

CITY COUNCIL OF THE CITY OF OXNARD
RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING GENERAL PLAN AMENDMENT PZ 05-620-07 TO CHANGE THE LAND USE MAP TO DESIGNATE PROPERTY (APN 204-0-020-26) FROM COMMERCIAL GENERAL TO MEDIUM DENSITY RESIDENTIAL AND PARK TO ALLOW A RESIDENTIAL DEVELOPMENT, PUBLIC PARK AND COMMERCIAL DEVELOPMENT KNOWN AS GATEWAY WALK, LOCATED AT 1250 SOUTH OXNARD BOULEVARD. FILED BY THE OLSON COMPANY, 1701 N. LOMBARD, SUITE 100, OXNARD, CA 93030,

WHEREAS, the Planning Commission held a public hearing and denied an application for a special use permit for a planned residential group to develop a maximum of 190 residential units at 1250 South Oxnard Boulevard and recommended denial of the General Plan Amendment PZ 05-620-07; and

WHEREAS, the City Council has considered the appeal filed by the applicant, The Olson Company, and has carefully reviewed the decision of the Planning Commission; and

WHEREAS, the land use designation of the subject property contained in the General Plan is General Commercial (CG) and in order for the project to be approved, the General Plan must be amended to change the use designation of the subject property to Medium Density Residential and Park; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Division Manager; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a general plan amendment; and

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WHEREAS, the City Council 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 or visit this establishment in particular.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves General Plan Amendment PZ 05-620-07, as shown on the map attached hereto as Exhibit A and incorporated herein by reference.

PASSED AND ADOPTED this 24th day of July 2007, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD
RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD UPHOLDING THE APPEAL OF THE PLANNING COMMISSION ACTION AND APPROVING SPECIAL USE PERMIT PZ 05-540-05 FOR A PLANNED RESIDENTIAL GROUP TO MODIFY CERTAIN ZONE STANDARDS SUBJECT TO CERTAIN CONDITIONS, TO ALLOW A RESIDENTIAL development, PUBLIC PARK AND COMMERCIAL DEVELOPMENT known as gAteway walk, LOCATED AT 1250 sOUTH OXNARD BOULEVARD (APN'S 204-0-020-05, 08, 09, 10, 11, 14, 15, 26, 27, and 28). FILED BY THE OLSON COMPANY, 1701 N. LOMBARD, SUITE 100, OXNARD, CA 93030,

WHEREAS, the Planning Commission held a public hearing and denied an application for a special use permit for a planned residential group to develop a maximum of 190 residential units at 1250 South Oxnard Boulevard; and

WHEREAS, the City Council has considered the appeal filed by the applicant, The Olson Company, and has carefully reviewed the decision of the Planning Commission; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Division Manager; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a special use permit; and

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

1. That the proposed use is in conformance with the General Plan, as amended, and other adopted policies of the City of Oxnard.

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2. That 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. That the site for the proposed project is adequate in size and shape to accommodate the setbacks, parking, landscaping, and other City standards except as may be specifically excepted by the special findings and conditions of this resolution.
4. That 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. That the site for the proposed use will be provided with adequate sewerage, water, fire protection and storm drainage facilities.
6. That the variations in zone standards are appropriate for the site and the proposed use.
7. A substantial improvement of the use of the land will be thereby effected, and there will not be any detrimental effect upon the surrounding area.
8. The residential use proposed is permitted with the zone change.
9. Building will substantially conform with plot plans and elevations submitted in support of the special use permit.
10. The applicant has demonstrated that population densities are in conformance with existing and proposed public facilities, such as streets, sewers, water, schools and parks.

WHEREAS, in approving a reduction in the number of off-street parking space, the City Council finds that the site plan on file with the Planning and Environmental Services Division provides for the following:

1. Preserves the intent of the Parking Ordinance;
2. Provides sufficient parking to serve the intended use; and
3. The modification will not be detrimental to the public health, safety or welfare.

WHEREAS, the City Council finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable

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manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work or visit this establishment in particular.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves Special Use Permit PZ 05-540-05, subject to the following conditions:

**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
DS	Dev Services/Eng Dev/Inspectors	TR	Traffic
PD	Police	B	Building Plan Checker
SC	Source Control	FD	Fire
PK	Parks	CE	Code Enforcement

GENERAL PROJECT CONDITIONS

100. 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*).
101. This permit is granted for the plans dated June 21, 2007 ("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 Division 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*)
102. 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, or the beginning of the proposed use. (PL, *G-3*)

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103. 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)
104. 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)
105. 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)
106. Developer shall record with the Ventura County Recorder a "Notice of Land Use Restrictions and Conditions" in a form acceptable to the City Attorney. Before the City issues building permits or allows Developer to occupy the project, Developer shall submit a copy of the recorded document to the Planning Manager. (PL, G-8)
107. 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 or modified by the special use permit. (PL/B, G-9)
108. 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)
109. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
110. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
111. 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)
112. 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)
113. Prior to issuance of building permits, Developer shall correct all violations of the City Code

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existing on the project property. (PL, *G-15*).

LANDSCAPE STANDARD CONDITIONS

114. Before submitting landscape and irrigation plans, Developer shall obtain approval of the Parks and Facilities Superintendent or designee ("Superintendent") of a plan showing on the project property all existing trees and identifying the trees to be saved, transplanted or removed. (PK, *PK-1*)
115. 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*)
116. Before the City issues a certificate of occupancy, Developer shall install landscape and automatic irrigation systems that have been approved by Superintendent. (PK, *PK-3*)
117. 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*)
118. Before the City issues a certificate of occupancy, Developer shall provide a watering schedule to the building owner or manager and to the 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*)
119. 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*)
120. Before the City issues building permits for a residential development that includes any model houses, Developer shall obtain the approval of the Superintendent for a low water-using landscape plan. Developer shall install low water-using landscape design and irrigation systems for at least one of the model houses in any cluster of two or more model houses, thereby demonstrating to prospective buyers the feasibility and aesthetic qualities of low water-using landscape design and irrigation systems. Developer shall provide appropriate signs, shown on the landscape plan, explaining that the model house utilizes a low water-using landscape and listing the plant materials used. (PK, *PK-7*)
121. Developer shall offer a low water-use front yard landscape option to buyers at no extra cost. Developer shall also provide low water-use landscape literature to each buyer. City shall provide such literature to Developer at City's cost. (PK, *PK-8*)
122. 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)

123. Within sixty days after a house is occupied, Developer shall install front yard and street side yard landscaping for that house. Developer shall provide proof of financial responsibility approved by the City Attorney to ensure faithful performance of this condition within the specified time. (PK/ PL, PK-10)
124. 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 Superintendent shall review the sufficiency of instructions for the operation of the irrigation controller and the watering schedule cycles. (PK, PK-11)
125. At the close of escrow or at the time of occupancy of each dwelling unit, Developer shall review with and provide instructions to each buyer concerning the irrigation controller operation and the watering schedules. (PK, PK-12)
126. Developer shall install sod in the lawn areas of all front yards and street side yards. (PK, PK-13)
127. After Developer installs irrigation and landscape improvements on the project property or on Caltrans freeway right-of-way, but before the City's final acceptance thereof, Developer shall provide the Superintendent with one set of mylar (minimum 3 mil) original drawings, which shall accurately reflect all "as-built" conditions. (PK, PK-16)
128. Developer agrees that the project has aesthetic impacts arising from conversion of undeveloped land to developed land, which the landscaping improvements for the project are intended to mitigate. Developer further agrees that the landscaping improvements must be maintained in order to continue to mitigate such impacts. In order to provide for such maintenance, Developer has agreed to enter into an agreement with the City to cast a ballot in favor of formation of an assessment district to fund such maintenance and in favor of assessments on the project property. In the event that such an assessment district is not formed, Developer agrees to establish a homeowners' association for the project as directed by the City, to fund such maintenance. Before or during escrow for the sale of property within the project, Developer shall provide each buyer with a document disclosing, in large type, that the project property is subject to annual assessments for landscape maintenance, and stating the probable range of dollar amounts of such assessments for the next fiscal year. To confirm that the buyer has read the document, Developer shall require the buyer to sign the document. Developer shall retain all such documents for at least three years and shall allow the City to inspect and copy all such documents upon reasonable request. (PK,

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PK-18)

129. Developer shall provide to the Superintendent a landscape maintenance district master plan drawn at an approved scale, clearly designating areas of maintenance responsibility assumed by: (a) a landscape maintenance district; (b) a homeowners association; and/or (c) the City. After Superintendent approves such plan, Developer shall provide to Superintendent a mylar (minimum 3 mil) original drawing of the maintenance district master plan. (PK, *PK-19*)
130. Within sixty days of approval of the project, Developer shall provide the Superintendent with a complete, detailed landscape maintenance district master plan for all phases of the project and shall deposit \$13,700 to pay for staff time, attorney time and the engineer's report necessary to prepare all documents and hold hearings to form an assessment district and impose an assessment formula and assessments on property within the project to pay the costs of maintaining the landscaping in the district. (PK, *PK-20*)
131. Developer shall provide to the Superintendent a copy of the document entitled "Agreement" containing Developer's agreement to vote in favor of a landscape maintenance assessment district for the project, bearing the Ventura County Recorder's stamp, confirming that the document has been recorded in the Ventura County Recorder's Office. (PK, *PK-21*)
132. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, *PK-22*)

PARKS SPECIAL CONDITIONS

133. Prior to issuance of grading permits, Applicant shall provide an arborist's tree report for the health and economic appraisal value of any existing trees to be removed or displaced from the site due to construction. City staff shall have final review approval on selection of arborist. The arborist's report shall be prepared by a certified arborist and shall follow the format as outlined in *A Guide to the Methods and Procedures for Appraising Amenity Plants*, latest edition as published by the International Society of Arboriculture. The report shall include both text and a site plan that clearly labels all trees to be saved, removed or transplanted. The methodology for the tree appraisal value shall be based on the "Trunk Formula" method. The economic appraisal value shall be put back into new tree sizes for the project and shall be in addition to meeting the City's minimum tree size of 24" box.
134. Applicant shall include on the Landscape Plans submitted for building permits, a tabulation chart that illustrates which existing trees on site are remaining, being transplanted or being removed from the site. The tabulation chart shall include the arborist's appraisal information from the approved tree report and notations and calculations on how the appraisal value of the trees removed has been put back into new tree sizes for the project

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that are in addition to meeting the minimum tree size of 24" box.

135. Applicant shall include on the Landscape Plans submitted for buildings permits, a graphic section similar to section T-T that illustrates the *graphic relationship* between the bioswale, to the trees and the shrubs and vines.
136. As part of their development of the public park site, Developer shall include, at minimum, a tot lot and restroom facility. The proposed public park location, layout, features and amenities shall be submitted to the *satisfaction of the Planning Manager and Superintendent* prior to approval of plans. In order to serve the public, the Developer shall complete construction of the public park site prior to issuance of the fine grading plans that include the *fifth-seventh (57) dwelling unit*.
137. Applicant shall increase the park parcel to a minimum 1.77 net acres. Applicant shall include a 1.77 net acre park on the final map submittal.(PK/PL)
138. The public park improvements shall include *provisions for public access*.
139. Applicant shall complete, to City Attorneys satisfaction, the Landscape Maintenance Assessment District document titled "Agreement" prior to final tract map being filed.
140. The Landscape Maintenance Assessment District shall include a proportionate share of the public park as well as street trees and lighting on public right of way.
141. Applicant shall design, and the Landscape Plans shall show, any proposed walls facing Wooley Rd. screened with plant material to help with graffiti abatement. The Landscape Plan and plant material shall be to the satisfaction of the Planning Manager.
142. Applicant shall design, and the Landscape Plan shall show, landscaping to cover the proposed 6' high wall along east perimeter of site. The Landscape Plan and the plant material shall be to the satisfaction of the Planning Manager.
143. Applicant shall substitute *Washingtonia robusta* for *Washingtonia filifera*. Such change shall be depicted on the Landscape Plans submitted for building permits.
144. Applicant shall change specimen tree to *Tipuana tipu*. Such change shall be depicted on the Landscape Plans submitted for building permits.
145. Applicant shall design and install tree grates, irrigation and landscape structural soil for hardscape improvements on Oxnard Blvd. Applicant shall provide a bond for the trees and labor, which are to be planted at a later date by the City of Oxnard.

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146. The landscaping on Wooley Road adjacent to the proposed wall shall include a mixture to be approved by the Planning Manager of colorful ground covers, shrubs, vines, and palm trees (Queen Palms) to provide screening and to help with graffiti abatement.

FIRE DEPARTMENT STANDARD CONDITIONS

147. Developer shall construct all vehicle access driveways on the project property to be at least 25 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)
148. 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)
149. 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)
150. At Developer's expense, Developer shall obtain two certified fire flow tests for the project property. The first test shall be completed before City approval of building plans and the second shall be completed after construction and prior to the issuance of a certificate of occupancy. A mechanical, civil, or fire protection engineer must certify the tests. Developer shall obtain permits for the tests from the Engineering Division. Developer shall send the results of the tests to the Fire Chief and the City Engineer. (FD/DS, F-4)
151. 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)
152. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, F-6)
153. 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)
154. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, F-8)
155. 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

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radio equipment. (FD/PD, F-9)

156. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, F-10)
157. 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)
158. 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

159. 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.
160. 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.
161. A Knox Box key vault shall be installed on the buildings at a location to be determined by the Fire Department.
162. The turning radius for driveable surfaces and turnaround areas used for emergency access shall be a minimum of 48 feet outside and 30 feet inside diameter.

PLANNING DIVISION STANDARD CONDITIONS

163. The final building plans submitted by Developer with the building permit application shall depict all building materials and colors to be used in construction. (PL/B, PL-1)
164. 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)
165. 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,

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PL-3)

166. 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*)
167. 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*)
168. Developer may not modify any use approved by this permit unless the Planning Manager determines that Developer has provided the parking required by the City Code for the modified use. (PL, *PL-7*)
169. 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 Manager. (PL/B, *PL-8*)
170. 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*)
171. Developer shall provide graphic site directories at principal access walkway points. (PL/B, *PL-10*)
172. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
173. 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*)
174. 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

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permits may be delayed as a result of implementation of a water conservation or allocation plan. (PL, PL-15)

175. 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).
176. Developer shall provide elevators in structures of three stories or more, except where the third story consists entirely of upper levels of residence that have entrances at the first or second story. (PL/B, PL-17)
177. Before the City issues building permits, Developer shall provide to the Planning Manager a disk in DWG format of a 100-foot scale site plan of the project as approved. (PL, PL-50)
178. 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 Manager prior to issuance of building permits. (PL, PL-18)
179. 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 Manager, the appropriate utility service provider and the United States Postal Service, prior to issuance of building permits. (PL, PL-19)
180. Developer shall provide automatic garage door openers for all garages. (PL/B, PL-20)
181. Garages closer than 23 feet to the front property line shall have sectional roll-up garage doors. (PL/B, PL-21)
182. All residential dwelling unit developments shall include architectural articulation on all four sides of each unit. Such articulation shall include, but not be limited to, window treatment; trim and a variety of finishes matching front facades; and balconies, porches, and trellises. Developer shall submit elevations depicting such articulation to the Planning Manager for approval prior to issuance of building permits. (PL, PL-28)
183. Prior to the close of escrow for each dwelling unit, Developer shall provide the buyer with a written guarantee that the exterior finishes of the dwelling unit will remain in good condition for at least five (5) years from the final building permit inspection and sign off. Developer shall provide a copy of the guarantee to Planning staff prior to final Planning Division inspection and sign off. (PL, PL-29)

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184. Light standards illuminating interior walkways shall be no more than eight feet high. Light shall not intrude into private living or patio areas. Light standards serving recreational areas held in common shall be no more than 15 feet high. Light shall be directed away from dwelling units. (B, *PL-30*)
185. Developer shall provide masonry walls on street side yards and along project perimeter property lines. Developer shall install interior fences, to be constructed of wood or other material, subject to the approval of the Planning Manager. (PL/B, *PL-31*)
186. Street side yard walls shall be of decorative masonry construction and shall be set back 10 feet from any public sidewalk. (PL/B, *PL-32*)
187. Developer shall establish a homeowners association and the association shall be responsible for the maintenance of parking, landscape, recreation and other interior areas held in common by the association and for the enforcement of Conditions Covenants & Restrictions related to property maintenance. (PL/DS, *PL-33*)
188. Developer shall construct each dwelling unit with separate utility systems and meters. 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. (DS/B, *PL-34*)
189. Developer shall include in all deeds for the project and in the Conditions Covenants & Restrictions a prohibition against parking recreational vehicles over 20 feet long in the project. (CE/PL, *PL-35*)
190. Developer shall post in the sales office of the project the latest City planning documents and maps that may affect the project and adjacent properties. At a minimum, this information shall include the 2020 Oxnard General Plan and General Plan Land Use Map showing all adjacent properties, a copy of the ordinances regulating the zone, and any specific plan that may apply to the project. Such documents may be purchased at cost from the Planning Manager. Developer shall require that all purchasers sign an affidavit declaring that they have familiarized themselves with the planning documents. Developer shall make such affidavits and planning information available for review upon reasonable request of the Planning Manager. (PL, *PL-38*)
191. Developer shall prohibit the parking of recreational vehicles within the subject parcels (PL, *PL-39*)
192. Where feasible, Developer shall locate individual unit plumbing within individual unit walls, as opposed to common or shared walls, and shall paint roof vents to match the roofing material. (PL/B, *PL-40*)

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193. For commercial development, 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)
194. For commercial development, 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)
195. For commercial development, 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)
196. For commercial development, Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Manager. The details of such mirrors shall be approved prior to issuance of a building permit. Developer shall remove graffiti from the mirrors or replace the mirrors within 24 hours of graffiti appearance. (PL, PL-45)
197. For commercial development, before the City issues building permits, Developer shall submit and obtain approval of a master sign program for the commercial project, which shall indicate on the site plan the elevations, the size, placement, materials, and color of all proposed free-standing and building signs. The square footage of all signs for the project shall not exceed that permitted in accordance with the City Code. (PL/ B, PL-46)
198. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, PL-47)

PLANNING DIVISION SPECIAL CONDITIONS

199. Developer shall provide storage areas for City sized trash bins within side yard of the detached units. Trash bins may not be stored within the garage area. (PL)
200. Railings and enclosures for patios and balconies shall provide 100 percent enclosure for screening, privacy, and noise reduction, unless a further acoustical study provided by the applicant, prior to issuance of building permits, can substantiate that 50 percent enclosures will reduce the noise levels for the outdoor spaces to 65dBa or less. Developer shall include details of the railings and enclosures on the construction documents. (PL/B)

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201. Walls separating the patio areas of different units shall be of solid construction, such as masonry, stucco, or wood over wood. Ground level patios shall be enclosed by walls not less than five feet high and reduce the noise levels for outdoor spaces to 65dBA or less. (PL/B)
202. Developer shall pay Quimby Fees (fees for park acquisition and improvement) prior to issuance of building permits. The amount of the fee shall be calculated giving consideration to the on-site park dedication and improvements, by the Planning Division, and verified by the Parks Division at the time of payment. If at time of building permits it is determined that the onsite park dedication and improvements exceeds the required Quimby fee, no additional fee is required. (PK/B)
203. Prior to issuance of building permits, Applicant shall have entered into an Owner Participation Agreement, as approved by the Community Development Commission (CDC), which shall state how the applicant will comply with the CDC affordable housing requirements under California redevelopment law and CDC Resolution No. 111. Any required fees shall be calculated prior to issuance of building permits.
204. Applicant shall provide a minimum 34 foot setback from the train track along the northern property line to the closest structure. Applicant shall include such setback on the grading plans and building plans submitted to the Building and Engineering Division. (PL/B)
205. Applicant shall provide a minimum 8 foot setback from the south property line (adjacent to Oxnard Blvd.) to the closet structure. Applicant shall include such setback on the grading plans and building plans submitted to the Building and Engineering Division. (PL/B)
206. Applicant shall provide a 30 foot setback to all structures along the easterly property line. Applicant shall include such setback on the grading plans and the building plans submitted to the Building and Engineering Division. (PL/B)
207. Applicant shall provide a minimum 6 foot sidewalk within the 30 foot landscaped setback along the easterly property line. Applicant shall design the "tuck-under townhome" units to provide direct access to the sidewalk.
208. Applicant shall design the "tuck-under townhome" units to have bedroom and/or living space windows looking on the required 30 foot landscaped setback and sidewalk. Applicant shall depict the windows on the floor plans and building elevations submitted for building permits. (PL/PD)
209. Applicant shall submit a revised parking study, showing an acceptable parking and commercial building ratio, as well as a reduction in the City requirements for loading

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zones. The parking study shall be reviewed and approved by the Planning Manager and City Traffic Engineer prior to issuance of building permits as a minor modification.

210. Prior to issuance of building permits, Applicant shall record a reciprocal parking agreement, in a form approved by the City Attorney, to allow guest parking on the residential zoned parcel for those residential units located on the commercial zoned parcel.
211. Applicant shall provide for an attractive, direct and safe pedestrian access to parking as required by City Code Section 16-636(E). Such design shall be approved by the Planning Manager prior to issuance of building permits. (PL)
212. Applicant shall provide for an attractive, direct and safe pedestrian access to the public park. Such design shall be approved by the Planning Manager prior to issuance of building permits. (PL)
213. Applicant shall provide bicycle parking in accordance with City Code. (PL)
214. Applicant shall provide decorative trash enclosures and relocate trash enclosures, where necessary, to provide for efficient access for residents, commercial uses, and service persons. Applicant shall coordinate placement and design of such items accordingly, with the Planning Manager, prior to issuance of building permits. (PL)
215. No future building additions (room additions), accessory building, or accessory structure may be added to the subject parcels.
216. Applicant shall remove all vehicular gates from the subject parcels.(PL)
217. The businesses operating within the live-work units shall be subject to the approval of the Planning Manager, but shall in compliance with City policy on acceptable live-work business types. (PL)
218. Prior to opening a business within a live-work unit the property owner must obtain a business license, a zone clearance, and a sign permit (if desired) consistent with the approved master sign program for the site. (PL)
219. Applicant shall redesign the northwest portion of the site to eliminate all vehicular access from Wooley Road, and shall vacate the remaining portion of the alley, while still preserving the ability for refuse service for the motel and Fire Department access to the existing Fire Hydrant. Such redesign shall be to the satisfaction of the Planning Manager, prior to submittal for final map. (PL)
220. All drive lanes (alleys) shall be provided with independently metered lighting with

automatic/ daylight sensors for dusk to dawn lighting within drive lanes. The maintenance and replacement needs of independently metered lighting (wall fixtures, light bollards) shall be the responsibility of the Home Owners' Association. Lighting responsibilities shall be provided within the CC&Rs for the development. (PL)

221. During the plan check review process, the Developer shall provide a lighting plan that provides design type 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)
222. Light standards illustrated on the conceptual lighting plan conflict with tree locations. Lighting consultant and landscape architect shall coordinate and/or utilize same plan layer when designing both (lighting/landscape) plan concepts.
223. Applicant shall include on the Plans submitted for buildings permits, at least one recreational facility for the project, as required by City Code Section 16-362(C). (PL)
224. Prior to submittal for building permits Applicant shall submit revised elevations, subject to the satisfaction of the Planning Manager as a minor modification. (PL)
225. Before the City issues building permits, Developer shall provide a Graffiti Deterrent Plan for the commercial and live-work units, subject to the approval 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)
226. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Manager and the Development Services Manager. Before occupying any structures or initiating any use approved by this permit, Developer shall comply with all conditions of the tentative and final map. (PL/DS)
227. This permit is granted subject to the approval of a zone change for the project property. (PL)
228. This permit is granted subject to the approval of a general plan amendment for the project property. (PL)
229. 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

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No. 13,103. (PL)

Aesthetics

230. Prior to approval for the site plan, Developer shall ensure that all new lighting is shielded from off-site views and designed to provide on-site safety. (MND, A-1)
231. Prior to issuance of Building Permits, Developer shall minimize windows adjacent to the adjoining mobile home park. (MND, A-1)

Air Quality

232. During construction, 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)
233. 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-2)
234. 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-3)
235. During construction, Developer shall control dust by the following activities:
- 100. 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.
 - 101. 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-4)
236. 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-5)
237. 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

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excavation operations to prevent fugitive dust from being a nuisance or creating a hazard, either onsite or offsite. (MND, C-6)

238. 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-7)
239. Developer shall mitigate air quality emissions associated with development of the subject site through a contribution to the City's Transportation Demand Management program. Such fee shall be calculated at the time of building permit issuance in accordance with the Ventura County Air Quality Assessment Guidelines, as amended. Such fee shall be collected in full prior to building permit issuance. (MND, C-8)
240. 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. (MND, C-9)
241. Prior to demolition of any on-site structures, Developer shall comply with any and all regulations pertaining to asbestos and lead paint removal. (MND, C-10)

Biological Resources

144. Prior to issuance of Building Permits, an arborist report shall be prepared to assess the value of the existing trees. The Planning Division shall determine which trees shall be saved and incorporated into the development and require replacement trees of specified species. (MND D-1)

Cultural Resources

145. Based on the recognized sensitivity for the occurrence of buried sites and artifacts and as mandated by the City of Oxnard archaeological guidelines, Developer shall pay for monitoring by a qualified archaeologist and Native American monitor (specifically a qualified Ventureño Chumash descendant). A contract with the monitor shall be presented to the City prior to issuance of grading permits. Monitoring shall be required during all soil disturbances including grading (cut and fill) or other excavation (e.g., trenching). Should movement of soils during grading for recompaction activities show no evidence of an archaeological site or artifacts and with the agreement of the Planning Manager and onsite Native American consultant, further monitoring at this location by the archaeologist shall no longer be required. In the event that a prehistoric site or historic remains older than 50-years is identified during monitoring, the Archaeologist and/or Native American monitor shall be empowered to stop all construction activities in the vicinity of the find. The archaeologist shall document, identify, and evaluate the potential significance of the find. Such evaluation may require Phase 2 site subsurface excavation and evaluation program. Should remains prove to be significant, avoidance of the resource is the preferred

mitigation. If avoidance through project redesign is not feasible, further investigations in the form of a Phase 3 data recovery program will be implemented to mitigate impacts to the identified resource. The Native American monitor shall remain on site throughout any necessary site documentation, evaluation, and mitigation processes.

Contracts shall include weekly reports from the archaeological monitor to the Planning Division summarizing the monitor's activities during the reporting period. A copy of the contract for these services shall be submitted to the Planning and Environmental Services 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 occupancy for each building. (MND, E-1)

Geology and Soils

146. Developer shall submit a site-specific soils investigation, which shall be prepared by a licensed geotechnical engineer. At a minimum, such study shall include liquefaction and compressible soil characteristics on the subject site, and shall identify any necessary construction techniques or other mitigation measures to prevent significant liquefaction/compressible soils impacts upon the proposed project. All recommendations of said report shall be incorporated into the project. Developer shall submit the report to the Building Official for review and approval prior to issuance of building permits. (MND, F-1)
147. Prior to final inspection (residential construction) or issuance of a certificate of occupancy, all construction shall meet the minimum requirements of the Uniform Building Code for anticipated seismic activity within the region. (MND, F-2)

Hazards and Hazardous Materials

148. Prior to issuance of grading permits, Developer shall provide a setback buffer and/or barrier of sufficient distance or height to provide separation from the railroad tracks to reduce the likelihood of significant impacts if a derailment or hazardous materials incident occurred on the railroad tracks. Such buffer shall be to the satisfaction of a risk analyst/engineer approved by the City. (MND, G-1)
149. Developer shall design structures with positive ventilation to reduce the potential for radon accumulation. (MND, G-2)
150. Prior to demolition of any on-site structures, Developer shall comply with all regulations pertaining to asbestos and lead paint removal. (MND, C-6)
151. At the storage shed, diesel and motor oil hydrocarbon contaminants found from 2 to 5 feet below grade require that this soil be removed down to 6 feet and properly disposed of prior to grading the site. (MND, G-4)

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152. The Phase II report should be provided to the Oxnard Fire Department and Ventura County to close the site.
153. Developer shall immediately enter into an agreement for regulatory oversight on the voluntary cleanup efforts. This agreement may be with either the Ventura County Environmental Health Division (EHD) Voluntary Cleanup Program, or with the State Department of Toxic Substance Control (DTSC). A copy of the written agreement shall be provided to the Planning Division Manager prior to final City approvals on the planning entitlements. (MND, G-5)
154. Developer shall submit documentation from an oversight agency that the onsite remediation activities were conducted in a manner consistent with the standard practices, and that the site is determined to be suitable for the intended uses proposed (i.e. residential and commercial). Such documentation shall be submitted to the satisfaction of the Planning Manager prior to issuance of any building permits. (MND, G-6)

Hydrology and Water Quality

155. Developer shall submit a SWPPP to verify compliance with NPDES requirements prior to issuance of a Building Permit. (MND, H-1)

Noise

156. For all units in the first row facing Wooley Road and Oxnard Boulevard the following shall be shown on plans prior to issuance of Building Permits:
 - a. Roof ceiling construction shall be roofing on ½" plywood. Batt insulation shall be installed in joist spaces. The ceilings shall be one layer of ½" gypboard nailed direct.
 - b. All exterior walls shall be 2x4 studs 16" o.c. with batt insulation in the stud spaces. Exteriors shall be exterior plaster or stucco.
 - c. All north and southwest facing windows and glass doors in the first row of units shall be glazed with STC 29.
 - d. All entry doors shall be 1-3/4" solid core flush wood doors with vinyl bulb weather stripping on the sides and top. Panel doors with panels less than 1-3/4" are not acceptable. Glazing in entry doors is not acceptable.
 - e. No mail slots shall be built into the entry doors.
157. A ventilation system shall be provided so that windows do not need to be opened to provide ventilation to the unit interiors. (MND, K-1)
159. To reduce the noise for outdoor residential spaces and park uses, a sound barrier shall be placed between Wooley Road, the railroad tracks and Oxnard Boulevard to reduce the noise levels for the outdoor spaces to 65dBa or less. An acoustical specialist shall determine the placement, materials and height of the barrier prior to issuance of Building Permits. (MND, K-2)

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160. All potential purchasers of dwelling units shall be provided with a disclosure statement relating to the roadway and train noise that affects the property. Owners shall sign the disclosure prior to purchasing a unit. (MND, K-3)

Public Services

161. Prior to issuance of a building permit, Developer shall pay the required school impact fees in order to mitigate school impacts. (MND, M-1)
162. Prior to issuance of building permits, Developer shall pay the required Quimby impact fees in order to mitigate the effects of these additional demands. (MND, M-2)
163. Prior to issuance of a building permit, Developer shall pay the following development fees: *Planned Traffic Circulation System Facilities Fees* (Traffic Impact); *Planned Water Facilities Fee*; *Planned Wastewater Facilities Fee*; *Planned Drainage Facilities Fee*; and *Growth Requirement Capital Fee*. (MND, M-3)

Recreation

164. The developer is required to pay the Quimby fee to reduce the impacts associated with the proposed development prior to issuance of a building permit. (MND, N-1)

Transportation/Traffic

165. Developer shall pay the applicable County/City Traffic Impact fees prior to issuance of a Building Permit. (MND, O-1)
166. In accordance with Caltrans specifications and standards, Developer shall design the project to maintain adequate site distance at all driveways prior to issuance of a Building Permit. (MND, O-2)
167. Prior to issuance of a Building Permit, Developer shall ensure all roadway design specifications are completed by a registered traffic engineer. (MND, O-3)
168. During construction, roadway work shall be completed by a Caltrans qualified contractor. (MND, O-4)
169. Developer shall reduce the amount of commercial square footage or increase the amount of parking until parking demands are met on-site, prior to issuance of a Grading Permit. (MND, O-4)

Utilities and Service Systems

170. Pay applicable Calleguas Capital Construction charges prior to issuance of Building Permit.

(MND, P-1)

Environmental Resources Division

171. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused or recycled, Developer shall submit a "Solid Waste Management & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to Planning Division and Environmental Resources Division 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 Solid Waste Management and Recycling Plan form.
172. Developer shall follow the 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 the Solid Waste Management & Recycling 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 Solid Waste Management and Recycling C&D Report form prior to issuance of a certificate of occupancy.
173. Developer shall arrange for materials collection during construction, demolition, and occupancy with either the City Solid Waste Reduction & Disposal Division or other City permitted hauling companies, or Developer shall arrange for self-hauling to an authorized facility.
174. If the commercial portion of the project will generate waste on an ongoing basis during occupancy, Developer shall make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit an Occupancy Recycling Plan which shall include the following information: estimated quantities and materials to be generated, management method to be used to reduce landfill disposal; quantity, size and location of recycling and trash bins, destination of material including the names of haulers and facility locations. Developer shall use the attached Occupancy Recycling Plan form or a similar format. The Occupancy Plan form must be submitted and approved prior to issuance of a certificate of occupancy.

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175. In addition, Developer shall submit an Occupancy Recycling Report annually to the Environmental Resources Division on the anniversary date of the certificate of occupancy. The Report shall include the following information: material type recycled, reused, salvaged or disposed; quantities, management method, destination of material including hauler names and facility locations. Documentation must be included such as weight tickets or receipts regarding the above.
176. CC&Rs developed for the residential project shall require the homeowner's association to make provisions to divert at least 50% of the material through source reduction, recycling, reuse, and/or green waste programs. Developer shall submit an Occupancy Recycling Plan which shall include the following information: estimated quantities and materials to be generated, management method to be used to reduce landfill disposal; quantity, size and location of recycling and trash bins, destination of material including the names of haulers and facility locations. Developer shall use the attached Occupancy Recycling Plan form or a similar format. The Occupancy Plan form must be submitted and approved prior to the first certificate of occupancy.
177. In addition, the CC&Rs shall require the homeowner's association to annually submit to the Environmental Resources Division an Occupancy Recycling Report on the Anniversary date of the first certificate of occupancy. The Report shall include the following information: material type recycled, reused, salvaged or disposed; quantities, management method, destination of material including hauler names and facility locations. Documentation must be included such as weight tickets or receipts regarding the above

POLICE CONDITIONS

178. Outdoor Lighting Code & Guideline Outdoor lighting shall comply with Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings
179. 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:
180. 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.
181. 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.

182. 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
183. 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.
184. All street numbers shall be painted on, fastened or otherwise affixed to any premises shall be plain and legible, shall be reflectorized or of a color that contrasts with the background, and shall be no smaller than three inches or larger than five inches.

PASSED AND ADOPTED this 24th day of July 2007, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney

CITY COUNCIL OF THE CITY OF OXNARD
RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD APPROVING GENERAL PLAN AMENDMENT PZ 05-620-07 TO CHANGE THE LAND USE MAP TO DESIGNATE PROPERTY (APN 204-0-020-26) FROM COMMERCIAL GENERAL TO MEDIUM DENSITY RESIDENTIAL AND PARK TO ALLOW A RESIDENTIAL DEVELOPMENT, PUBLIC PARK AND COMMERCIAL DEVELOPMENT KNOWN AS GATEWAY WALK, LOCATED AT 1250 SOUTH OXNARD BOULEVARD. FILED BY THE OLSON COMPANY, 1701 N. LOMBARD, SUITE 100, OXNARD, CA 93030,

WHEREAS, the Planning Commission held a public hearing and denied an application for a special use permit for a planned residential group to develop a maximum of 190 residential units at 1250 South Oxnard Boulevard and recommended denial of the General Plan Amendment PZ 05-620-07; and

WHEREAS, the City Council has considered the appeal filed by the applicant, The Olson Company, and has carefully reviewed the decision of the Planning Commission; and

WHEREAS, the land use designation of the subject property contained in the General Plan is General Commercial (CG) and in order for the project to be approved, the General Plan must be amended to change the use designation of the subject property to Medium Density Residential and Park; and

WHEREAS, in accordance with the California Environmental Quality Act, the Planning Division Manager provided public notice of the intent of the City to adopt a mitigated negative declaration for this project, and the City Council considered the proposed mitigated negative declaration, together with any comments received during the public review process, finds on the basis of the whole record before it (including the initial study and any comments received) that with the imposition of mitigation measures as conditions of approval, there is no substantial evidence that the project will have a significant effect on the environment, further finds that the mitigated negative declaration reflects the independent judgment of the City, and adopts the mitigated negative declaration; and

WHEREAS, the documents and other materials that constitute the record of proceedings upon which the decision to adopt the mitigated negative declaration is based is located in the Planning Division of the City of Oxnard, and the custodian of the record is the Planning Division Manager; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of and opposed to the application for a general plan amendment; and

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WHEREAS, the City Council 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 or visit this establishment in particular.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Oxnard hereby approves General Plan Amendment PZ 05-620-07, as shown on the map attached hereto as Exhibit A and incorporated herein by reference.

PASSED AND ADOPTED this 24th day of July 2007, by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:

Gary L. Gillig, City Attorney