



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Kathleen Mallory, AICP, Contract Planner

DATE: October 1, 2009

SUBJECT: Planning and Zoning Permit No. 08-500-07 (Special Use Permit) for outdoor uses associated with Rincon Recycling/Air Holdings, located at 720 Pacific Avenue.

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No. 08-500-07 for the outdoor storage associated with a paper preparation and baling facility, subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request for operation of an outdoor conveyor and below grade conveyor belt, and outdoor staging area to support the pre-consumer scrap paper preparation and baling facility located at 720 Pacific Avenue (APN Nos. 201-0-260-285 and 201-0-260-265). Filed by Air Holdings, LLC. 720 Pacific Avenue, Oxnard, CA 93030.
- 3) **Existing & Surrounding Land Uses:** The project site is currently improved with dated structures and equipment (see Attachment A).

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	Heavy Manufacturing (M2)	Central Industrial Area (CIA)	Industrial
North	M2	CIA	Industrial
South	M2	CIA	Industrial
East	M2	CIA	Industrial
West	M2	CIA	Industrial

- 4) **Background Information:** The project site consists of two properties addressed at 720 Pacific Avenue and 1421 Mountain View Avenue, on the north side of the street, between Buena Vista Avenue and Pacific Avenue; while the project involves two addresses, for ease of reference and upon approval of the lot merger the address 720 Pacific Avenue will be used to identify the subject site. In 1975, approval of a use permit was granted for an industrial gas manufacturing plant on the 2.1-acre project site. (U635). In approximately 1980, additional outbuildings were constructed and the property was converted to a welding facility. In 2003, the property was

converted to an industrial laundry facility, which continued operation until 2007, when the use was terminated.

Easements which were recorded on the properties in the 1920's originally assisted in providing access to the adjacent properties. These easements are no longer needed and, through the lot line merger process, will be terminated if all parties to the agreements can be located.

5) Environmental Determination: In accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, projects involving minor alterations may be found to be exempt from the requirements of CEQA. This proposal is exempt because 3,320 square feet of existing structure will be demolished and various other minor interior and exterior alterations will be made to support operation of the use. Additionally, an evaluation of truck trips and air quality impacts associated with operation of the business will be below significance levels and the existing infrastructure has been designed to accommodate the use. Conclusions and recommendations contained within a limited subsurface assessment (November 1, 2007) prepared by SECOR have determined that impacts to soil and groundwater beneath the site exist at low levels that are not considered to present a threat to human health or the environment and are below thresholds required for regulatory oversight (SECOR report, page 6). Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and recommends that Planning Commission accept the Notice of Exemption (see Attachment B).

6) Analysis:

a) General Discussion: In accordance with Section 16-246 (A) of the Municipal Code, approval of a special use permit (SUP) is required for outdoor activities to occur on the property. The operation of a pre-consumer scrap paper preparation and baling facility does not require approval of an SUP. A building permit is required for a number of exterior and interior building improvements which are not subject to SUP approval but will facilitate operation of the use; these improvements are discussed in sections d and f of this report.

The applicant, Air Holdings/Rincon Recycling, sorts and bales clean, non hazardous paper and paper products received from various manufacturing facilities in Southern California, as well as paper products and limited plastic materials from commercial and industrial markets. The business is not considered a buy back center. Traffic is limited to commercial trucks with large loads; material will not be transported to the vicinity via rail. Paper and limited plastic is received on site in one form and is then packaged and densified for shipment to domestic and international markets. As of July 2008, 72% of the product was exported to Asian markets via the port in Long Beach and the remaining 28% was shipped domestically, primarily to International Paper in Port Hueneme. The business functions as a supplier of raw material to secondary paper manufacturing markets.

Most of the paper products are source sorted at a generating facility and then trucked to the project site. Periodically, some unsorted paper or mixed paper is received in the paper recycling staging area. In this rare instance, paper is sorted by hand into various grades or

types and then baled.

Paper baling begins by pushing or dropping the various sorted paper grades onto a ground level conveyor which is located partially outside on the easterly portion of the site. A loader then pushes the product onto the conveyor. The top of the conveyor is approximately 12” lower than the grade of the staging area (see Attachments C and D). The recycled paper is lifted up the inclined conveyor and is then dropped into the baler which is located inside of the building. The recycled paper is then compacted into a bale measuring approximately 42” x 50” and 72” in length. As the bales are ejected from the baler, forklift picks are used to load them into the on site trailer or store them inside the warehouse area.

In order to facilitate the baling and conveyor operations, a paper staging area is provided on site. Materials in this outside area will remain for no more than 12 hours, will be no taller than 12’ in height and will be isolated in their location to ensure that a 26’ wide unobstructed path of travel is maintained for trucks and emergency vehicles at all times (see condition no. 81 and 83). The staging area is roughly 51’ (width) x 114’ (length).

The business is proposed to operate Monday through Friday 7:00 a.m. to 5:00 p.m. and 8:00 a.m. to noon on Saturdays. Sunday operations are not proposed. One shift with up to 10 employees is anticipated for each work day.

b) General Plan Consistency:

POLICY	DISCUSSION
<p>Circulation Element Policies # 28 - 30 28 – <i>The City shall require the installation of sidewalks with all new roadway construction and significant reconstruction of existing roadways. (page VI-26)</i> 29 – <i>Public sidewalks (within the dedicated public right-of-way) shall be required on both sides of City streets in all types of future development (page VI-27)</i> 30 – <i>The City shall require the installation of handicapped ramp curb-cuts with all new roadway construction and significant reconstruction of existing roadways (page VI-27)</i></p>	<p>The project has been designed to provide the required roadway improvements and upgrades directly in front of the project site.</p>
<p>Public Facilities Policy #7 <i>The City shall implement or participate in appropriate source reduction and recycling programs to meet mandated waste reduction of 2 percent by 1995 and 50 percent by 2000 in accordance</i></p>	<p>Although the City has already complied with the reduction measures, a standard condition of approval requires compliance with the City’s recycling provisions. Further, the subject use will facilitate overall paper recycling and waste reduction.</p>

POLICY	DISCUSSION
<i>with the California Integrated Waste management Act of 1989 (page VII-18).</i>	
<p>Community Design Policy #6 <i>The City shall continue to require that the staff Design Review Committee review new development projects for consistency with the City's development design policies and appropriateness for the proposed sites (page XI-9).</i></p>	<p>The project has been reviewed by DAC twice. The proposed project and site design meets DAC's requirements with the approval of the attached conditions.</p>

c) Conformance with Zoning Development Standards: The proposed project complies with the code requirements as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES
Height Permitted (16-247)	<ul style="list-style-type: none"> No building shall exceed a height at the street line of eight stories or 100 feet. 	34'	Yes
Front Yard (16-248)	<ul style="list-style-type: none"> Where all the frontage on one side of the street between two intersecting streets is located in an M2 zone, no front yard shall be required. 	Parcel A = 23.37 feet on Pacific Avenue Parcel B = more than 100 feet on Mountain View Avenue	Yes – parcels to be merged
Side Yard (16-249)	<ul style="list-style-type: none"> When an M2 zone isn't adjacent to any R zone, a side yard for a commercial or industrial building shall not be required. 	47' varies	Yes
Rear Yard (16-250)	<ul style="list-style-type: none"> No rear yard required except where M2 zone abuts an R zone, in which case there shall be a rear yard of not less than 20 ft. 	60' varies	Yes
Off-street parking: Handicapped Motorcycle (16-264) Bicycle (16-623 & 16-637) Loading (16-644) Carpool/Vanpool (16-633)	<p>32 spaces 1 bike rack (up to 5 space)</p> <ul style="list-style-type: none"> 1 motorcycle space No van pool required 	32 spaces 10 bike rack spaces 1 motorcycle space No van pool proposed	Yes
<p>Parking space sizes & design:</p> <ul style="list-style-type: none"> Standard (16-636 & 16-638) Loading (16-644) <p>Carpool/Vanpool</p>	<ul style="list-style-type: none"> 9'W x 19'L 12'W x 40'L x 14'H ; 2 loading spaces for the combined building square footage 9'W x 19'L No van pool required 	9' x 17' with 8' overhang and 9' x 23'. More than 2 loading spaces: Parcels to be merged and with merger more than 2 spaces provided on the combined lot	<p>Yes</p> <p>2 Loading space req. Yes with merger</p>

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES
		No Vanpool proposed	
Parking area Landscape Req. (16-641): <ul style="list-style-type: none"> • Along streets/alleys • Along interior PLs (for lots with 20 or more spaces) • Parking/vehicle area (16-641) • Landscape fingers (16-641) 	<ul style="list-style-type: none"> • Min. 10' wide strip. • Min. 5' wide in parking areas. • Minimum 5% of area, exclusive of any other required landscaped area abutting a street or alley. • 9'W x 20'L - every 10 spaces with 2 trees. • Min. 40' on center 	Frontage - 22' off of Pacific Avenue and 10'5" Mountain View Avenue Interior – 5' off of Pacific parking area; and 10' off of Mountain View parking area. 6.4% of parking area Overall 11%	Yes
Rooftop equipment	May not protrude above height of parapet.	None	Yes, but condition to prohibit
Lighting	Comply with Section 16-320 of the City Code.	Shoe box mount/shield	Yes
Walls (16-234 & 16-311)	<ul style="list-style-type: none"> • Location, design, & detail to be included on plans. • Unless approved by an SUP, PD, or DP a fence shall not exceed 8', setback equal to required building setback, or if no building setback is required a fence shall be located 10' from the PL. 	8' wall all around parcel(s)	Yes
Site landscaping	<ul style="list-style-type: none"> • 5% of the parking lot • Entire front yard setback area. 	6% in parking area; 11% of site	Yes
Utilities, lighting, trash (16-237)	In accordance with City Code. Above ground appurtenances and associated equipment may be installed above ground if approved as part of the project and screened.	Backflow/ screened	Yes

d) Site Design: The 2.1 acre site, consisting of two parcels, is “L” shaped and is designed to take advantage of the existing building configuration. The applicant proposes to repair, and in some cases remove, a number of on site buildings. The restored building will be brought into compliance with building codes and improved aesthetically through paint, roofing materials, windows and exterior building upgrades. While these improvements do not require Planning Commission approval, knowledge of these improvements is useful to understanding how the site will function to support the use.

Existing metal buildings, totaling approximately 3,320 square feet, that would obstruct truck access to the conveyor and staging areas will be demolished. All metal building material to

be removed from the site will either be sold by the applicant as scrap metal or recycled.

New building construction will occur to join the existing loading dock with the existing building area which will be used as an office area. The new building construction is over an existing parcel line, therefore a lot line merger is required and has been made a condition of approval (see condition no.141).

In terms of the operation of the conveyor belt, and staging area, delineation of the staging area on the easterly portion of the site will occur through striping on the ground (see condition no.82). Ramping to provide access from the outdoor area to the loading dock will also be installed. Although it is highly unlikely that the public will visit the site, signage, lighting, and pedestrian pathways have been placed to direct persons and employees away from the conveyor and staging areas.

Fencing facing Pacific and Mountain View Avenues will be comprised of 8' tall concrete block walls and 8' tall corrugated sliding metal gates to restrict access into the property when not in operation (see site plan and landscape plan, page 2). The corrugated metal fencing is typical for M2 industrial uses in the vicinity. Fencing along the perimeter of the property will involve a combination of concrete and wrought iron fencing. An 8' tall concrete screenwall will be installed from the front yard setback on Mountain View Avenue for approximately 45' along the easterly property line and 60' along the westerly property line and will connect with an 8' tall wrought iron fence. An 8' tall wrought iron fence will be installed along the northerly property line. The existing building will also function as a physical barrier along the southerly and a portion of the westerly property lines.

An existing horizontal-mounted propane tank will be removed parallel to Pacific Avenue and replaced with a larger horizontal-mount propane tank near the trash enclosure off of Mountain View Avenue. Propane volumes do not require regulation by the Fire Department. Lighting will be designed to comply with the City's standards conditions of approval to control light and glare.

- e) **Circulation and Parking:** Access to the site will be provided via a 30' driveway off of Pacific Avenue and a 35' driveway off of Mountain View Avenue; the size of these driveways is in compliance with the City code requirement of 30' for this industrial property (Figure 7, Section 16-639).

Approximately 15 trucks (10 3-wheel axle roll-off and 5 tractor trailer) will visit the site during daily operation, which is consistent with typical M2 industrial operations within the area. Trucks will be directed to enter the site from Pacific Avenue and then proceed easterly through the parking lot via a 26' to 40' truck aisle, then loop around the baler and conveyor areas and proceed southerly to the loading dock. Four loading docks, which meet the code requirement of 12' x 72', are provided which will enable trucks to back on site into the dock area. The City traffic engineer has not expressed any concerns with the number of truck trips or the trucks backing on site into the loading dock area. Through signage, passenger vehicles

will be restricted from entering into the staging area and the area where tractors and conveyor operations will occur.

Passenger vehicles will be permitted to access the site from either Pacific or Mountain View Avenues. A total of 32 parking spaces (9' x 17' with a 2' overhang) are both required and provided; one motorcycle parking space is required and provided and 10 bicycle parking spaces will be provided, although only 5 spaces are required. Through signage, passenger vehicles will be restricted from entering into the staging area and the area where tractors and conveyor operations will occur.

- f) **Building Design:** The proposed building improvements are designed with standing metal seam construction and shed roofing. A new baler cover will be constructed and is designed to provide a varied roof pitch. Existing roof mounted equipment visible from Pacific Avenue will be removed. New windows will be installed within the proposed office area facing the drive aisle off of Pacific Avenue. The improvements are consistent with the industrial character of the surrounding area and give the appearance of an industrial barn. Grey and cream building colors are proposed to be used. Improvements will provide an upgraded appearance to a dilapidated industrial building.
- g) **Signs:** The applicant will be required to obtain planning approval and building permits of on site signage prior to installation. All signage shall be reviewed in accordance with the City Code.
- h) **Landscaping and Open Space:** A 22' landscaped planter will be provided along Pacific Avenue and a 10'5" landscaped planter will be provided along Mountain View Avenue. Landscaping around the perimeter of the site will be installed in compliance with City codes and will help to soften the appearance of the site. A 5' landscaped planter will be provided along the northerly interior property line off of Pacific Avenue and a 10' planter will be provided along the easterly interior property line off of Mountain View Avenue. Although the City requires 5% landscaping within the parking lot, the project provides 6.4%; landscaping equivalent to 11% of the overall site is provided. One tree along Mountain View Avenue is proposed to be removed. As a result of the proposed removal, an arborist report was prepared and approved by the City's arborist; the additional valuation associated with removal of the required trees will augment the on site landscaping.
- i) **Traffic Impact Fees, Improvements, and Art in Public Places:** Traffic Impact fees are required to offset impacts on local and County roads. Off-site improvements include construction of sidewalks, and underground storm drain upgrades to accommodate water runoff from the subject site. All on site water will be treated via biofiltration/grassy swales prior to reaching the storm drains. All improvements required for the project are typical for industrial operations. Additionally, the project must pay into the Art in Public Places fund. All of these fees will be calculated at the time of building permit issuance based on adopted formulas.

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on November 12, 2008 and June 16, 2009. Recommendations of the DAC are included in the attached resolution.
- 8) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's action may be appealed to the City Council within 18 days after the decision date. Appeal forms may be obtained from the City Clerk and must be submitted with the appropriate fees before the end of the appeal period.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Notice of Exemption
- C. Project Plans
- D. Baler Details

Prepared by: _____ KM
Approved by: <u>SM</u> SM

RESOLUTION NO. 2009 – [PZ 08-500-07]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO. 08-500-07 (SPECIAL USE PERMIT), TO ALLOW THE OPERATION OF AN OUTDOOR CONVEYOR AND BELOW GRADE CONVEYOR BELT, AND OUTDOOR STAGING AREA TO SUPPORT A PRE-CONSUMER SCRAP PAPER PREPARATION AND BALING FACILITY LOCATED AT 720 PACIFIC AVENUE (APN'S 201-0-260-285 AND 201-0-260-265), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY AIR HOLDINGS, LLC., 720 PACIFIC AVE., OXNARD, CA 93030.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No. 08-500-07, filed by Air Holdings, LLC, in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Section 15301 of Title 14 of the California Code of Regulations exempts the project from the requirement for the preparation of environmental documents imposed by the California Environmental Quality Act; and

WHEREAS, the Planning Commission finds, after due study, deliberation and public hearing, that the following circumstances exist:

1. The proposed use is in conformance with the General Plan and other adopted policies of the City of Oxnard.
2. The proposed use will not adversely affect or be materially detrimental to the adjacent uses, buildings or structures or to the public health, safety or general welfare.
3. The site for the proposed use is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards as amended by this approval.
4. The site for the proposed use will be served by streets and highways adequate in width and structure to carry the kind and quantity of traffic such use will generate.
5. The site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.

WHEREAS, the Planning Commission finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the 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 approves this permit subject to the following conditions. The decision of the Planning

Commission is final unless appealed in accordance with the provisions of Section 16-545 of the Oxnard City Code.

**STANDARD CONDITIONS OF APPROVAL
 FOR LAND USE PERMITS**

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

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

GENERAL PROJECT CONDITIONS

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another. (PL, *G-1*).
2. This permit is granted for the plans dated August 17, 2009, (“the plans”) on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager (“Planning Manager”) or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)
4. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, *G-5*)

5. Developer agrees, as a condition of adoption of this resolution, at Developer's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Developer's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof. (CA, G-6)
6. 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)
7. Before placing or constructing any signs on the project property, Developer shall obtain a sign permit from the City. Except as provided in the sign permit, Developer may not change any signs on the project property. (PL/B, G-10)
8. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
9. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
10. 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)
11. 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)
12. Prior to issuance of building permits, Developer shall correct all violations of the City Code existing on the project property. (PL, G-15).

LANDSCAPE STANDARD CONDITIONS

13. Before the City issues building permits or the proposed use is initiated, Developer shall submit two copies of landscape and irrigation plans, along with the appropriate permit application and fees, to the Development Services Division and obtain approval of such plans. (PK/DS, PK-2)
14. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Parks and Facilities Superintendent. (PK, PK-3)

15. Developer shall maintain landscape planting and all irrigation systems as required by the City Code and as specified by this permit. Failure of Developer to do so will result in the revocation of this permit and initiation of legal proceedings against Developer. (PK, PK-4)
16. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the Parks and Facilities Superintendent. The irrigation system shall include automatic rain shut-off devices, or instructions on how to override the irrigation system during rainy periods. (PK, PK-5)
17. All trees planted or placed on the project property by Developer shall be at least 24-inch-box size. All shrubs and vines shall be at least five-gallon size, except as otherwise specified by this permit. (PK, PK-6)
18. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)

LANDSCAPE SPECIAL CONDITIONS

19. 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.

FIRE DEPARTMENT STANDARD CONDITIONS

20. Developer shall construct all vehicle access driveways on the project property to be at least 26 feet wide. Developer shall mark curbs adjacent to designated fire lanes in parking lots to prohibit stopping and parking in the fire lanes. Developer shall mark all designated fire lanes in accordance with the California Vehicle Code. (FD/B, F-1)
21. 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)
22. 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)
23. 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)
24. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)

25. At all times during construction, developer shall maintain paved surfaces capable of handling loads of 46,000 pounds which will provide access for fire fighting apparatus to all parts of the project property. (FD/DS, F-7)
26. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
27. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
28. The turning radius of all project property driveways and turnaround areas used for emergency access shall be a minimum of 48 feet outside diameter for a semi-trailer. (FD, F-11)
29. 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)
30. Developer shall install in each structure in the project a detection/alarm system with a central station monitor that will automatically notify the Fire Department in the event of a fire in the structure. The alarm system shall include a UL or State Fire Marshal approved device, which shall not exceed design specifications, that reports the location of the fire and allows the central station monitor to inform the Fire Department of the point of entry into the structure that is nearest the fire. (FD, F-13)
31. 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

32. A five year state fire sprinkler system certification shall be provided by an approved, authorized fire sprinkler company.
33. Before the city issues a certificate of occupancy, the Developer shall install a Knox key vault at a location on the building to be determined by the Fire Department.

POLICE DEPARTMENT STANDARD CONDITIONS

34. Access control gates shall be operable by City approved radio equipment.
35. Any electronic security system must comply with Oxnard City Ordinance No. 2601 (available online at <http://oxnardpd.org/documents/alarm-ordinance-2002.pdf>) and must be properly permitted by the City of Oxnard (available online at <http://oxnardpd.org/documents/alarm-permit.pdf>).

36. Post all vehicle entrances in compliance with California Vehicle Code §22658(a)(1). 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.
37. All landscape materials shall be maintained in a condition that does not interfere with the natural surveillance of the property or obstruct the ability to observe the activities of persons on or about the property.
38. **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 following exceptions:
 1. 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.
 2. 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 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.

PLANNING DIVISION STANDARD CONDITIONS

39. 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)
40. 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)
41. 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)

42. Before the City issues building permits, Developer shall provide to the Planning Division Manager color photographic reductions (8 1/2" by 11") of full-size colored elevations and any other colored exhibit approved by the Planning Commission. Developer may retain the full-size colored elevations after the reductions are so provided. (PL, PL-4)
43. 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)
44. 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)
45. During the plan check review process, the Developer shall provide a lighting plan that provides design details (light standards, bollards, wall mounted packs, etc.) and illumination site information within alleyways, pathways, streetscapes, and open spaces proposed throughout the development. An electrical engineer shall prepare the site lighting plan demonstrating that adequate lighting ranges will be provided throughout the development without creating light spillover, light pollution, or conflicts with surrounding factors such as tree locations, off-site or adjacent lighting. (PL)
46. Prior to issuance of building permits, Developer shall demonstrate that light standards illustrated on conceptual lighting plan do not conflict with tree locations. Developer shall submit a plan showing both the lighting and landscape on the same sheet.
47. 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)
48. 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)
49. 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 penetrate sufficiently to minimize fugitive dust during grading activities. (B/DS, PL-11)
50. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, PL-13)

51. 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*)
52. 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*)
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. 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*)
55. 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*)
56. 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*)
57. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
58. Developer shall limit outdoor storage of materials to the locations shown on the project plans. Developer shall screen storage areas from adjacent properties and streets by a wall or similar screening. All fence and wall materials shall match the predominant design and materials of the main structure on the project property. (PL/B, *PL-48*)
59. 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*)

PLANNING DIVISION SPECIAL CONDITIONS

60. 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)
61. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan, subject to the approval the Planning Division 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)
62. General condition (for all new construction and additions, except additions to a single family residence):
 - a. Developer shall participate in the City's Art in Public Places Program by paying the Public Art fee prior to issuance of building permits, in accordance with City Council Resolution No. 13,103.
63. Developer shall ensure that all construction equipment is maintained and tuned to meet applicable Environmental Protection Agency (EPA) and California Air Resources Board (CARB) emission requirements. At such time as new emission control devices or operational modifications are found to be effective, Developer shall immediately implement such devices or operational modifications on all construction equipment. (MND, C-1)
64. During smog season (May through October), Developer shall lengthen the construction period so as to minimize the number of vehicles and equipment operating at the same time. (MND, C-2)
65. At all times during construction activities, Developer shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust. (MND, C-3)
66. 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 penetrate sufficiently to minimize fugitive dust during grading activities. (MND, C-4)
67. 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 §23114, with special attention to Sections 23114(b)(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. (MND, C-5)

68. During construction, Developer shall post and maintain onsite signs, in highly visible areas, restricting all vehicular traffic to 15 miles per hour or less. (MND, C-6)
69. During periods of high winds (i.e. wind speed sufficient to cause fugitive dust to impact adjacent properties), Developer shall cease all clearing, grading, earth moving, and excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-7)
70. Throughout construction, Developer shall sweep adjacent streets and roads at least once per day, preferably at the end of the day, so that any visible soil material and debris from the construction site is removed from the adjacent roadways. (MND, C-8)
71. 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)
72. Developer shall contract with a qualified archaeologist to conduct a Phase I cultural resources survey of the project site prior to issuance of any grading permits. The survey shall include: (1) an archaeological and historical records search through the California Historical Resources Information System at CalState Fullerton; and (2) a field inspection of the project site. Upon completion, the Phase I survey report shall be submitted to the Planning Division for compliance verification. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to initiation of the Phase I activities.

The contract shall include provisions in case any cultural resources are discovered onsite. In the event that any historic or prehistoric cultural resources are discovered, work in the vicinity of the find shall be halted immediately. The archaeologist shall evaluate the discovery and determine the necessary mitigations for successful compliance with all applicable regulations. Developer or its successor in interest shall be responsible for paying all salaries, fees and the cost of any future mitigation resulting from the survey. (MND, E-1)

73. Developer shall contract with a Native American monitor to be present during all subsurface grading, trenching or construction activities on the project site. The monitor shall provide a weekly report to the Planning Division summarizing the activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning Division Manager for review and approval prior to issuance of any grading permits. The monitoring report(s) shall be provided to the Planning Division prior to approval of final building permit signature. (MND, E-2)

ENVIRONMENTAL RESOURCES DIVISION

74. 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.
75. 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.
76. 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 to an authorized facility.
77. Developer shall make provisions to divert at least 50% of the waste material generated during occupancy through source reduction, recycling, reuse, and green waste programs. Developer shall complete and submit a "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Plan" ("Occupancy Plan") to the City's Environmental Resources Division. An Occupancy Plan must be submitted and approved prior to issuance of a certificate of occupancy. A "City of Oxnard C&D Environmental Resources Management & Recycling Occupancy Report" shall be submitted to the Environmental Resources Division annually on the anniversary date of the certificate of occupancy for approval.
78. 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.

79. No hazardous materials shall be received on the project site. Should this material be inadvertently received on site, the applicant shall immediately contact the County Environmental Health Department to ascertain step required for disposal. All emergency and employee protective measure dictated by the County shall be complied with. The City shall be noticed if such an incident occurs.
80. Materials stored within the staging area shall remain in this location for no more than 12 hours in any 24-hour period.
81. Storage of outdoor items shall be limited to the area identified on the approved site plan. A 26 foot unobstructed path of travel shall be provided at all times through the entire project site.
82. The location of the staging area shall be striped on the ground to limit the migration of this area on the project site.
83. The maximum height of materials stored outside of the building including items stored in the staging area shall be 12 feet in height.
84. The 8' tall sliding corrugated metal gates shall be closed at all times when the business is not in operation.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

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

89. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
90. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
91. Before connecting the project to existing sewer and water service laterals, Developer shall arrange for City staff to inspect such facilities. Developer shall make such repairs to such facilities as City staff determines to be necessary. Developer shall bring all existing water services into compliance with City standards. (DS-7)
92. Each structure shall be served by separate sewer and water services. There shall be no interconnections between structures. (DS-8)
93. Curb cut widths and design shall conform to City ordinances, standards, and policies in effect at the time City issues an encroachment permit. (DS-9)
94. If the existing sewer lateral is larger than four inches in diameter, Developer's site improvement plans shall include an on-site sewer plan. (DS-10)
95. Where a separate loop or terminal line is required for water mains, fire hydrants or fire sprinkler systems, Developer's site improvement plans shall include an on-site water plan. (DS-11)
96. 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 and 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)
97. A civil engineer licensed in the State of California 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. Such plans and documents shall include, but not be limited to, grading, street, drainage, sewer, water and other appurtenant improvement plans; a master utility plan showing the layout and location of all on-site and off-site utility improvements that serve the project; construction cost estimates, soils reports, and all pertinent engineering design calculations. City will not accept an application for the final map or parcel map for the project or issue a grading, site improvement or building permit until the City Engineer has approved all improvement plans. (DS-15)
98. Prior to issuance of a site improvement permit, Developer shall provide to the Development Services Division a compact Disc (CD) containing digital copies of the final subdivision map, address map, and 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)

99. Developer shall provide all necessary easements for streets, highways, alleys, sidewalks, breezeways, parkways, landscaping, utilities, drainage facilities, and 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)
100. Developer shall remove graffiti from the project, including graffiti on offsite public infrastructure under construction by Developer, within 24 hours of its appearance. If Developer fails to remove graffiti in accordance with this condition, the City may at the discretion of the Development Services Manager issue a stop work order until such time as the graffiti is removed. (DS-20)
101. 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)
102. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
103. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
104. 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)
105. "Standard Specifications for Public Works Construction," latest edition, and any modifications thereto by City, and City of Oxnard Standard Land Development Specifications and all applicable City Standard Plans, 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)
106. Developer shall retain a Civil Engineer licensed in the State of California 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 the certified "as-built" plans is a condition of City's final acceptance of the project. (DS-29)
107. All grading shall conform to City's grading ordinance and any recommendations of Developer's soils engineer that have been approved by the City Engineer. Developer shall conform to all applicable notes specified on the site improvement/grading plan cover sheet and grading permit. (DS-30)
 108. Prior to issuance of a site improvement permit, Developer shall provide to the City Engineer easements or written consents from all affected landowners for any diversion of historical flows or change in drainage conditions caused by the project, as evidence that such landowners accept any additional water flowing over their property. (DS-36)
 109. 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)
 110. Developer shall install water mains, fire hydrants and water services in conformance with City Standard Plans and specifications as directed by the City Engineer. (DS-41)
 111. Prior to issuance of building permits, Developer shall present to the City Engineer a "Proof of Payment - Authorization for Building Permits" form issued by the Calleguas Municipal Water District. (DS-44)
 112. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)
 113. Developer shall construct all street and road improvements in conformance with the City Code, the City's 2020 General Plan, and any applicable specific plan. (DS-48)
 114. Developer shall dedicate and improve to City standards all sidewalks, parkways, streets, alleys, and street appurtenances. City will name all streets in accordance with adopted City guidelines. (DS-49)
 115. 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)
 116. Developer shall provide soils reports, "R" value tests, and compaction tests for all streets. Determination of the actual structural sections shall be based on City's design procedure, applying the appropriate traffic index specified in City standards. (DS-53)
 117. Developer shall submit a landscape irrigation plan prepared by a licensed professional, showing proper water meter size, backflow prevention devices, and cross-connection control. (DS-59)

118. Developer shall be responsible for and bear the cost of replacement of all existing survey monumentation (e.g., property corners) disturbed or destroyed during construction, and shall file appropriate records with the Ventura County Surveyor's Office. (DS-64)
119. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
120. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)

STORMWATER QUALITY CONDITIONS

121. Developer shall comply with all National Pollutant Discharge Elimination System (NPDES) permit Best Management Practice (BMP) requirements in effect at the time of grading or building permit issuance. Requirements shall include, but not be limited to, compliance with the Ventura Countywide Stormwater Quality Urban Impact Mitigation Plan (SQUIMP). (DS-78)
122. Developer shall construct double-bin trash enclosures (one bin for recycle use) 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 Development Services Division. Developer shall finish the trash enclosure to match the major design elements of the main structure. The finish and roof appearance shall be indicated on the building plans and are subject to approval by the Planning Division. The location and configuration of trash enclosures shall be reviewed and approved by the Environmental Resources Division. All refuse bins on the site shall be stored in an approved trash enclosure. No objects other than refuse bins may be stored in the trash enclosure without the written permission of the Environmental Resources Division. (DS-79)
123. Developer shall design parking lot and other drive areas to minimize degradation of stormwater quality. Using Best Management Practices (BMPs), such as oil and water separators, sand filters, landscaped areas for infiltration, basins or approved equals, Developer shall intercept and effectively prevent pollutants from discharging to the storm drain system. The stormwater quality system design shall be approved by the City Engineer prior to the issuance of a site improvement permit. (DS-81)
124. Using forms provided by the Development Services Division, Developer shall submit a stormwater quality control measures maintenance program ("the Program") 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 Program and Developer provides an executed copy for recordation. (DS-82)
125. Developer shall 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. (DS-83)
 126. Developer shall 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. (DS-84)
 127. Prior to issuance of a certificate of occupancy, on-site storm drain inlets shall be labeled "Don't Dump - Drains to Ocean" in accordance with City standards. Before City issues a site improvement permit, the requirement to label storm drain inlets shall be shown on the civil engineering plans. (DS-85)
 128. Prior to issuance of a grading permit or commencement of any clearing, grading or excavation, Developer shall provide the City Engineer with a copy of a letter from the California State Water Resources Control Board, Storm Water Permit Unit assigning a permit identification number to the Notice of Intent (NOI) submitted by Developer in accordance with the NPDES Construction General Permit. Developer shall comply with all additional requirements of the General Permit, including preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall identify potential pollutant sources that may affect the quality of discharges to stormwater and shall include the design and placement of recommended Best Management Practices (BMPs) to effectively prohibit pollutants from the construction site entering the storm drain system. Developer shall keep the SWPPP updated to reflect current site conditions at all times and shall keep a copy of the SWPPP and the NOI on the site and make them available for City or designated representative to review upon request. (DS-86)

DEVELOPMENT SERVICES DIVISION SPECIAL CONDITIONS

129. Developer shall pay to the County of Ventura a road mitigation fee in accordance with the agreement between the City and the County of Ventura. Proof of payment shall be provided to the Development Services Division prior to issuance of a building permit. (DS-105)
130. Developer shall design the grass filter swales in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)

131. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass filter swale areas and that the proposed landscaping conforms to SQUIMP standards for grass filter swales. (DS)
132. Developer shall provide a 6 inch minimum vertical drop between the flow line of the parking lot concrete gutter and the flow line of the grass filter swale at each location where stormwater enters the filter swale. The transition between gutter flow line and swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)
133. Developer shall install a perforated underdrain below all grass filter swale constructed with a longitudinal slope of less than 1%. Underdrain shall connect to a point of safe discharge as approved by the Development Services Manager. (DS)
134. Developer shall design the Pacific Avenue driveway to eliminate the potential for stormwater being conveyed directly to Pacific Avenue and bypassing the stormwater quality filter swale. This may be accomplished by installation of a trench drain across the width of the driveway. (DS)
135. Developer shall include a detailed list of any materials that will be stored outdoors in the Stormwater Quality Section of the drainage report. In accordance with the SQUIMP section 6, Developer shall provide an enclosure such as a shed, cabinet, or similar structure that prevents contact with runoff or spillage to the storm water conveyance system or provide an area protected by a secondary containment structure such as a berm, dike, or curb for all material with the potential to contaminate storm water. Developer shall be responsible for updating the list and providing appropriate containment or protection in accordance with City requirements for the life of this permit. (DS)
136. Developer shall install an under sidewalk drain in accordance with City standard plate 124 at the southerly end of the Pacific Avenue frontage in lieu of the proposed three – 3 inch diameter pipes. (DS)
137. Developer shall construct proposed walkways that cross vehicular drive aisles of colored enhanced concrete. The concrete color shall contrast with the parking lot asphalt to clearly identify pedestrian areas. (DS)
138. Developer shall provide a curb or similar continuous separation between the sidewalk and the parking spaces on parcel A in accordance with California Building Code Section 1133B.8.5 or provide appropriate detectable warnings. (DS)
139. Prior to issuance of a site improvement permit, Developer shall dedicate a sidewalk easement to City that encompasses all portions of the proposed sidewalk not within an existing City easement. The easement shall include an additional width at both the Pacific Avenue and Mountain View Avenue driveways to accommodate a 48 inch wide pedestrian path at the back of the driveway. (DS)

140. Developer shall construct a concrete apron along the length of the trash enclosure opening that extends a minimum of 15 feet from the face of the enclosure. (DS)
141. Developer shall record a lot merger that permanently merges the underlying two lots into a single parcel. The lot merger shall be completed prior to issuance of a site improvement permit or a building permit, whichever occurs first. (DS)

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 1st day of October 2009, by the following vote:

AYES: Commissioners
NOES: Commissioners
ABSENT: Commissioners

Deirdre Frank, Chair

ATTEST: _____
Susan L. Martin, Secretary

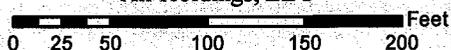
Attachment A.
Maps – Aerial, Vicinity, General Plan, and Zoning Maps

Aerial Map



Oxnard Planning
March 12, 2009

PZ 08-500-07
Location: 720 Pacific Av
APN: 201026028, 201026026
Air Holdings, LLC



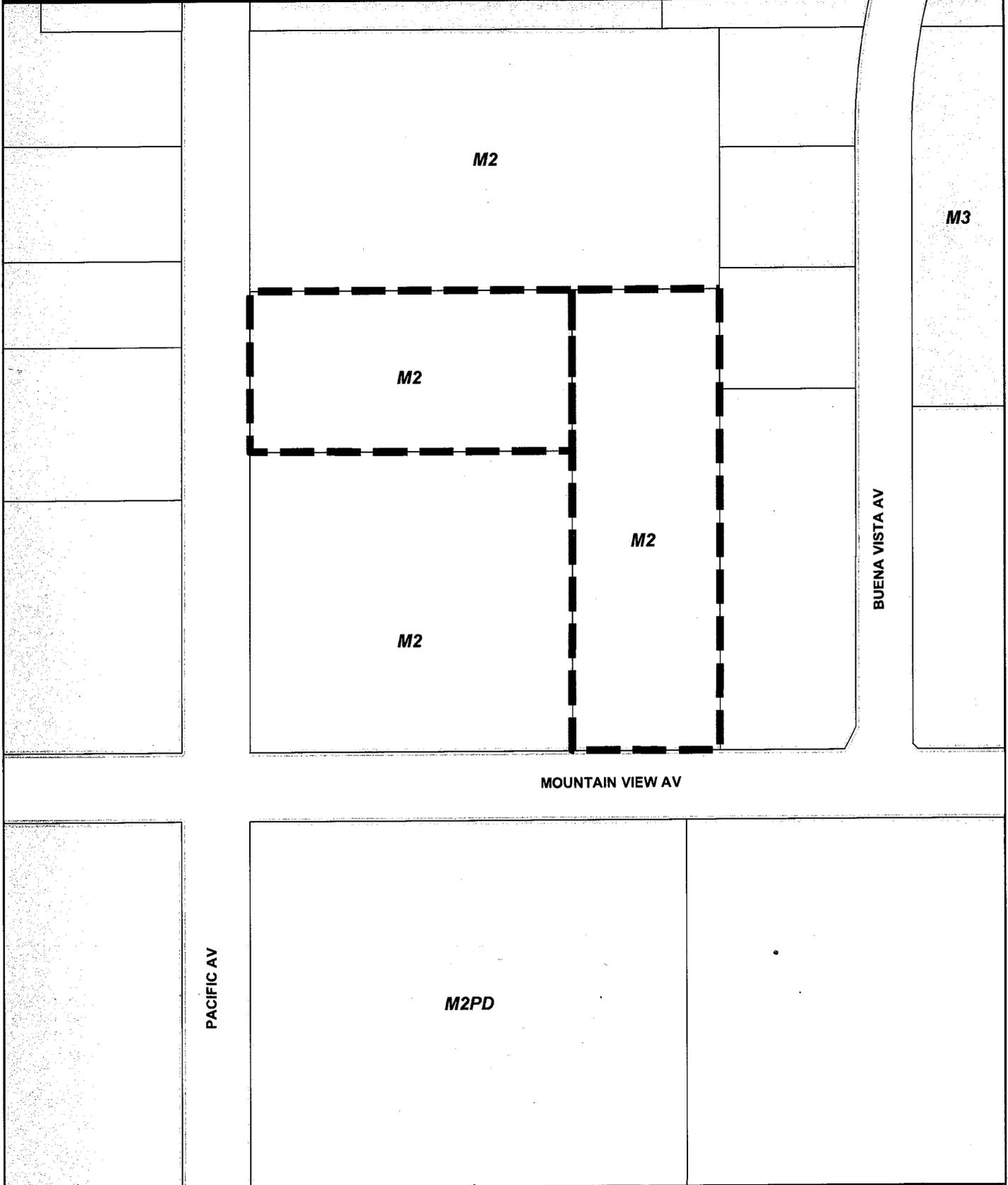
Aerial Map

2007 Aerial



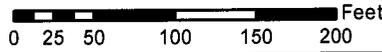
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Zone Map



Oxnard Planning
March 12, 2009

PZ 08-500-07
Location: 720 Pacific Av
APN: 201026028, 201026026
Air Holdings, LLC

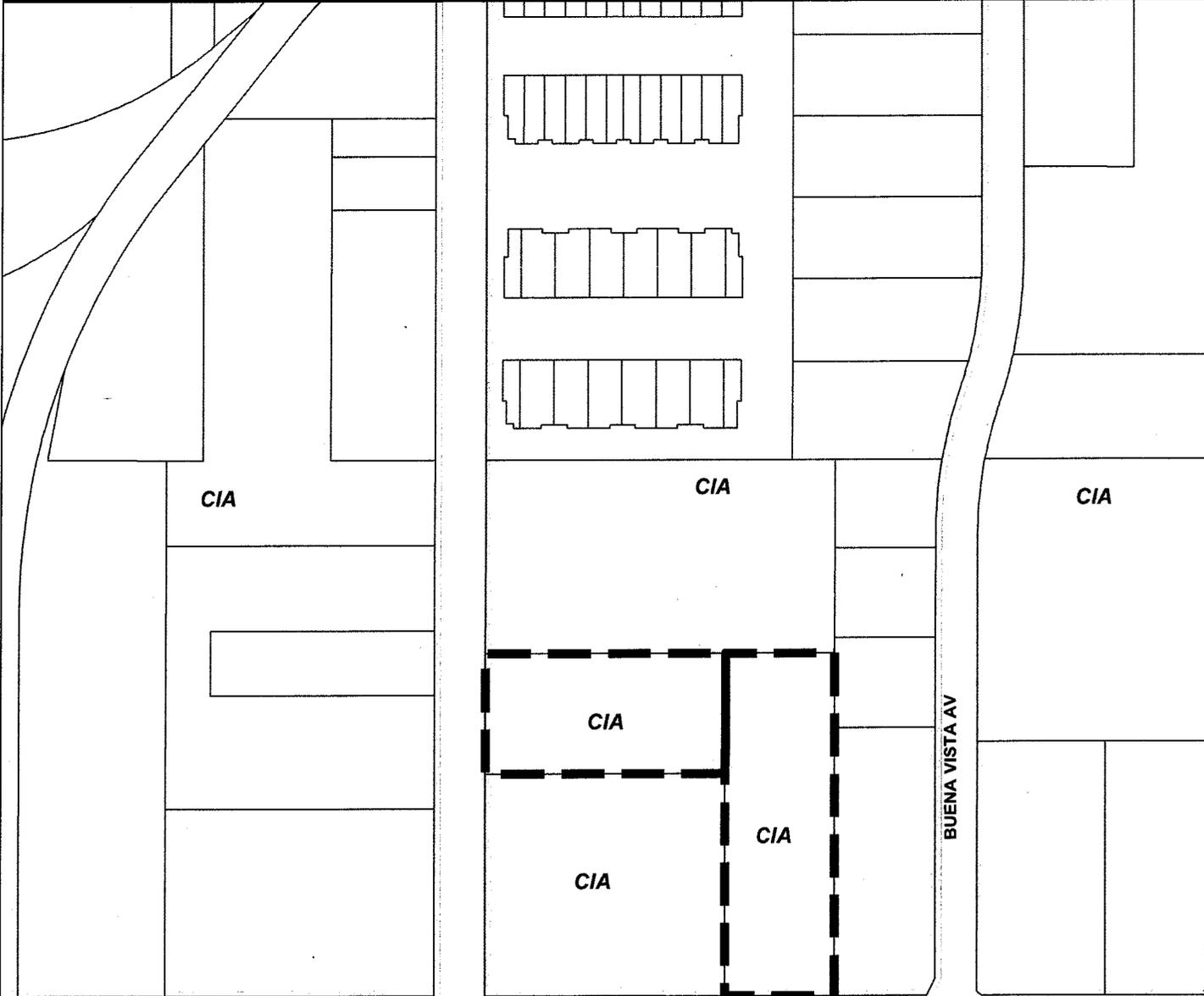


Zone Map



1:1,354

General Plan Map



MOUNTAIN VIEW AV

BUENA VISTA AV

PACIFIC AV

CIA

CIA

CIA

CIA

CIA

CIA

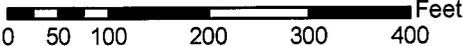
CIA

CIA



Oxnard Planning
March 12, 2009

PZ 08-500-07
Location: 720 Pacific Av
APN: 201026028, 201026026
Air Holdings, LLC



General Plan Map



1:2,180

Attachment B.
Notice of Exemption



NOTICE OF EXEMPTION

Project Description:

PLANNING AND ZONING PERMIT NO. 08-500-07 (Special Use Permit), a special use permit for an outdoor staging area to support a pre-consumer scrap paper preparation and baling facility located at 720 Pacific Avenue.

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:

The proposed project involves the operation and repair of an existing building with exterior improvements and building demolition. The interior and exterior building improvements and outdoor operations are consistent with the surrounding use and character. Therefore, there is no possibility that the project would have a significant effect on the environment in accordance with Section 15301 of the California Code of Regulations.

(Date)

Susan L. Martin, AICP
Planning Division Manager

**Attachment C.
Project Plans**

**Attachment D.
Baler Details**

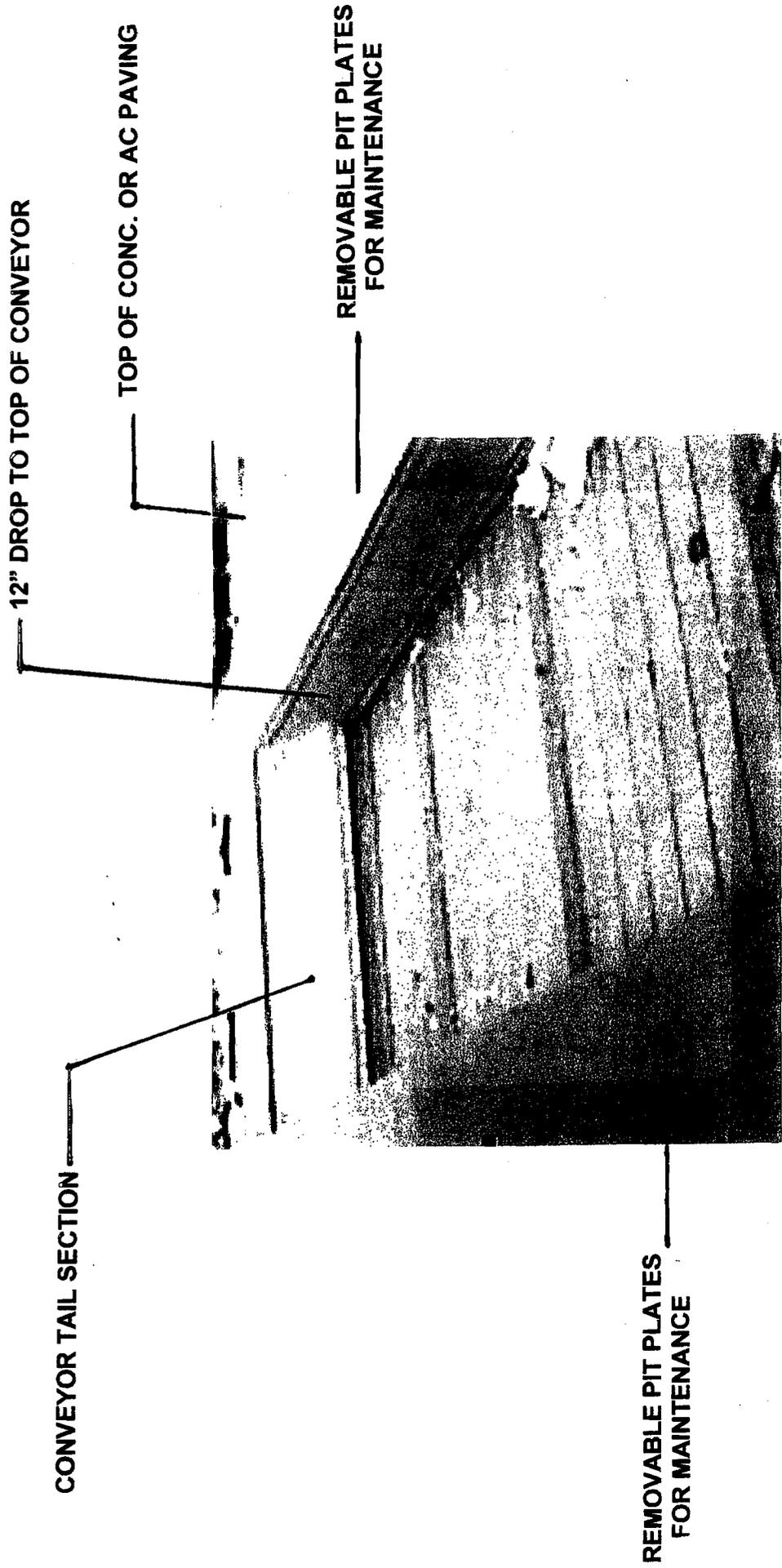


EXHIBIT A -- GROUND LEVEL CONVEYOR

INCLINED SECTION OF CONVEYOR

DROP CHUTE

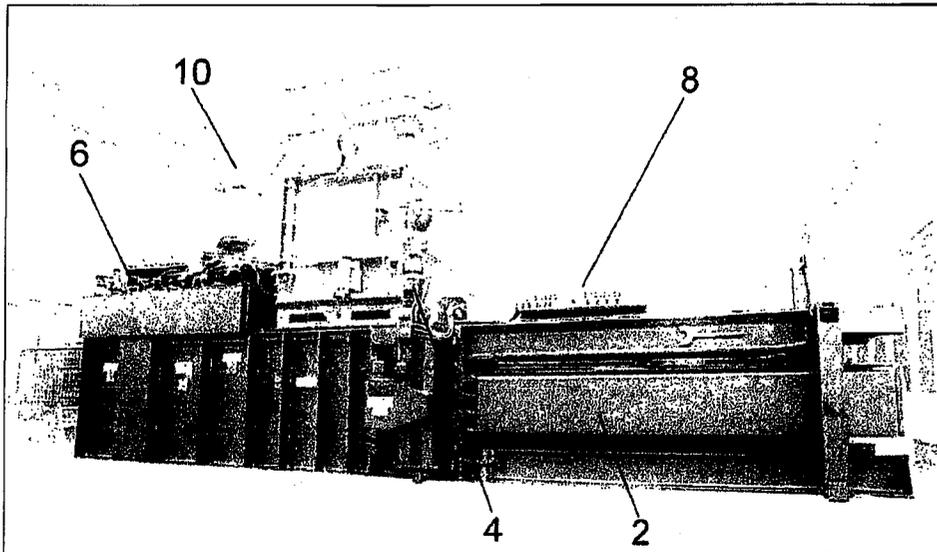
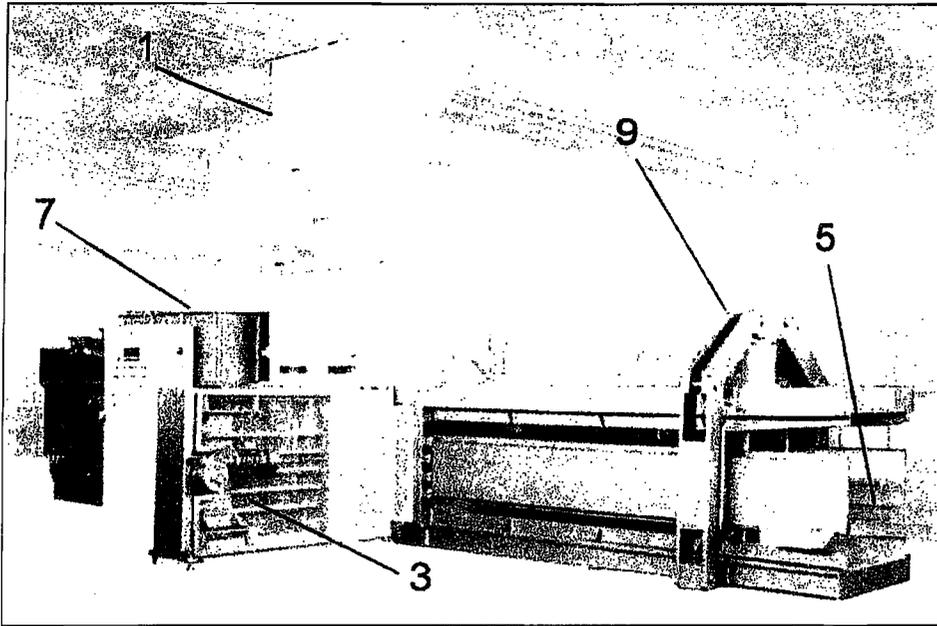


EJECTED BALE (CARDBOARD)

Macpresse 111AS/1 Auto-Tie Baler

EXHIBIT B – MACPRESSE BALER / EJECTED BALE

3. BALER COMPONENTS



1 - Loading hopper	6 - Hydraulic system
2 - Baler body	7 - Hydraulic oil tank
3 - Needle pushing trolley	8 - Pushbutton panel
4 - Binder	9 - Channel clamp
5 - Bales discharge channel	10 - Fluffer (optional)