IN THE OXNARD DUNES NEIGHBORHOOD.

WHEREAS, the City Council and Planning Commission of the City
of Oxnard have been concerned with the quality of residential development
proposed for the Oxnard Dunes area; and

WHEREAS, the Planning Commission has considered several
development alternatives for the Dunes area and has directed that a
development standard be formulated for the Dunes area; and

WHEREAS, the City Council has found the development and design
standards to be appropriate.

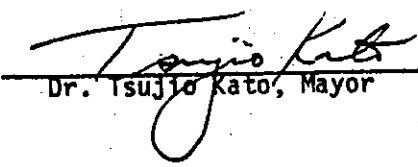
NOW, THEREFORE, BE IT RESOLVED that the City Council of the
City of Oxnard hereby adopts the attached Design and Development
Standards for duplex residential structures on the R-2-PD lots of Tract
1567 in the Oxnard Dunes area.

Passed and adopted this 12th day of January, 1982, by the
following vote:

AYES: Council members Maron, Maxwell, Takasugi, Kato, and Lopez

NOES: None

ABSENT: None


Dr. Tsujio Kato, Mayor

ATTEST: 
Mabi Covarrubias, City Clerk

DEVELOPMENT AND DESIGN STANDARDS FOR DUPLEX
RESIDENTIAL STRUCTURES IN TRACT 1567
OXNARD DUNES NEIGHBORHOOD

MANDATORY STANDARDS

The following group of development standards are considered mandatory for application in all projects where physically possible.

1. Building Setbacks

- A. Rear and sideyard setbacks shall be governed by the R-2 (Multiple Family) zone of the Oxnard City Code.
- B. A fifteen foot frontyard setback is permitted for one story structures and the first story of any two story building, except that where a "head-in" driveway is used, there shall be a twenty (20) foot setback from the garage door to the front property line.

2. Interior Yard Space and Lot Coverage

- A. Twenty-five percent (25%) of the building lot area shall be devoted to interior yard space (I.Y.S.) in accordance with provisions of the R-2 zone. Minimum dimension of any area to be included for I.Y.S. shall be fifteen (15) feet. Interior yard space area shall be clear from ground to sky except that raised open ground decks and patios are permitted.

B. Building Siting

Total lot coverage for the area covered by structures shall not exceed 60%.

- C. All plans submitted for Planning permit processing and plan check review shall contain a summary of square footage and percentage of the following:

- 1. Interior Yard Space
- 2. Building Coverage
- 3. Paving Coverage
- 4. Total Lot Coverage (2 + 3)
- 5. Landscaping Coverage

3. Residential Structure Design and Architecture

- A. Architectural styles shall be sensitive to the surrounding beach environment. Dwellings should stress the use of wood elements in an honest structural and architectural representation. Finish grade wood facades are encouraged. Wood elements shall be

treated to minimize weathering.

- B. Roofing material shall be of a fire retardant or resistant material such as concrete or clay tile or slate. Heavily textured composition shingles may be used depending on architectural style and design review by the Design Review Committee and Planning Commission. Wood shakes or shingles are not acceptable due to fire hazard. However, final approval of roof materials shall be by the Fire Department.
- C. Side-by-side units of a duplex residential structure shall be integrated by the use of common structural elements and continuous building facade treatments. The appearance from the street should be of a single family residence rather than two separate dwellings.
- D. Maximum building height shall be 25 feet from the average adjacent curb height.
- E. All garage doors shall use finish exterior grade wood in a decorative manner which is consistent with other major exterior structural elements.
- F. The garage floor shall not be more than 18" above the adjacent alleyway or street from which access is taken.

4. Driveway and Curb Cut Design and Location

- A. The total combined width of curb cuts on a duplex lot shall not exceed 32 feet.
- B. To the maximum extent possible, there shall be at least 18 feet between curb cuts on adjacent lots. In any event, curb cut placement shall allow at least one on-street parking space. Plans submitted for Planning permit approval shall dimension the distance between curb cuts on adjacent lots.
- C. Where dual head-in driveways are provided to separate garages, the dual driveways shall be separated by a landscape planter having a minimum dimension of three (3) feet.
- D. All driveways and entry walks shall use textured surfaces such as stamped concrete, bominite, grasscrete, lawnblock or brick; or concrete driveways with inlaid brick or stamped concrete and brushed or rock salt concrete cement surfaces.
- E. All garage doors shall be equipped with automatic openers.
- F. For those lots abutting a public alley, all off-street parking and garage access shall be off the alley.

5. Landscaping

- A. Preliminary landscape plans shall be included with plans submitted for Planning permit approval. Said plans shall show

location of trees, shrubs, and ground covers and shall indicate sizes of same.

- B. All landscaping shall comply with the City's adopted Residential and Street Tree Landscape Guidelines.
- C. In addition to the landscape requirements above, one 24 inch box tree shall be provided in the front yard of each unit.
- D. Plant and tree species shall be types which flourish and thrive in sandy soils found in beach areas.

6. Combining of Two or More Lots

- A. The combining of two or more lots (reversion to acreage) is permitted, however, the structures shall adhere to the setbacks from the original property lines unless the developer can demonstrate a better design concept and still maintain a low profile, single family character development.
- B. The number of dwelling units shall not be increased over what could be built on the original individual lots.

7. Miscellaneous Standards

- A. Garage and off-street parking requirements shall be in accordance with Section 34-5 of the Oxnard City Code.
- B. Mezzanines, lofts, attics, or other third level areas shall not be permitted.
- C. Identical appearing structures shall not be located next to each other, and no more than two identical structures shall be permitted within the Dunes area.
- D. No off-street parking areas shall be located in required sideyards or front yards, except for permitted tandem driveway spaces.

8. Land Divisions

No land divisions or lot splits for townhouse or other purposes which would create a lot having an area of less than 6,000 square feet shall be permitted.

RECOMMENDED STANDARDS

The following design criteria, particularly the architectural standards, are strongly encouraged for application in appropriate projects. Failure to recognize or implement a majority of these criteria may result in a negative recommendation to the Planning Commission or City Council.

1. Residential Structure Design and Architecture

- A. Building layouts which minimize exposure of garage doors to the street are encouraged (e.g., combination of swing driveways or garages facing away from the street).
- B. The height and bulk of a proposed structure should relate to adjacent buildings. A combination of one and two story volumes and levels within the structure is encouraged to avoid a massive or bulky building appearance.
- C. Roof styles and types should be appropriate for a beach community. Flat roofs are permitted only if used in an appropriate architectural context.
- D. Colors and materials used on dwelling exteriors should take into account the existing fabric of the surrounding neighborhood. Colors should generally be limited to a basic range of earth tones. In general, no more than three different materials or colors should be used on the exterior of a duplex structure.
- E. Individual units of a duplex should express some variations in details such as varied entry orientations.
- F. The purpose of these requirements is to maintain a low profile single family character of residential structure.

2. Driveway Design and Curb Cut Location

- A. Combining curb cuts to provide more vertical street curbs is encouraged.
- B. The use of a combination head-in/swing driveway is encouraged to reduce paving area and garage door exposure to the street.

MGW:mp

dunesdesignstd

E

RESOLUTION NO. 2023-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 22-400-01 (COASTAL DEVELOPMENT PERMIT) TO AUTHORIZE CONSTRUCTION OF A TWO-STORY, 5,591 SQUARE-FOOT RESIDENTIAL DUPLEX BUILDING ON A 6,366 SQUARE-FOOT VACANT LOT LOCATED AT 940 DUNES STREET (APN: 196-0-031-155). IN THE COASTAL MULTIPLE-FAMILY (R-2-C) ZONE AND IS LOCATED WITHIN THE DUNES NEIGHBORHOOD, SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY ALEXANDER MULLER, ON BEHALF OF PROPERTY OWNER EKATERINA AND LEONID MULLER, 1370 MAINE AVENUE, UNIT F, BALDWIN PARK, CALIFORNIA 91706.

WHEREAS, on January 14 2022, Alexander Muller, on behalf of property owner Ekaterina and Leonid Muller (the “**Applicant**” and/or “**Permittee**”), submitted a request for a Coastal Development Permit, pursuant to Oxnard City Code Section 17-57 through 17-58, to allow the construction of a two-story 5,591 square-foot residential duplex on a 6,366 square-foot vacant lot. The proposed development includes two attached units, with one unit totaling 2,910 square-feet and the second unit totaling 2,681 square feet. Each unit includes an attached two-car garage and second floor balcony. The project is located at 940 Dunes Street; and

WHEREAS, on February 2, 2023, the Planning Commission of the City of Oxnard (“**Planning Commission**”) conducted a duly noticed public hearing to consider Applicant’s request to approve Planning and Zoning Permit No. 22-400-01 (Coastal Development Permit) to allow the construction of a two-story residential duplex development and associated amenities and infrastructure on a 6,366 square foot vacant lot, located at 940 Dunes Street; and

WHEREAS, the Planning and Environmental Services Division has completed a preliminary environmental assessment of the Project in accordance with the California Environmental Quality Act (CEQA) and determined that the Project is subject to a Class 3 Categorical Exemption (Section 15303(b)). Further, the project does not trigger any of the Exceptions to the Exemptions (Section 15300.2) to defeat the Exemption:

- (a) Location. Classes 3 and 4 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/Local Coastal Plan land use designation of Residential Existing (REX) and a Coastal Zoning designation of Coastal Multiple Family (R-2-C). The Project site is surrounded by residential developments. The project site and adjacent sites do not contain any known environmental resource of hazardous or critical concern. Therefore, the project will have no impact on an environmental resource of hazardous or critical concern.

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

The proposed Coastal Development Permit request for construction of a 5,591 square-foot two-story residential duplex building and associated amenities and infrastructure on a 6,366 square-foot undeveloped lot is consistent with the 2030 General Plan, Local Coastal Plan and the Oxnard City Code and is compatible with the physical scale and character of other residential development in the project area. Any projects requiring discretionary approval would be analyzed with the 2030 General, Local Coastal Plan and the Oxnard City Code for consistency and CEQA for any potential impacts. Therefore, the project will have no significant cumulative impact.

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

The proposed Coastal Development Permit request for construction of a 5,591 square-foot two-story residential duplex building and associated amenities and infrastructure on a 6,366 square-foot undeveloped lot will not result in an unusual circumstance that would cause the project to have a significant effect on the environment. The project will not alter the residential character of the surrounding development and the property does not contain any unusual environmental characteristics as the property is surrounded on all sides by residential development. Therefore, the project will not have a significant effect on the environment due to unusual circumstances.

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

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

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

The proposed project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code as confirmed by staff on June 22, 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 is undeveloped and does not contain an existing or potential landmark, point of interest, or historic resource, and it is not located within an existing, proposed, or potential Historic District. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource.

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

SECTION 1. Based on the entire record before the Planning Commission and all written and oral evidence presented, including the Planning Commission staff report and all attachments thereto, the Planning Commission finds:

- (1) **The proposed use is conditionally permitted within the subject (R-2-C) subzone and conforms with all of the applicable provisions of this chapter.**

As specified in Section 17-13 (C) (1) of the Oxnard City Code (OCC), a multi-family residential use is a conditionally permitted use in the R-2-C subzone with a Coastal Development Permit. The project site has a General Plan and Local Coastal Plan land use designation of Residential Existing (REX). As discussed in the staff report, the proposed Project complies with all the development standards of the R-2-C subzone, applicable provisions of Chapter 17 of the Oxnard City Code, and the Oxnard Dunes Neighborhood design and development standards adopted by City Council Resolution No. 8289.

(2) The proposed use will not impair the integrity and character of the subject sub-zone.

The Project design and use complies with the development standards of the R-2-C sub-zone related to setbacks, building height, interior yard space, and parking. The Project also complies with the design provisions of Section 17-46 (B) of the Oxnard City Code related to architectural design, building mass, lighting, color, and privacy. The Project also complies with the Oxnard Dunes Neighborhood design and development standards adopted by City Council Resolution No. 8289. Similar multi-family development exists in the neighborhood. As proposed and conditioned, the Project is not expected to negatively affect the integrity or character of the R-2-C sub-zone or immediate neighborhood.

(3) The location and intensity of use of the subject site would be physically suitable and would protect and maintain adjacent coastal resources.

The Project site is surrounded by existing urban development, mainly multi-family residential uses. The Local Coastal Program planned for this lot to be developed with multi-family uses. The lot is not adjacent to a beach public access way nor is it a beachfront lot. The lot is undeveloped and devoid of any coastal resources.

As discussed in the staff report, the proposed Project and use are consistent with uses considered and permitted by the Coastal Multiple-Family (R-2-C) zone, including the design standards. Construction activities, anticipated uses, and development design will be subject to standard construction requirements of the Building and Fire Codes. The proposed use is compatible with existing surrounding uses and future development of the area. Therefore, the location and proposed intensity of the Project is suitable for the site and implementation would not affect coastal resources.

(4) The proposed use would be compatible with the land uses presently on the subject site.

The Project site is undeveloped and the lot was previously created for multi-family, condos, townhouses and other residential land uses. The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-2-C zone requirements. Therefore, the proposed duplex would be compatible with the land use presently on, and anticipated for, the subject property.

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

The proposed duplex is allowed in the R-2-C subzone. The surrounding lots are developed with residential development, and future uses on the adjacent R-2-C parcels include residential development.

As proposed and conditioned, the Project will meet the development standards of the Coastal Multiple-Family (R-2-C). The subject site is adequate in terms of size, and is designed to meet the development standards prescribed in the R-2-C zone requirements.

Therefore, the proposed duplex will be compatible with the surrounding residential development and future land uses within the subzone and general area in which the proposed project would be located.

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

The Project is planned infill development that has access to existing public services. Planned uses on and surrounding the site have been previously considered by the City in that the neighborhood has the needed services and utilities in place to accommodate residential development including the proposed Project. The Project will be served by existing water and sewer mains along Dunes Street. The surrounding development has adequate fire, police, water, sanitation, and utility services. The Project has been reviewed by the City of Oxnard's technical staff, which include the Oxnard Police and Fire Departments; staff has determined that the Project would have no significant impact on the public health, safety, or welfare. Additionally, and 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. Therefore, as proposed and as conditioned, there are adequate public services for the proposed use to ensure that the Project will not be detrimental to public health and safety.

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

Implementation of the proposed Project will not affect existing public access to the beach as the subject site is not a beach-front lot nor is it located adjacent to a

beach public access way. Therefore, present public access to the beach would remain unchanged by this Project.

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

The proposed Project would provide the City additional housing in the Coastal Zone. As indicated in Map 3 of the Oxnard Local Coastal Plan (LCP), the subject site is in the Oxnard Dunes Neighborhood, which is one of the Coastal Zone areas planned for residential development. The Project site is identified in both the LCP and the General Plan with a designation of Residential Existing. Continued construction of residential developments on undeveloped coastal lots indicates a market demand and active interest from individuals who desire to live near the beach. Therefore, the proposed use is appropriate in light of established need, based upon the goals and objectives in the LCP.

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

The project site is an undeveloped lot surrounded by existing residential development. The proposed Project would provide the City additional housing in the Coastal Zone without endangering any natural habitats or resources. The Project would not impact public access to the beach. As discussed in the staff report, the Project complies with the zoning development standards and adheres to both General Plan and certified LCP policies for residential land uses.

SECTION 2. The Planning Commission, in accordance with the California Environmental Quality Act (CEQA), determines that the Project will not have a significant impact on the environment and is categorically exempt from CEQA pursuant to Article 19, Section 15303(b) (New Construction or Conversion of Small Structures) of the State CEQA Guidelines. The Project consists of construction of a multi-family residential structure with fewer than six dwellings in an urbanized area with similar development, on a lot that is devoid of any natural resource value. 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 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, the Planning Commission hereby approves Planning and Zoning Permit No. 22-400-01 (Coastal Development Permit), subject to the attached conditions of approval.

SECTION 4. The decision of the Planning Commission shall be final unless an appeal

of the action is filed in accordance with the provisions of Section 17-58 of the Oxnard City Code.

SECTION 5. 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 2, 2023, (“the plans”) on file with the Planning Division.
3. This permit shall automatically become null and void 24 months from the date of its issuance, unless Developer has diligently developed the proposed project, as shown by the issuance of a grading, foundation, or building permit and the construction of substantial improvements. A one time extension to this permit may be granted for a maximum of 12 additional months. The request for the extension shall be applied for prior to the expiration of the permit (PL, *G-3*)
4. All required off-site and on-site improvements for the Project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the 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, Developer accepts all of the conditions and obligations imposed by this permit and

- waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Developer agrees, as a condition of adoption of this Resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the Resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such Resolution that were part of the approval process. (CA, G-6).
 7. Any covenants, conditions, and restrictions (CC&Rs) applicable to the Project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
 8. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
 9. Developer shall provide off-street parking for the Project, including the number of spaces, stall size, paving, striping, location, and access, as required by the City Code. (PL/B, G-9)
 10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
 11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the Project property, unless allowed in writing by the Fire Chief. (FD, G-12)
 12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the Project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
 13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)
 14. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the Project property for which the Code Compliance Division has open cases. (PL, G-15).
 15. Prior to issuance of building permits, Developer shall execute an agreement, in a form approved by the City Attorney, to hold harmless, indemnify and defend the City, its City

Council, and each member thereof, and every officer, employee, representative or agent of City, from any and all liability, claims, demands, actions, damages (whether in contract or tort, including personal injury, death at any time, or property damage), costs and financial loss, including all costs and expenses and fees of litigation or arbitration, that arise directly or indirectly from the City's approval of this permit or other permits; from construction of the Project or any part thereof approved herein; and from land failure, erosion, inundation, or wave attacks on the subject property or on any property near or adjacent thereto, arising out of or resulting from or caused by work performed or authorized by Developer. (PL/CA, G-16)

16. The subject Coastal Development Permit shall become effective after 10 working days have elapsed without appeal to the Coastal Commission following the proper receipt by the Coastal Commission's Executive Director of the notice of permit issuance pursuant to Section 13316 of the Coastal Commission Code of Regulations or after 21 calendar days following the final city action. Notice to the Coastal Commission shall be given by Planning Division staff as described by Sections 17-58 H through J of the Oxnard City Code. (PL, G-17)

LANDSCAPE STANDARD CONDITIONS

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 the 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 ensure 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 the 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's landscape plans for houses shall show, where appropriate, a typical landscape and irrigation treatment for north, south, east or west site orientation, for corner lots as well as internal lots. (PK, PK-9)
24. Developer shall provide an automatic irrigation controller and a written seasonal watering schedule for all front yard and street side yard landscaping. The watering schedule shall include variations for seasonal changes, sun and shade exposure of plants, type of plants, duration and frequency of irrigation, and suggestions as to how to conserve water. As part of the landscape plan check submittal process, the Parks and Facilities Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, PK-11)
25. At the time of occupancy of each dwelling unit, Developer shall review with and provide instructions to each occupant concerning the irrigation controller operation and the watering schedule. (PK, PK-12)
26. Developer shall install sod or a drought tolerant species approved and identified in the City's low water use handout in the lawn areas of all front yards and street side yards. (PK, PK-13)
27. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)
28. 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)
29. 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)
30. Prior to issuance of the third certificate of occupancy, Developer shall submit the final "as planted" Landscape Plan to the Planning Manager that includes: 1) WOCALS values for all trees and shrubs selected for the Project, 2) total landscape square footage, and 3) water compliance calculations and a statement 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)

31. If a trash enclosure is utilized on site, the enclosure walls must be screened by evergreen shrubs and/or a vine. All irrigation controllers, backflow devices, electrical vents, equipment enclosures must be screened by shrubs of a minimum size 5 gallons.

FIRE DEPARTMENT STANDARD CONDITIONS

32. 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*)
33. 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*)
34. The Project shall meet the minimum requirements of the “Fire Protection Planning Guide” published by the Fire Department. (FD, *F-6*)
35. 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*)
36. Developer shall install a carbon monoxide detector on each level of the residence in accordance with the manufacturer’s specifications. The detector shall be hardwired with a battery backup. (FD, *F-17*)

FIRE DEPARTMENT SPECIAL CONDITIONS

37. 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.
38. All emergency egress/Fire Department access windows or doors that serve any room that can be utilized for sleeping shall have access to a public right-of-way without re-entering the structure.

POLICE DEPARTMENT STANDARD CONDITIONS

39. All outdoor lighting shall comply with the Outdoor Lighting Code & Guidelines:
 - a. Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California’s Energy Efficiency Standards for Residential and Nonresidential Buildings.

- b. Unless approved as a specific exception to this guideline, all outdoor lighting shall be flat lens, full cut-off fixtures with the light source fully shielded with the exceptions:
 - i. Luminaires with a maximum output of 260 lumens per fixture, regardless of number of bulbs (equal to one 20-watt incandescent light), may be left unshielded provided the fixture has an opaque top to keep light from shining directly up.
 - ii. Luminaires that have a maximum output of 1,000 lumens per fixture, regardless of number of bulbs (equal to one 60-watt incandescent light) may be partially shielded provided the bulb is not visible, and the fixture has an opaque 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.
40. 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.
41. Exterior lighting illuminating the driveways and walkways to front doors shall be operated with motion sensors from dusk to dawn to provide safe pedestrian paths during hours of darkness. Areas where the second-floor overhang provides the opportunity, canned ceiling lighting shall be utilized to meet 1 to 7-foot candle requirements.
42. Lighting instruments that are LED or similar in nature and spectrum (3,000K to 20,000K Correlated Color Temperature) 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.
43. Any intrusion alarm system installed at the site shall utilize motion and infrared technology to differentiate between human and non-human motion. The alarm system shall be compliant with Oxnard City Code 11-95 through 11-100.
44. Landscape elements shall provide for clear sightlines from the public sidewalk to the front door alcove of each unit. Trees and shrubs shall be installed and maintained to provide sightlines from 24-inches to 78-inches above grade.

PLANNING DIVISION STANDARD CONDITIONS

45. 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)

46. 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)
47. 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)
48. 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 subsections 23114(b)(2)(F), (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatments 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)
49. Developer shall provide for dust control at all times during Project property preparation and construction activities. (B/DS, PL-13)
50. 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)
51. 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)
52. 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).

53. Developer shall install all roof and building rain gutters and downspouts to integrate as closely as possible with building design elements, including matching adjacent building colors as closely as possible. Developer shall submit a plan and scheme for approval by the Planning Division Manager prior to issuance of building permits. (PL, *PL-18*)
54. Developer shall provide utility meters, mailboxes and address directories, placed in decorative cabinets and clustered for efficient access for residents and service persons. Developer shall coordinate placement and design of such items accordingly, with the Planning Division Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, *PL-19*)
55. Developer shall provide automatic garage door openers for all garages. (PL/B, *PL-20*)
56. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, *PL-21*)
57. Railings and enclosures for patios and balconies shall provide at least 50 percent enclosure for screening and privacy. Developer shall include details of the railings and enclosures on the construction documents. (PL/B, *PL-24*)
58. Developer shall provide a rear patio concrete slab of at least 100 square feet for each dwelling unit. (PL/B, *PL-26*)
59. Additions and patio covers shall conform to the requirements of the Coastal Multiple-Family (R-2-C) zone setbacks, or as otherwise approved by this permit, and match the materials and style of the residence. (PL/B, *PL-27*)
60. Developer shall participate in the City's Public Art Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 14,124. (PL, *PL-50*)
61. All construction activities shall occur only between the hours of 7:00am to 6:00 pm Monday through Saturday in accordance with Section 7-188(D) of the Oxnard City Code.

PLANNING DIVISION SPECIAL CONDITION

62. Developer shall not obstruct pedestrian or vehicular traffic on Dunes Street or the associated sidewalk during construction and maintenance activities. (PL)
63. Developer shall maintain the construction site free of litter and the accumulation of construction debris. (PL)

64. Developer shall paint utility meter panels to match structures upon which it is located. Such panels shall be located to take advantage of screening (e.g., landscaping or other building elements) from public right of ways, to the maximum extent feasible.
65. 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)
66. During all phases of construction beginning with grading, Applicant shall post a noise complaint sign with a contact name and phone number to be prominently placed on the construction site of a minimum size of 3 feet by 3 feet. The contact person shall be the general contractor, Project architect, or the Applicant. The sign shall note the days and times during which construction is allowed by Oxnard City Code (OCC) Chapter 7, Article XI "Sound Regulation" and specifically OCC Section 7-188(D), and the sign shall include language that directs a person who is not satisfied by whatever action is taken by the Project to contact the Code Compliance Division at (805) 385-7940. (PL)
67. If pile driving will be utilized as a method of construction, Developer acknowledges and agrees to complete the following steps to mitigate the impacts associated with pile driving:
 - a. Developer shall distribute a written notice to all property owners within a 300-foot radius of the subject property informing them of the upcoming pile driving and providing the name and contact information for the Foreman and/or Developer. This notice shall be distributed no less than 60 days prior to pile driving. The City shall furnish an updated mailing list with a 300-foot radius in an electronic format to the Developer within two weeks of the Developer requesting the mailing list. The City will not charge additional fees for the updated electronic mailing list. The Developer will be responsible for the costs associated with mailing the notifications. The Developer shall furnish a copy of the pile driving notification and a signed statement confirming mailed notices were sent to all property owners who were on the City furnished updated mailing list to the City at the preconstruction meeting referenced below. Developer shall also provide Planning Manager and Deputy Building Official with a written notification confirming that the notice has been completed prior to issuance of a building permit;
 - b. Prior to issuance of a building permit, Developer shall coordinate and attend a preconstruction meeting with the Building and Engineering Division to verify and review all pile driving requirements. Attendees shall include the pile driving/drilling Foreman, Developer, Deputy Inspector, Deputy Building Official and Case Planner. The request for this meeting shall be made to the Building and Engineering Division by the Developer or their designee and include a minimum 72 hours notice in advance of the meeting;
 - c. Developer shall prepare and submit a pre-drilling and noise mitigation plan for approval during the plan review process. This plan shall consist of: 1) an identification of methods used to reduce the driving duration, force, and resulting vibration impacts to surrounding properties during pile driving; and 2) an

- identification of methods used to reduce the noise impacts to surrounding properties during pile driving, including detailed description of any noise reduction techniques or equipment proposed, as verified by an acoustical report, technical report, or other objective data;
- d. Developer shall limit pile driving activities to the hours of 9:00 a.m. through 4:30 p.m., Monday through Friday; and
 - e. Developer acknowledges that the approval of the Building Official is conditional and may be revoked immediately if the aforementioned requirements are not completed and strictly adhered to during construction. (PL/B)
68. 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. (PL)
69. The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), Rule 55 (Fugitive Dust), and Rule 55.1 (Removal of Visible Roadway Accumulations). (PL)
70. Prior to issuance of demolition permits for any structure on the site, Developer shall provide evidence of notifying the Air Pollution Control District of such demolition. Demolition and/or renovation activities shall be conducted in compliance with APCD regularities regarding Asbestos (Rule 62.7). (MND, C-8)
71. During construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (PL)
72. Plans submitted by Developer with building permit applications shall include mailbox design with details that incorporate architectural design features that complement the building, subject to approval by the Planning Manager. (PL)

ENVIRONMENTAL RESOURCES DIVISION

73. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall complete and submit a “City of Oxnard C&D Environmental Resources Management & Recycling Plan” (“Plan”) to the City for review and approval. The Plan shall provide that at least 50% of the waste generated on the project be diverted from the landfill. The Plan shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The Plan shall be submitted to and approved by the Environmental Resources Division prior to issuance of a building permit. The Plan shall include the following information: material type to be recycled, reused, salvaged or disposed; estimated quantities to be processed; management method

used; destination of material including the hauler name and facility location. Developer shall use the Plan form.

74. Developer shall follow the approved "City of Oxnard C&D Environmental Resources Management & Recycling Plan" and provide for the collection, recycling, and/or reuse of materials (i.e., concrete, wood, metal, cardboard, green waste, etc.) and document results during construction and/or demolition of the proposed project. After completion of demolition and/or construction, Developer shall complete and submit the "City of Oxnard C&D Environmental Resources Management & Recycling Report For Work Completed" ("Work Completed Report") and provide legible copies of weight tickets, receipts, or invoices for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, Developer shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused, and the project generating the discarded materials. Developer shall submit and obtain approval of the Work Completed Report prior to issuance of a certificate of occupancy.
75. Developer shall arrange for materials collection during construction, demolition, and occupancy with the City's Environmental Resources Division or Developer shall arrange for self-hauling. Regardless of hauling methods, all materials collected must be conveyed to the Del Norte Regional Recycling and Transfer Station.
76. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

77. 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)
78. Developer shall protect building pads from inundation during a 1% chance (100 year) storm. (DS-5)
79. Before connecting the Project to existing sewer and water service laterals, Developer shall inspect (pothole or video) existing lateral(s) and arrange for City staff to view inspection results. Developer shall make repairs to such facilities as determined necessary by City staff. Developer shall bring all existing water services into compliance with current City standards including removal of unused water or sewer laterals by disconnection at the main. (DS-7)
80. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)

81. 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)
82. Developer shall pay the cost of all inspections of onsite and offsite improvements. (DS-22)
83. Developer shall be responsible for all project related actions of Developer's employees, contractors, subcontractors, and agents until the City accepts the improvements. (DS-23)
84. 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)
85. Developer shall install adequately sized water services and meters to each lot or unit in accordance with City standards in effect at the time of building permit issuance. There shall be no interconnections between structures. (DS-42)
86. 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)
87. Developer shall provide three City refuse containers for each lot or unit. An alternative number of containers may be approved by the Environmental Resources Division. (DS-67)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

88. Developer shall repair and/or replace any existing broken, missing, damaged sidewalk, curb, gutter or asphalt paving adjacent to the property as directed by the Construction Services Inspector. (DS)
89. Developer shall construct driveways in compliance with the City Standard Plate 115 with an Americans with Disabilities Act (ADA) compliant pedestrian path along the public sidewalk. The sidewalk behind the driveway approaches shall be reconstructed to the required depth of 6-inches for vehicular crossing per the standard plate. (DS)
90. Separate water meters shall be provided for each unit and installed in the parkway between the curb and sidewalk. Each water meter shall be adequately sized to serve each unit in accordance with City standards in effect at the time of building permit issuance. (DS)
91. Developer shall submit a Letter of Drainage Assessment describing the disposition of surface runoff and any onsite best management practices implemented on the site. The project engineer shall certify that the structures will be protected from inundation during a 100-year event. (DS)

92. Prior to issuance of a grading, building or demolition permit and prior to commencement of any clearing, grading or excavation, Developer shall prepare and submit an erosion control plan to the City for review and approval. (DS)
93. Developer shall coordinate with the Community Development Department and 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, and lot numbers. The City will assign all addresses for the two units.(DS)

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Oxnard on this 2nd day of February 2023.

Ronald Arruejo, 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 2nd day of February 2023, and carried by the following vote:

AYES: Commissioner(s):

NOES: Commissioner(s):

ABSENT: Commissioner(s):

ABSTAIN: Commissioner(s):

RECUSED: Commissioner(s):

Joe Pearson II, AICP, Secretary

F

“940 Dunes Duplex”

Planning & Zoning Permit No. 22-400-01
(Coastal Development Permit)

940 Dunes Street

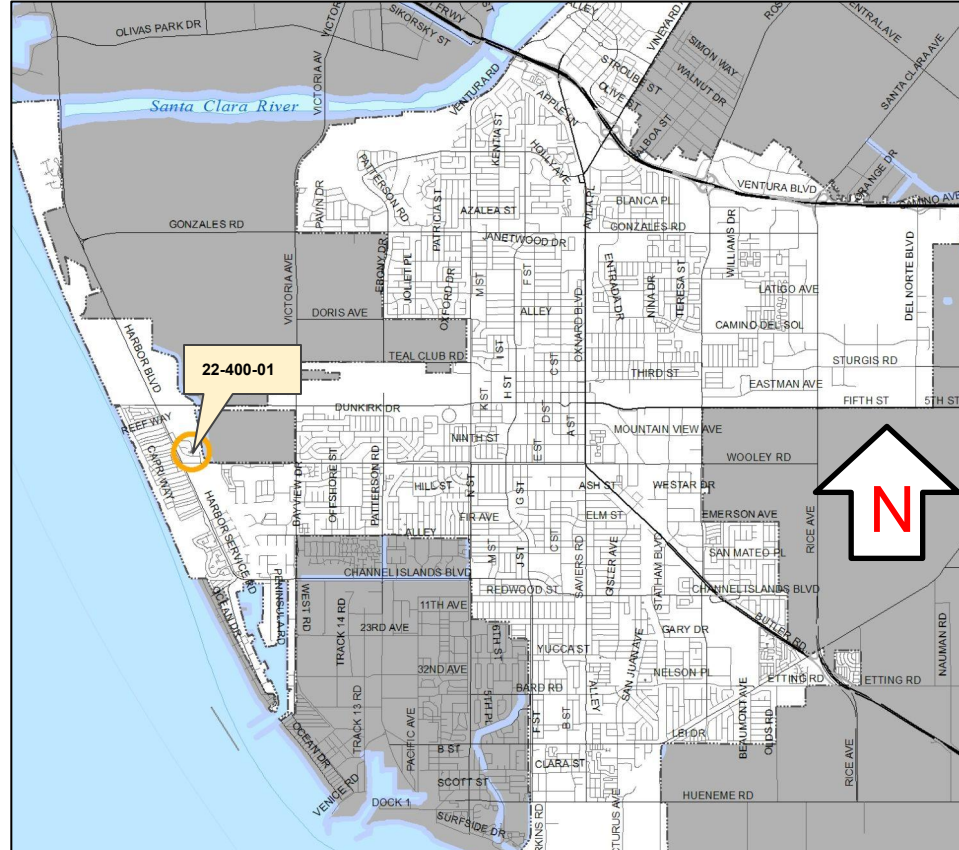
Alexander Muller, on behalf of Leonid Muller, Applicant

Planning Commission
February 2, 2023

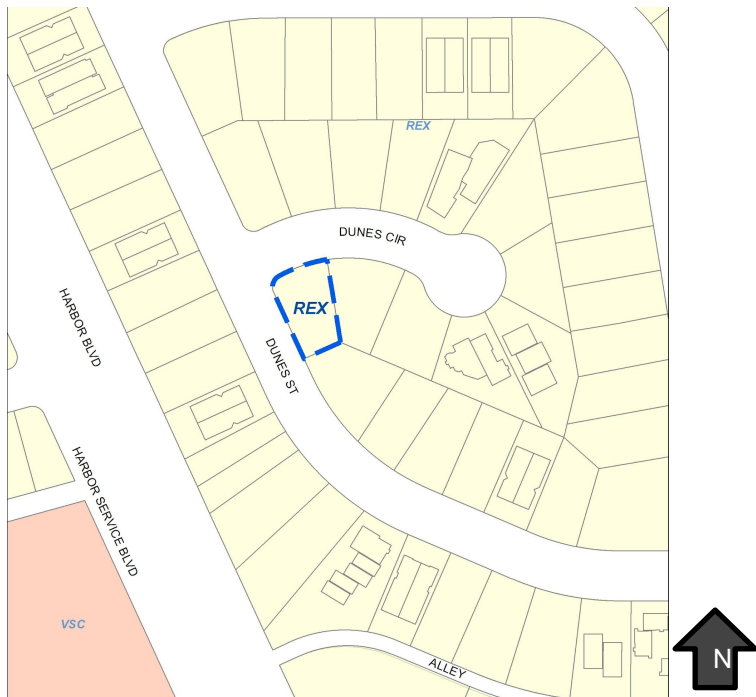
Project Request

- Request to approve a Coastal Development Permit (CDP):
 - Construct an 5,591 square-foot residential duplex
 - 2,681 and 2,910 square feet units
 - Two-Car garage for each unit
 - 120 square-foot covered patio, 44 square-foot porch and 298 square-foot deck for each unit
 - Undeveloped 6,366 square-foot lot
- Oxnard Dunes Neighborhood

Location Map



Local Coastal Program / 2030 General Plan & Zoning



Local Coastal Program /
General Plan: Residential Existing



Zoning: Coastal Multi-Family

Street View



View from Dunes Circle looking south

Surrounding Uses

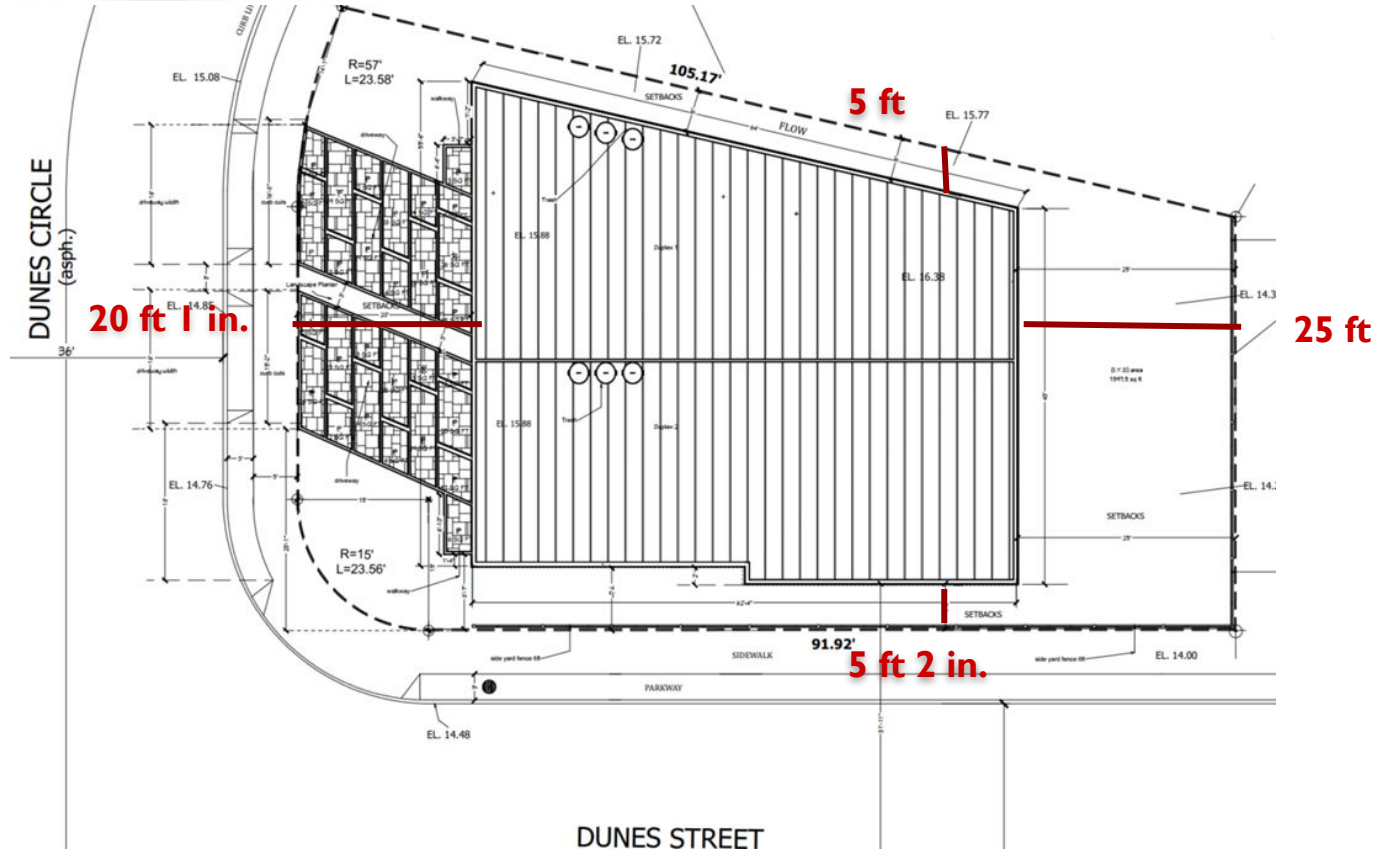
- **North:** Vacant
- **East:** Residential Duplex
- **South:** Vacant
- **West:** Residential Duplex



Background

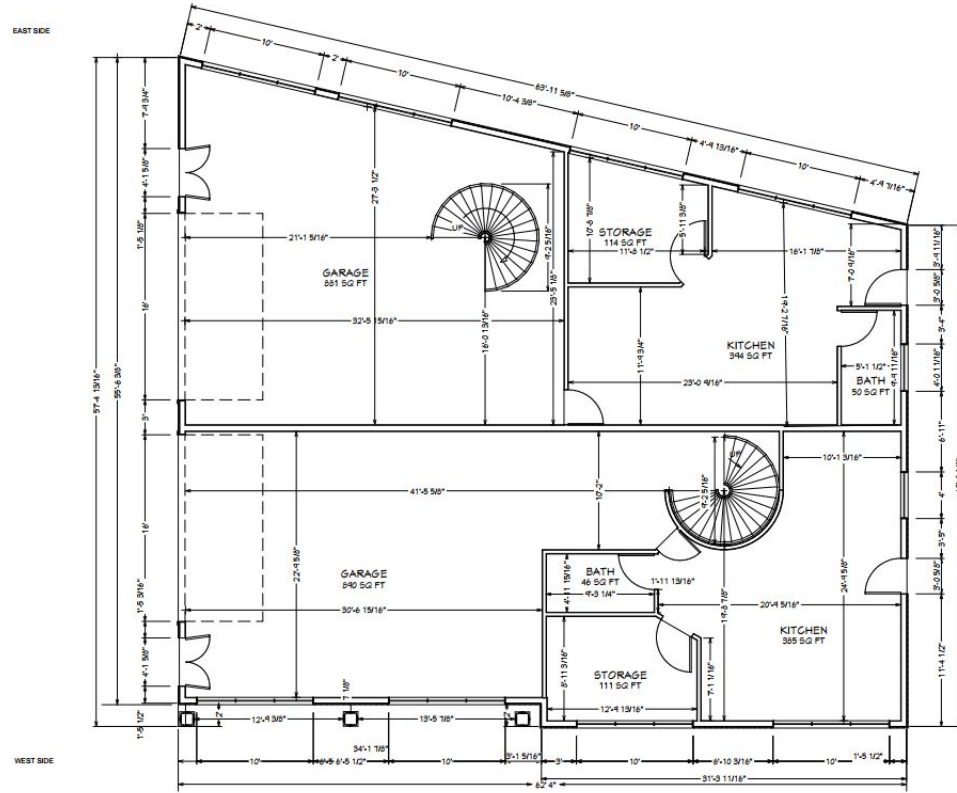
- Project site was created by a map recorded in 1964.
- Design and development standards for duplex residential structures within the Dunes Neighborhood adopted in 1982.
- Project site is undeveloped today.
- Plans were presented at a Community Workshop on November 21, 2022.

Site Plan



First Floor Plan

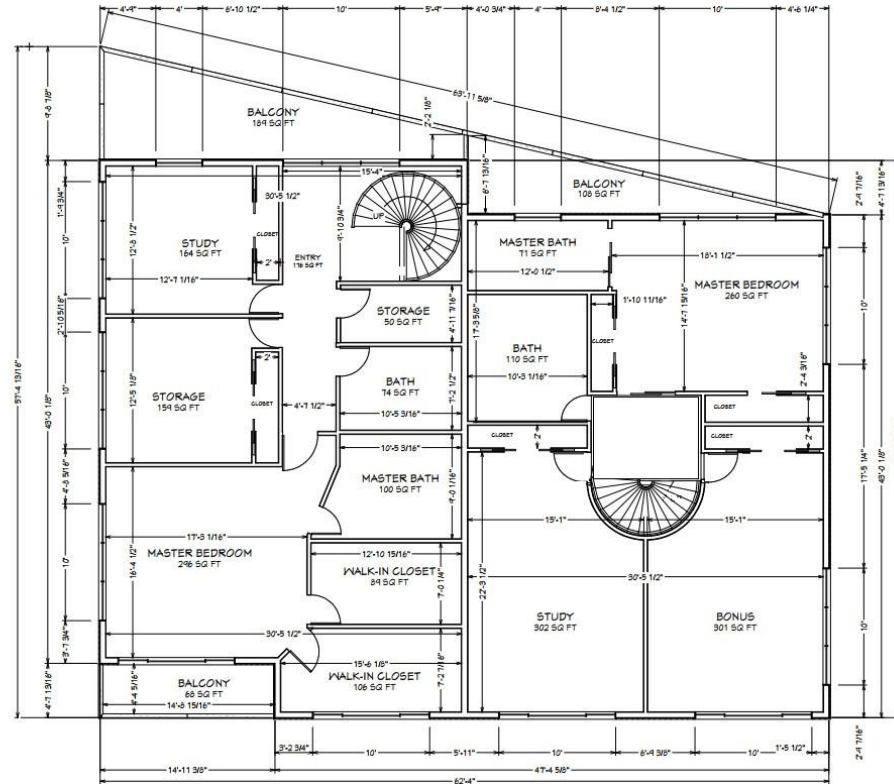
- Garage- 881 sq ft and 890 sq ft
- Kitchen- 394 sq ft and 385 sq ft
- Bathroom- 50 sq ft and 46 sq ft
- Storage room- 114 sq ft and 111 sq ft
- Stairs to the second floor



Dunes Street

Second Floor Plan

- Master Bedroom- 296 sq ft and 260 sq ft
- Master Bathroom- 100 sq ft and 71 sq ft
- Bedroom- 164 sq ft and 302 sq ft
- Bedroom- 159 sq ft 301
- Bathroom- 74 sq ft and 110 sq ft



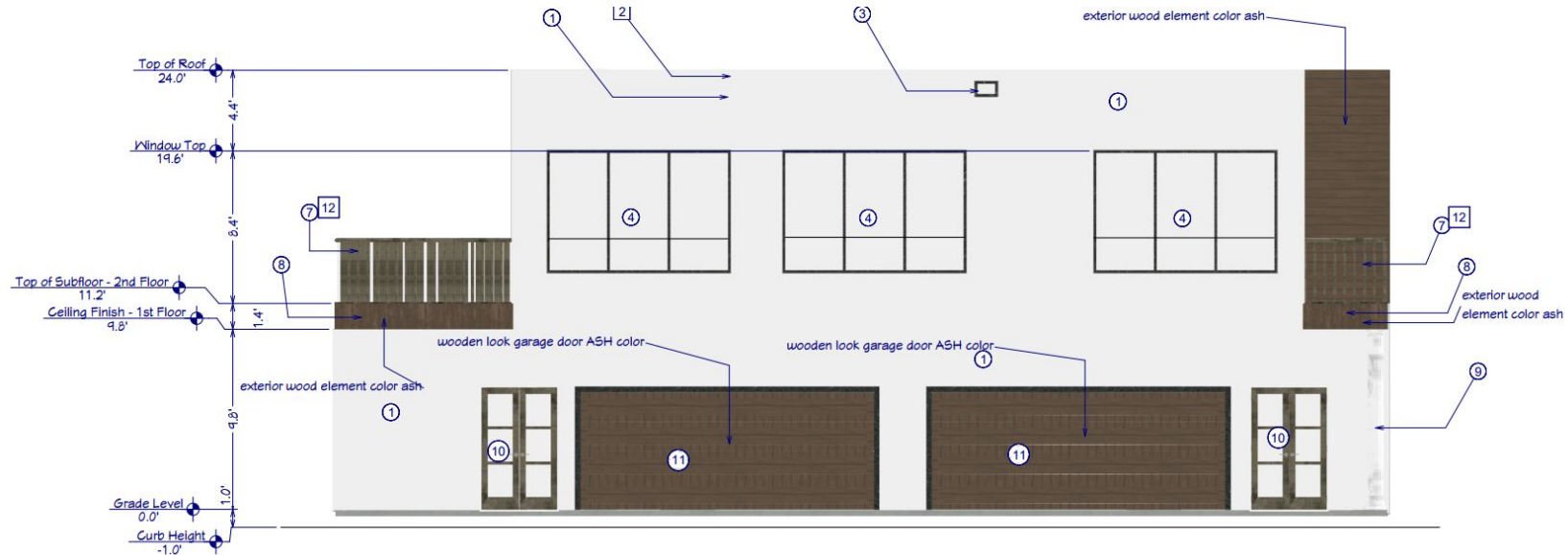
Dunes Street

N

Front



Materials



- Wooden Ash color garage doors, railing and details
- White Stucco paint

Consistency with Standards

- The project is consistent with all applicable standards:
 - General Plan
 - Local Coastal Program
 - Coastal Multiple Family (R-2-C) zone
 - Design and development standards for duplex residential structures within the Dunes Neighborhood

Community Input

- November 21, 2022, Community Workshop was conducted.
 - Oxnard Dunes Neighborhood Noticed
 - Staff did not receive any comments regarding this project

Conditions of Approval

- Condition No. 3:
Up to 36-months to start construction if CDP is approved.
- Condition No. 61:
Construction Days & Time: Construction activities to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday.
- Condition No. 67:
Pile driving notification
300-foot radius of the property
60-days prior to the start of construction

Exempt for California Environmental Quality Act (CEQA):

1. Section 15303 (b), “New Construction or Conversion of Small Structures”;
2. Project consists of less than 6 units;
3. Evidence from biologist submitted that demonstrates that it is unlikely that any special status species would occur on the site;
4. As proposed Project will not have significant environmental impacts;
5. No Exceptions to the Exemption apply.

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 15303(New Construction or Conversion of Small Structures); and
- b) Adopt Resolution 2023-XX approving Planning and Zoning Permit No. 22-400-01 (Coastal Development Permit), subject to certain findings and conditions.

