



Planning Division

**PLANNING COMMISSION
STAFF REPORT**

TO: Planning Commission

FROM: Stephanie Diaz, Contract Planner

DATE: September 4, 2008

SUBJECT: Planning and Zoning Permit No.07-540-07, Planned Development Permit for Shopping Center Located at 2805 Vineyard Avenue.

- 1) **Recommendation:** That the Planning Commission approve Planning and Zoning Permit No.07-540-07 for a Planned Development permit, subject to certain findings and conditions.
- 2) **Project Description and Applicant:** A request to construct a 9,035 square foot shopping center on a 0.7 acre site at 2805 Vineyard Avenue. This commercial neighborhood center would be located on the northwest corner of Vineyard Avenue and Stroube Street, (APN 132-060-050) in the El Rio West Neighborhood. Filed by Kevin Rahbar, 7450 Reseda Boulevard, Reseda, CA, 91335.
- 3) **Existing & Surrounding Land Uses:** The site currently has a building with auto-related commercial uses and a paved parking lot in front facing the corner of Vineyard Avenue and Stroube Street. Vineyard Avenue in this area serves as the City/County boundary line. Lands on the east side of Vineyard are in the County and the City’s Sphere of Influence.

LOCATION	ZONING	GENERAL PLAN	EXISTING LAND USE
Project Site	C-2 PD	Commercial General	Commercial
North	C-2 PD	Residential Medium	Commercial
South	C-2 PD	Commercial General	Gas Station/Commercial
East	County	County (Sphere of Influence: Commercial General)	Commercial
West	R-3 PD	Residential Medium	Multi-Family Residential

- 4) **Background Information:** As of 1990, City files indicate that a Bank of A Levy was located on the project. No permits were found for the approval of that building.
- 5) **Environmental Determination:** In accordance with Section 15303 of the California Environmental Quality Act (CEQA) Guidelines, projects involving “New Construction of

Small Structures” may be found to be exempt from the requirements of CEQA. This proposal involves a building of less than 10,000 square feet in size that is located in an urban area. 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 in Attachment C.

6) Analysis:

a) General Discussion: The site contains an existing one-story building and a parking lot, located in the center of the parcel. Both improvements will be removed. Existing access to the site is from a driveway on Vineyard Avenue and a driveway on Stroube Street. The proposed shopping center contains approximately nine tenant spaces. These spaces range in size from 900 to 1,200 square feet in size. It is anticipated that small neighborhood serving uses would occupy the center. The site is located in the HERO (Historic Enhancement and Revitalization of Oxnard) Redevelopment area.

b) General Plan Consistency:

POLICY	DISCUSSION
<p>Land Use Element Policy 2 Other Infill Development: <i>As stated in the Growth Management Element, it is the City's policy to encourage development of these areas prior to extensive development of larger vacant areas</i></p>	<p>The project is within the HERO redevelopment area. The City established redevelopment areas to encourage reinvestment and rehabilitation of properties within these areas. The project embraces redevelopment objectives by removing an old building and replacing it with new construction. Therefore, consistency with this policy may be found.</p>
<p>Land Use Element Policy 3 Infill/Modification Area Policies: <i>This section of the 2020 General Plan is concerned with planning issues within the City's existing areas and neighborhoods.</i></p>	<p>This project is within the existing commercial corridor on Vineyard Avenue on an existing developed site that contains a commercial building. The site is within the El Rio West Neighborhood on the boundary with County lands.</p>
<p>Growth Management Element Policies <i>consist of two general categories. The first category defines “where” the development will occur and the second defines “how” and “when” the development will proceed. The Oxnard City Urban Restriction Boundary (CURB) sets the primary self-imposed demarcation for the urbanization of the City. The City's Sphere of Influence identifies the probable ultimate physical boundary of the City. Greenbelt Agreements, such as the Save Open Space and Agricultural Resources (SOAR) initiative, designate portions of the</i></p>	<p>The project is within the CURB. It is an “in-fill” project. <i>“First priority for development is assigned to those areas necessary to “round out” or “fill in” the boundaries of existing partially developed neighborhoods and infill properties for which public services are already present or can be readily provided at the expense of the developer (page IV-21).”</i> Therefore, the project complies with the Growth Management Element Policies in that it is in an area designated for urban infill and adequate City services are already in place. By concentrating development in the City core, pressure is not put on areas outside of the CURB.</p>

<i>planning area that shall remain in agriculture.</i>	
Community Design Policy #8: <i>“The City shall continue and formalize in area plans the architectural design themes established in visually distinctive areas of the City.</i>	The proposed building is designed to upgrade the architecture related to the site and provide a more aesthetic development along this major corridor.
Land Use Element Floor Area Ratios <i>General Commercial, Convenience Commercial and Neighborhood Commercial uses are designated with a floor area ration of .30:</i>	The project has a floor area ratio of 26:1 which is consistent with the General Plan floor area ratios..

c) Conformance with Zoning Development Standards: The proposed development is located in the General Commercial Planned Development (C-2 PD) zone district. In accordance with the City Code, the proposed commercial shopping center may be permitted with an approved Planned Development Permit. Applicable development standards of the C-2 zone have been compared with the proposed project, as follows:

DEVELOPMENT STANDARD	REQUIREMENT	PROPOSED	COMPLIES?
Min. lot area	Not specified for commercial uses	34,008 (N/A)	YES
Max. building height	16 feet adjacent to residential zone	16' plus front façade treatments up to 27'	YES
Front yard setback	10 feet	15'8"	YES
Side yard setback	No setback is required where a lot zoned general commercial abuts another lot so zoned	3 feet	YES
Rear yard setback	No rear yard for buildings of 16' or less. Buildings over 16' require a 15 foot setback.	Main building is 16', façade treatment is up to 27 feet.	YES
Site landscaping	15% minimum	24.7%	YES
Parking lot landscape requirements (S. 16-641)	Min. 10' landscape strip parallel to street 5% site landscaping Parking areas... 36 inch landscaping, berm or a combo wall/landscaping One tree for every 40 feet of property line	15'8" provided on Vineyard, 10 feet on Stroube 15% 36 in landscaping Trees are provided	YES
Parking	1 space per 250 square feet = 36 spaces 1 motorcycle space	35 spaces plus 1 motorcycle space	YES
Lighting	Comply with City Code	Photometric plan to be provided	YES, to be conditioned

Trash Enclosures and Transformers	To be screened	Trash enclosure screened	YES
Rooftop Equipment	To be Screened	Equipment to be screened by parapet	YES
Screen Wall	6 foot masonry wall on zone line	6 foot masonry wall provided	YES
Parking Lot Striping	City Standard	9' x 17' and 9' x 19'	YES
Loading Zone	One 12'x 40' Cross Hatched 'No Parking'	One 12' x 40'	YES

d) Site Design: The site is on the corner of Vineyard Avenue and Stroube Street. The project is designed with the retail buildings in the northwest corner along the back and side property lines. A parking lot with landscaping is located between the building and the access roads (Vineyard Avenue and Stroube Street). The retail buildings face the parking lot and the main access roads with windows and door openings adjacent to sidewalks. A trash enclosure is located at the east end of the retail building adjacent to Vineyard Avenue. The buildings are designed in a modern commercial style with a height of 16-feet and façade elements that extend up to 27 feet at the front of the buildings.

e) Circulation and Parking: Vehicle access to the site is from a two-way driveway on Vineyard Avenue at the north end of the site and a second two-way driveway on Stroube Street on the southern end of the site. Drive aisles within the parking lot are designed for two-way traffic and to accommodate delivery trucks, refuse trucks and emergency vehicles. A required loading zone is located between the northern driveway and the northern retail buildings. Pedestrian access is from a sidewalk that connects to the Vineyard Avenue sidewalk on the east side of the site and a sidewalk that connects to Stroube Street on the south side of the street. The project requires 36 parking spaces based on shopping center parking requirements of 1 space per 250 s.f. of retail area. These spaces are provided on-site as follows:

Parking Requirement: **36 spaces** 1 space per 250 sf (9,0035/250)

Parking Provided; 33 regular spaces
 2 handicap spaces
 1 motorcycle space

Total Provided: **36 spaces**

The Development Advisory Committee expressed concern that this parking may not be sufficient if the center were to become a “food court” with over 50% restaurant uses. A condition has been added to the draft resolution requiring a shared parking analysis if a majority of restaurant uses are proposed and occupancy would be based on the provision of adequate parking. The site currently has curb gutter and sidewalk along Vineyard Avenue and Stroube Street. No on-street parking is permitted along Vineyard Avenue. An improvement is required to the Vineyard frontage. A dedication to Caltrans of

approximately 13 feet along the Vineyard frontage (east property line) is required to provide a right turn pocket from Vineyard on to Stroube and to align the road with the Vineyard Avenue alignment to the north of the site. Included in this improvement is the modification of the Vineyard/Stroube traffic signal pole location and crosswalk alignments. These plans will need to be approved by Caltrans. No traffic or circulation issues were identified by the Development Advisory Committee, in addition to the Vineyard Avenue intersection improvements.

- f) **Building Design:** The retail center is designed in a contemporary commercial style. Each store front has a separate entrance and façade treatment. Trellises and metal canopies are included. A “clock tower” type element is located at the middle of the complex. Signage is proposed above each store front as well as on a ground sign at the corner of Vineyard Avenue and Stroube Street. Proposed colors include earth tones (including peach, beige, olive, taupe, brown, butterscotch, green) and materials include metal siding, sand stucco, aluminum caps, wood and translucent panels. Surrounding buildings include older strip commercial, gas station and a newer Spanish-style commercial center.
- g) **Signs:** A sign program has been submitted, however a condition of approval will require administrative approval of individual signs as they are submitted. The sign program includes a total of 266 square feet of signage for the center. The Sign Ordinance permits up to 363 square feet of sign area for this project. A double faced monument sign is proposed for the corner of Vineyard and Stroube that is 3 feet 5 inches tall with the center name and four tenant signs. Each retail space is allocated an attached wall sign measuring 10 feet by 2 feet. Building sign materials include chocolate colored aluminum channel letters attached to the buildings and either up or down lighted. The monument sign will be lighted from the exterior by ground lights.
- h) **Landscaping and Open Space:** The existing landscaping is minimal and the arborist’s report recommends that only one tree (large Bronze Loquat) could be preserved and moved if feasible. A value for the plantings to be removed has been approved by the City’s Landscape Architect and the required plantings are provided in the landscape plan. Proposed trees include London Plan Tree, Purple Leaf Acacia and Paperbark Tree. Giant Timber Bamboo will provide screening and separation along the north property line. Various mid-level shrubs include Hawthorne, Myrtle, Flax, Lilies and Agapanthus for screening the parking area, electrical transformer and the trash enclosure. A swale for drainage is provided along the Vineyard Avenue frontage that will be planted with various grasses. The ground cover includes Star Jasmine. City Code landscaping requirements are exceeded by the proposed project. Trees, shrubs and ground covers are proposed for the landscaping along the two street frontages as well as within the parking lot planters. A condition of approval requires that planting along the parking lot be 36 inches tall at the time of planting to provide a visual screen.

- 7) Development Advisory Committee:** The Development Advisory Committee (DAC) reviewed this project on April 2, 2008 and May 7, 2008. The DAC commented on an earlier proposed location for the trash enclosure and the loading zone. Road improvements at the corner to the Vineyard Avenue and Stroube Street were required to widen Vineyard to provide a right turn lane from Vineyard onto Stroube Street. A grass drainage swale was required to filter water for the NPDES program. The allowance for restaurant/food serving uses was discussed relative to the proposed parking. If the shopping center were to become a "food court" an on-site, shared parking analysis would be needed. As part of the DAC review process, Gold Coast Transit submitted a letter stating that the site is served by one of their routes but there is not bus stop on the site. They are currently undertaking a study of demand in the area and asked if a bus stop could be accommodated on the site, if determined to be appropriate in the future. As the sidewalk is proposed to be 7-feet wide, a bus stop could be accommodated. A requirement for a bus stop was not addressed at this time as the demand study is on-going. The plan has been revised to address DAC comments. Additional recommended conditions of approval from the DAC members are included in the attached resolution.
- 8) Community Workshop:** On April 9, 2008 , the applicant mailed notices of the Community Workshop meeting to all property owners within the El Rio West and El Rio Neighborhoods. The applicant also provided notice on the project site with a brief description of the project and contact information for the Community Workshop, conducted on April 21, 2008. Four community members interested in the proposal attended. One person commented on the need for a better curb alignment on Vineyard at Stroube. This issue is addressed in the project plans.
- 9) Appeal Procedure:** In accordance with Section 16-545 of the City Code, the Planning Commission's decision may be appealed to the City Council within 18 days.

Attachments:

- A. Maps (Vicinity, General Plan, Zoning)
- B. Reduced Project Plans
- C. Notice of Exemption
- D. Sign Program
- E. Resolution

Prepared by: <u>SLD</u> SLD
Approved by: <u>SM</u> SM

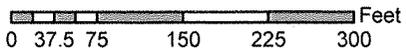
Vineyard Shopping Center Attachments

**ATTACHMENT A
MAPS**

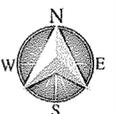


Oxnard Planning
August 13, 2008

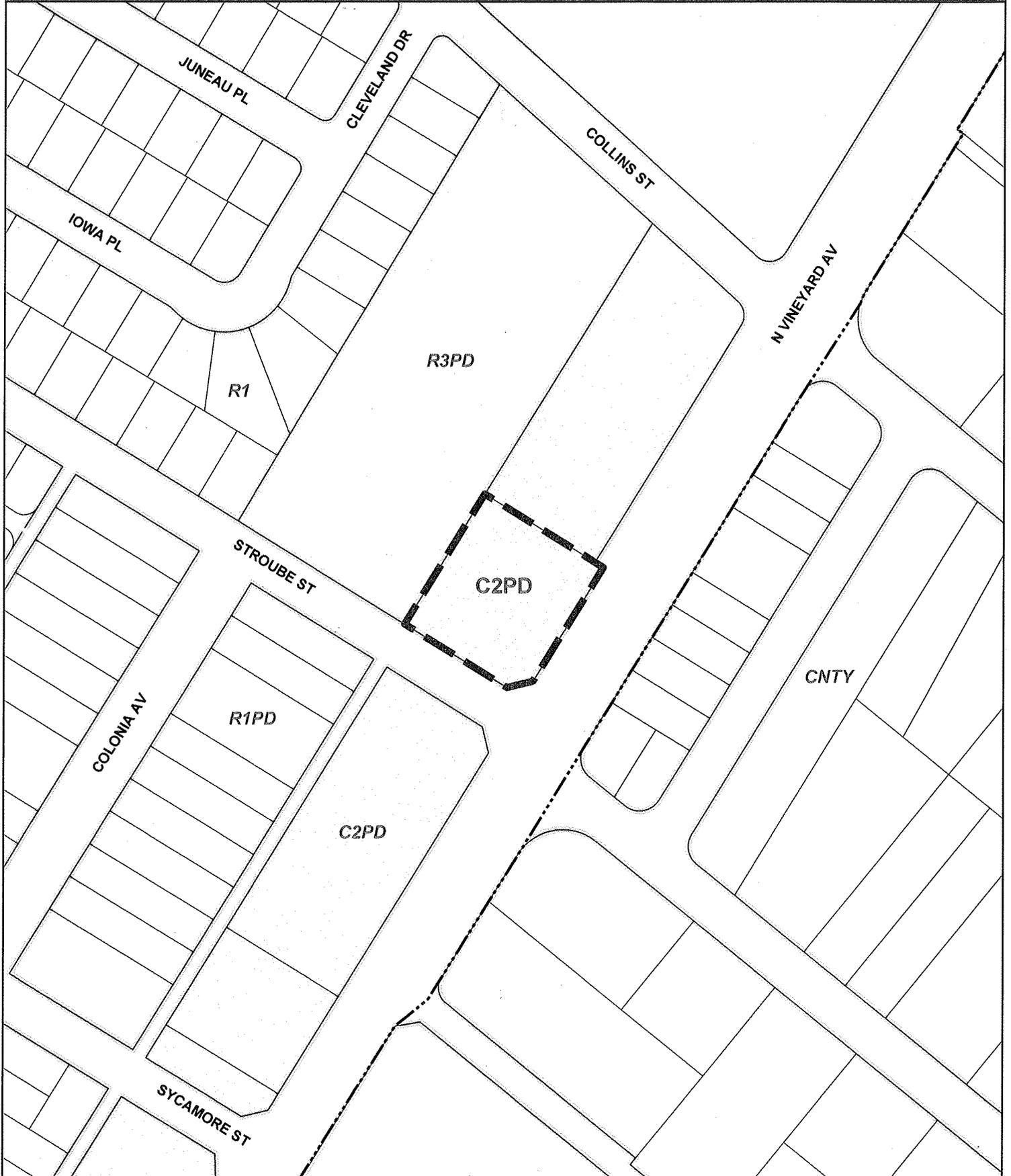
PZ 07-540-07
Location: 2805 Vineyard Ave
APN: 132060050
Vineyard Avenue Shopping Center



General Plan Map



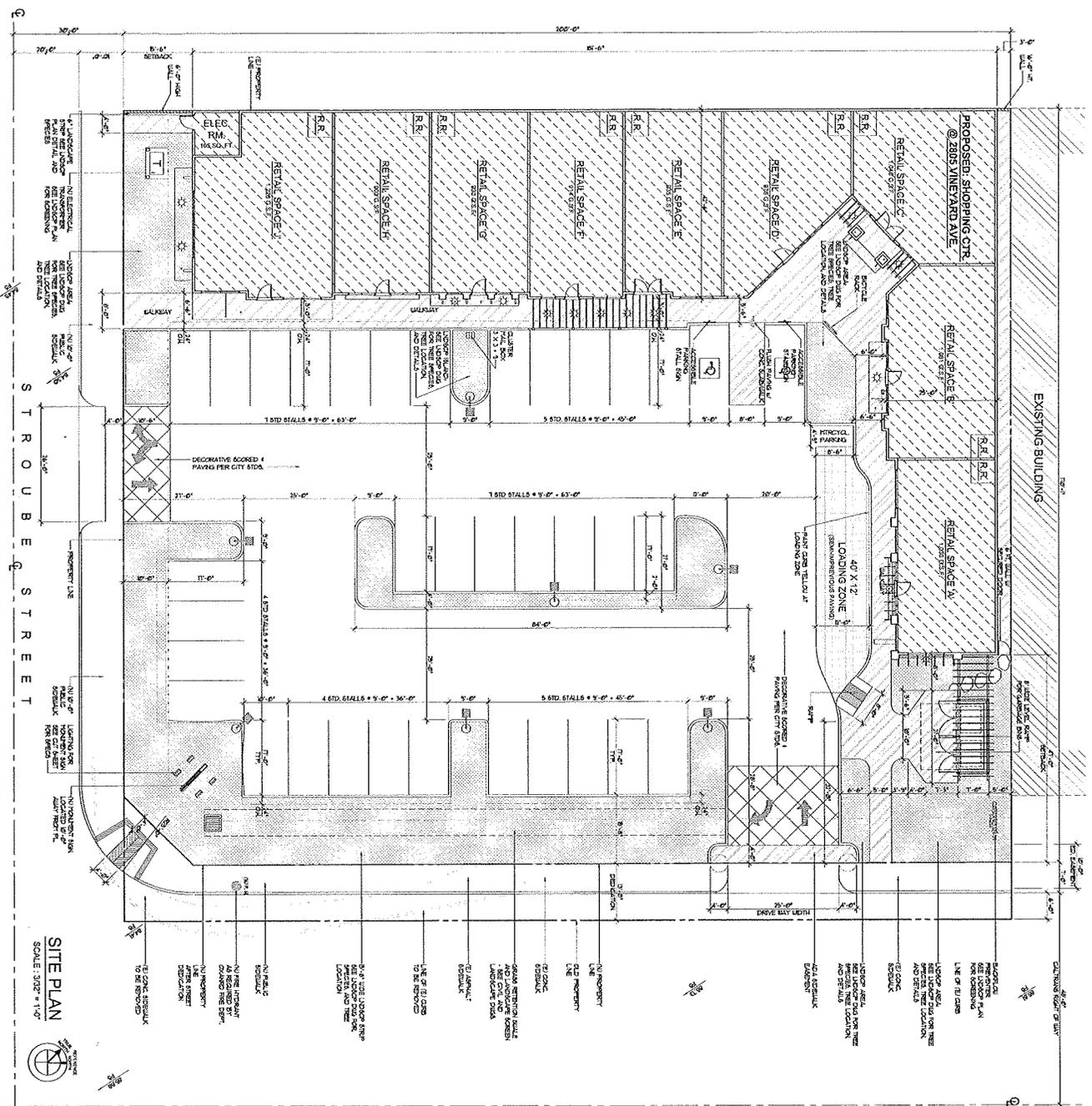
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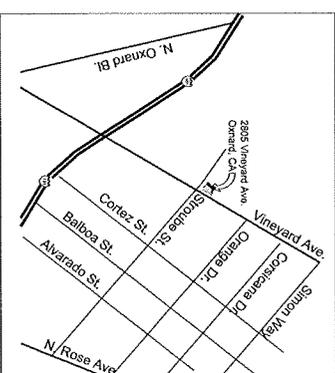


Vineyard Shopping Center Attachments

**ATTACHMENT B
PROJECT PLANS**

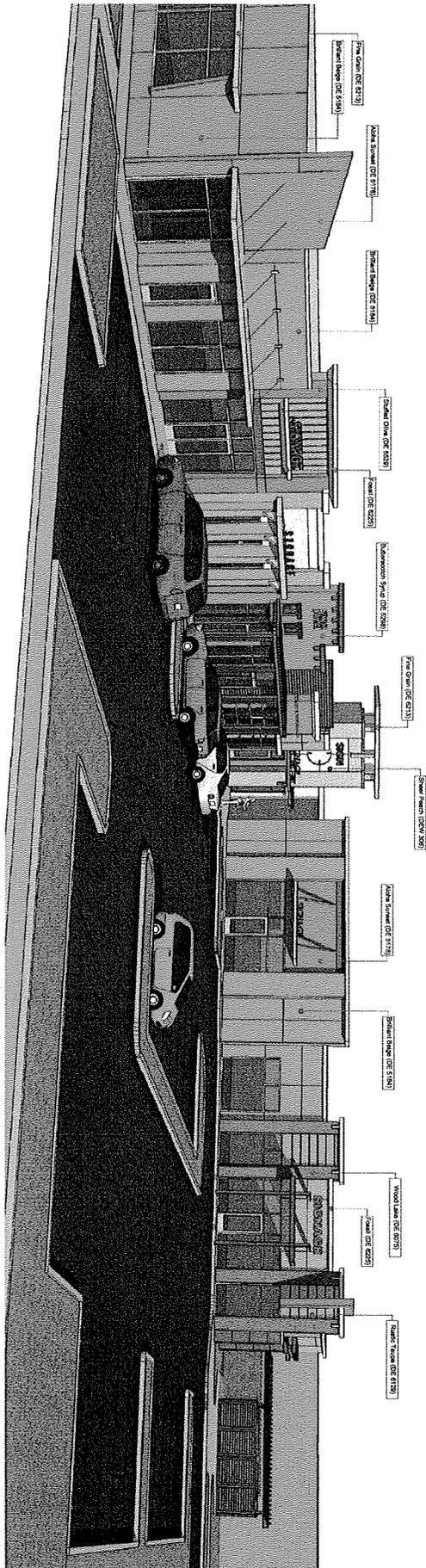


SITE PLAN
SCALE: 3/32" = 1'-0"

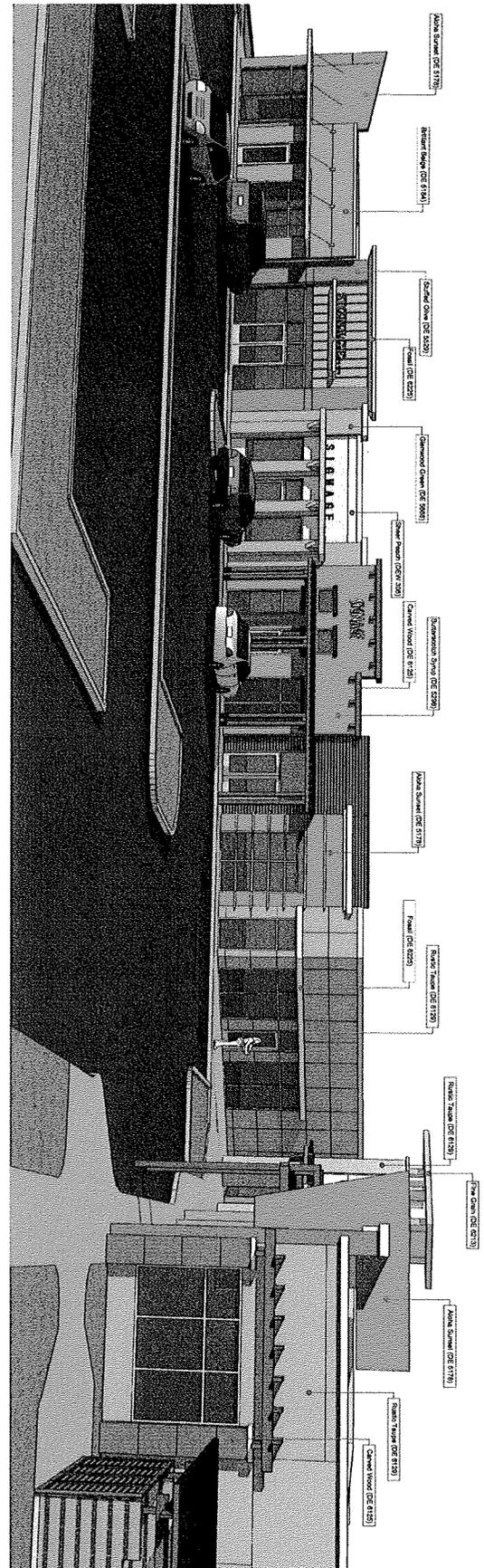


PROJECT SUMMARY	
ZONE:	C2PD
USE:	GENERAL COMMERCIAL
RETAIL:	9,036 S.F.
PARKING REQUIRED @ 1/250:	= 36 STALLS
PARKING PROVIDED:	36 STALLS
(110% PROVIDE 37 STALLS)	
LEGAL DESCRIPTION	
LOTS X & X	
TRACT NO. XXXXXX	
APN 132-0-060-090	
SITE ADDRESS: 2805 VINEYARD AVE.	
OXNARD, CA 93038	
AREA CALCULATION	
TOTAL LOT AREA =	34,008 S.F.
BLDG AREA =	9,036 S.F.
ELEC. ROOM =	105 S.F.
TRASH ENCL. AREA =	122 S.F.
TOTAL BLDG AREA =	9,262 S.F.
	(27.2% LOT COVERAGE)
TOTAL WALKWAY =	3,963 S.F.
	(11.6% LOT COVERAGE)
TOTAL PARKING LOT =	15,846 S.F.
	(46.5% LOT COVERAGE)
TOTAL LANDSCP SET BACK =	3,007 S.F.
	(8.8% LOT COVERAGE)
TOTAL LANDSCP PROVIDED =	5,137 S.F.
	(15.1% LOT COVERAGE)
	(62.5% AS PERCENT OF TOTAL PARKING LOT)
VICINITY MAP	

<p>rick leslie architects</p>	<p>16130 SHERMAN WAY VAN NUYS, CA 91406</p> <p>(818) 909-9779 FAX: (818) 909-9669</p> <p>WWW.RICKLESLIE.COM RLARCH@RICKLESLIE.COM</p>	<p>NEW SHOPPING CENTER 2805 N. VINEYARD AVE. OXNARD, CA 93030</p>	<p>2805 N. VINEYARD AVE. OXNARD, CA 93030 APN # 132-0-060-050</p>	<p>REVISIONS</p>
				<p>DATE: 8/25/08</p> <p>SCALE: 3/32" = 1'-0"</p> <p>SP2</p>

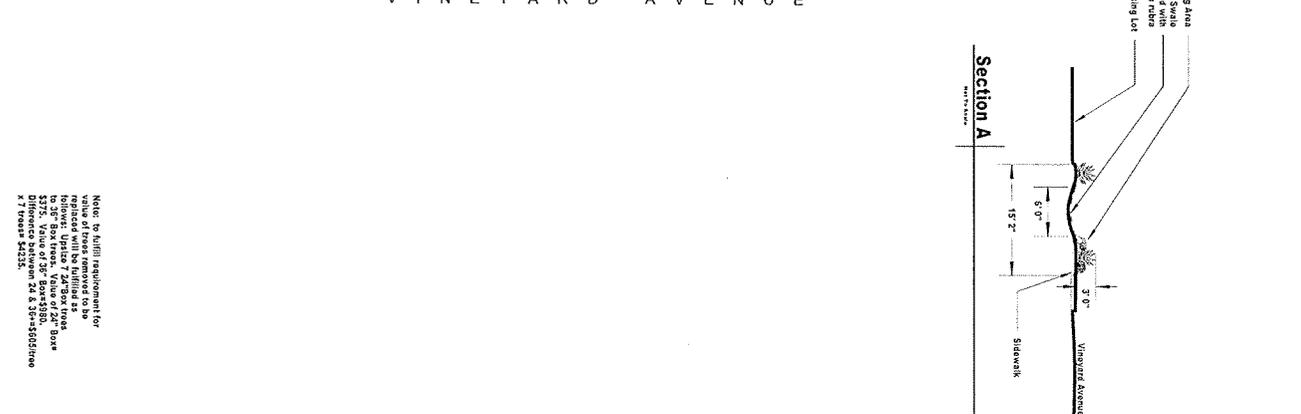
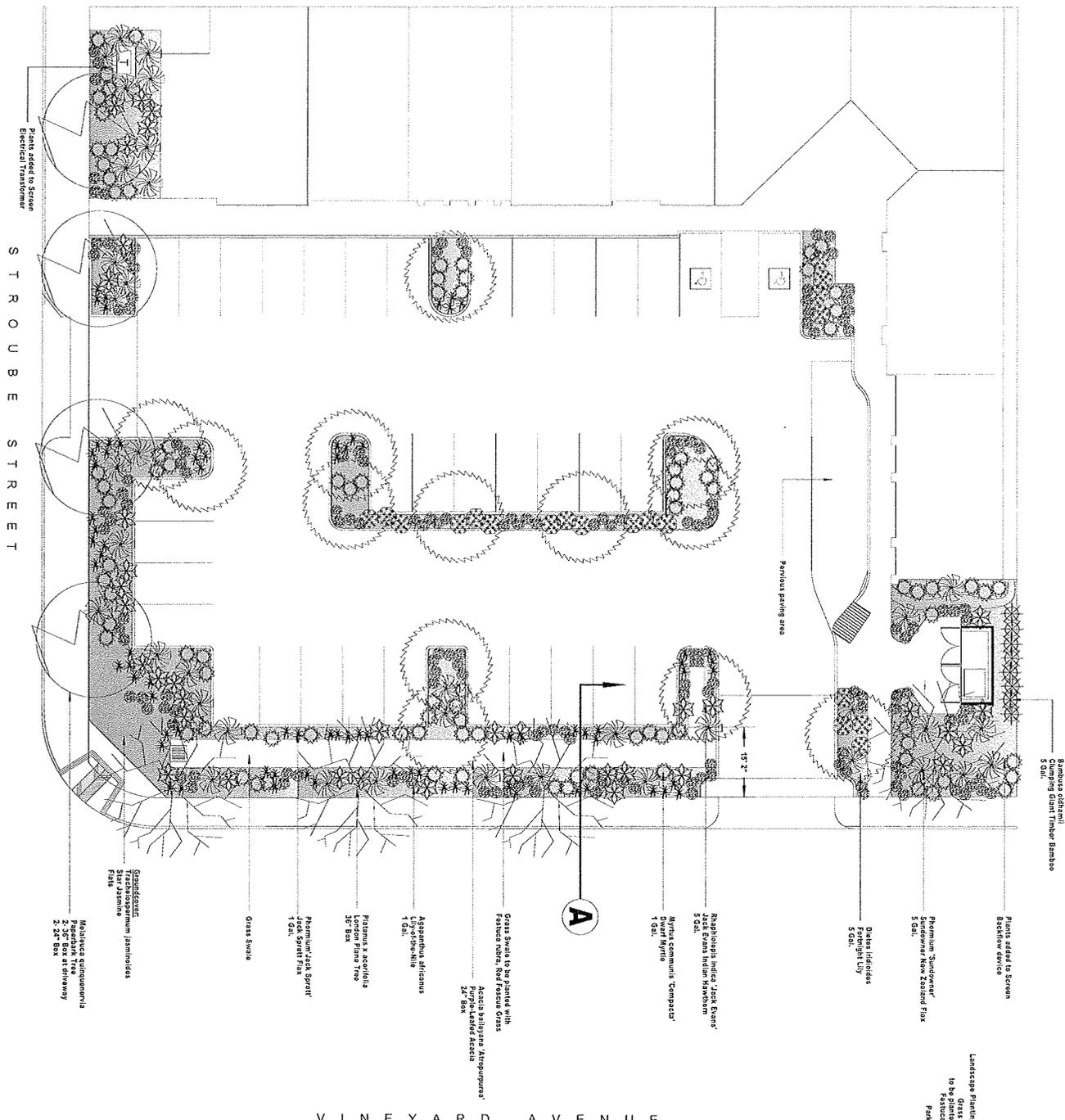


SOUTH WEST ELEVATION (FACING STROUBE ST.)
 ** ALL COLORS ARE DUNN EDWARDS
 N.T.S.



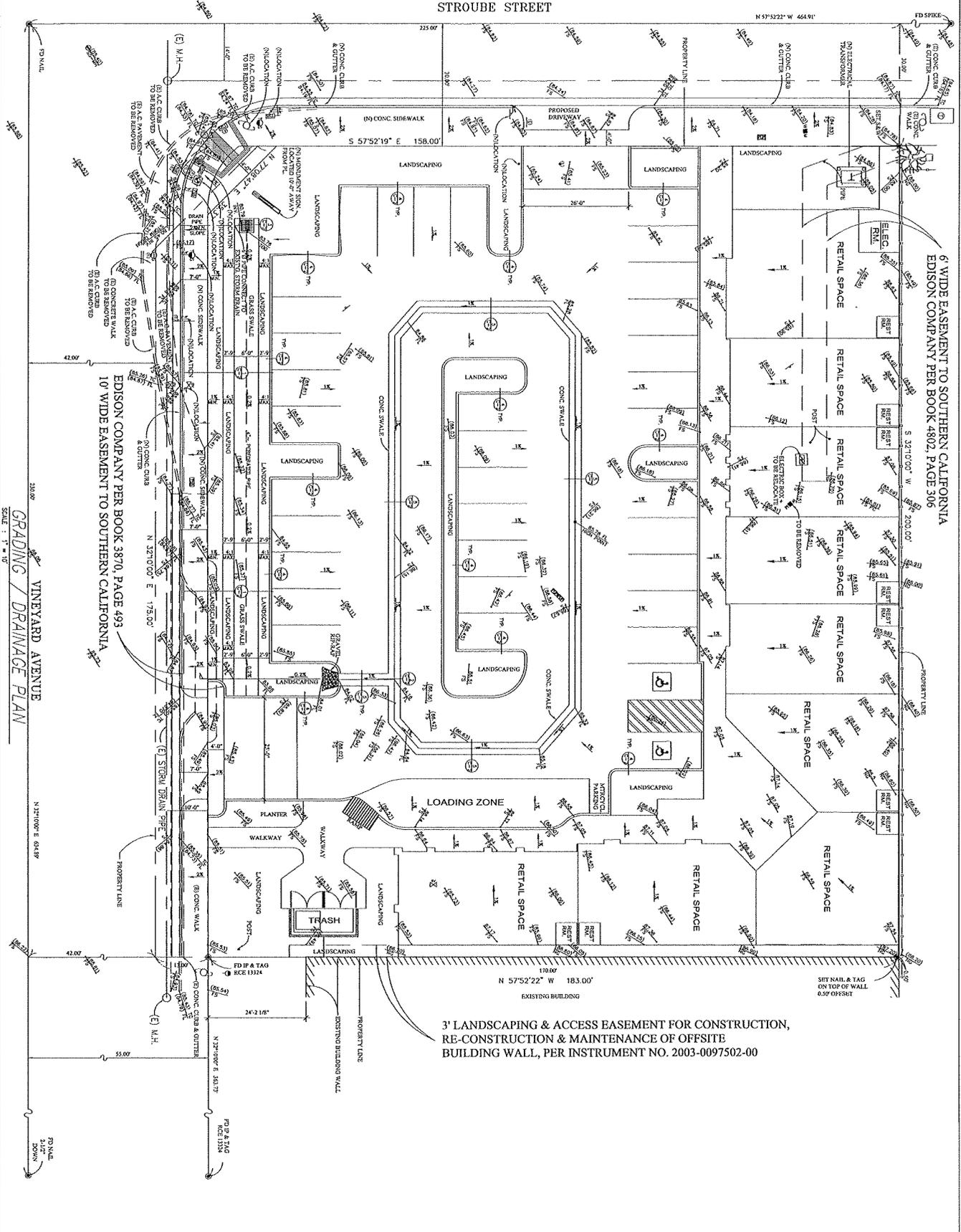
SOUTH EAST ELEVATION (FACING VINEYARD AVE.)
 ** ALL COLORS ARE DUNN EDWARDS
 N.T.S.

<p>DATE: 8/25/08 DRAWN BY: JLA</p>		<p>16130 SHERMAN WAY VAN NUYS, CA 91406 (818) 909-9178 FAX: (818) 909-9669 WWW.RICKLESIE.COM RLARCH@RICKLESIE.COM</p>	<p>NEW SHOPPING CENTER 2805 N. VINEYARD AVE. OXNARD, CA 93030</p>	<p>2805 N. VINEYARD AVE. OXNARD, CA 93030 APN # 132-0-060-050</p>	<p>REVISIONS</p> <table border="1"> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>						



Note: to fulfill requirement for
 value of trees removed to be
 replaced with trees of equal
 value. Upland 7' 2" Box trees
 to 3" 3" Box trees. Value of 2" Box
 trees to be replaced with 1" 1" Box
 trees. Difference between 2" & 3"= \$100/line
 x 71 trees= \$7100.

<p>Revision #: Date: 6/19/2008</p>	<p>Landscape Plan L-1.4 Scale 1" = 10'-0"</p>	<p>Oxnard-Commercial Project 2805 Vineyard Avenue Oxnard, Ca 93036</p>	<p>Harmony Gardens 12224 Addison Street Valley Village, Ca 91607 (818) 505-9783 Shelley Sparks, RLA #2896</p>
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3' LANDSCAPING & ACCESS EASEMENT FOR CONSTRUCTION, RE-CONSTRUCTION & MAINTENANCE OF OFFSITE BUILDING WALL, PER INSTRUMENT NO. 2003-0097502-00

DATE: 04-11-08
 SCALE: AS SHOWN
 SHEET: 46
 DATE: 04-04
 SHEET: C-1

2805 VINEYARD AVE.
 OXNARD, CA
 GRADING & DRAINAGE PLAN

Kazarians Engineering Services, Inc.
 CIVIL & STRUCTURAL CONSULTANTS
 220 SOUTH KENWOOD ST., SUITE 305
 GLENDALE, CA 91205-1671
 TEL. 818-240-8763, FAX. 818-240-4501

18.000
 SET NAIL & TAG ON TOP OF WALL 6.50' (9'5" SET)

DATE	REVISIONS	BY

NO DUMPING
DRAIN TO OCEAN
LANDFILL SAND

DETAIL OF STENCIL

2805 VINEYARD AVE.
OXNARD, CA
GRADING & DRAINAGE PLAN

Kazanians Engineering Services, Inc.
CIVIL & STRUCTURAL CONSULTANTS
220 SOUTH KENWOOD ST., SUITE 305
GLENDALE, CA 91205-1671
TEL. 818-240-8763, FAX. 818-240-4501

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DATE	REVISIONS	BY

DWG: 02-11-05
SCALE: AS SHOWN
DATE: 02/20/05
JOB: 04-01
SHEET: C-2

Vineyard Shopping Center Attachments

**ATTACHMENT C
CEQA CATEGORICAL EXEMPTION**



NOTICE OF EXEMPTION

Project Description:

A request to construct a 9,035 square foot shopping center on a 0.7 acre site at 2805 Vineyard Avenue on the northwest corner of Vineyard Avenue and Stroube Street, APN 132-060-050 in the General Commercial Planned Development (C-2 PD) Zone and the El Rio West Neighborhood. Filed by Kevin Rahbar, 7450 Reseda Boulevard, Reseda, CA, 91335.

Finding:

The Planning Division of the Development Services Department of the City of Oxnard has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, 14 Cal. Code of Regs. 15270]
- No Possibility of Significant Effect [CEQA Guidelines, 14 Cal. Code of Regs. 15061(b)(3)]

Supporting Reasons: In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15303, projects involving "New Construction of Small Structures" may be found to be exempt from the requirements of CEQA. This proposal involves a building of less than 10,000 square feet in size that is located in an urban area. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment and may be found to be exempt from the requirements of CEQA.

(Date)

Susan L. Martin, AICP
Planning Division Manager

Vineyard Shopping Center Attachments

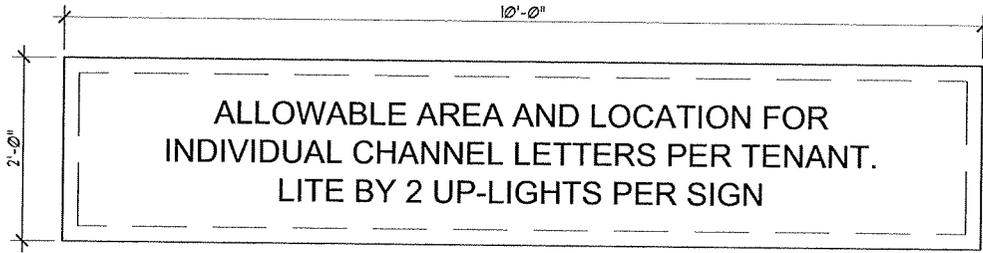
**ATTACHMENT D
SIGN PROGRAM**

METHOD OF SIGN AREA CALCULATION / SIGN INFO.

TOTAL LINEAL FOOT OF BUILDING : $181.5 \text{ SF} \times 2 = 363.0 \text{ SF}$
 TOTAL AGGREGATE ALLOWED SIGN AREA: **363.0 SF**
 ATTACHED BUILDING SIGN SIZE : $10' \times 2' = 20.0' \text{ SF} \times 11 = 220.0 \text{ SF}$
 MONUMENT SIGN AREA: $23.0 \text{ SF} \times 2 = 46.0 \text{ SF}$
 TOTAL SIGN AREA USED: **266.0 SF**

AREA : 20.00 SF (EACH TENANT ALLOWED)
 MATERIAL : ALUMINUM CHANNEL LETTER
 (ON ATTACHED BLDG. SIGNS)
 ALL BLDG SIGNS ARE EXT. LIT
 BY SWITCH. UP OR DN. LIGHTS
 COLOR : CHOCOLATE CHUNK (Dunn Ed. # 6070)
 FONT : HELVETICA OR SIMILAR

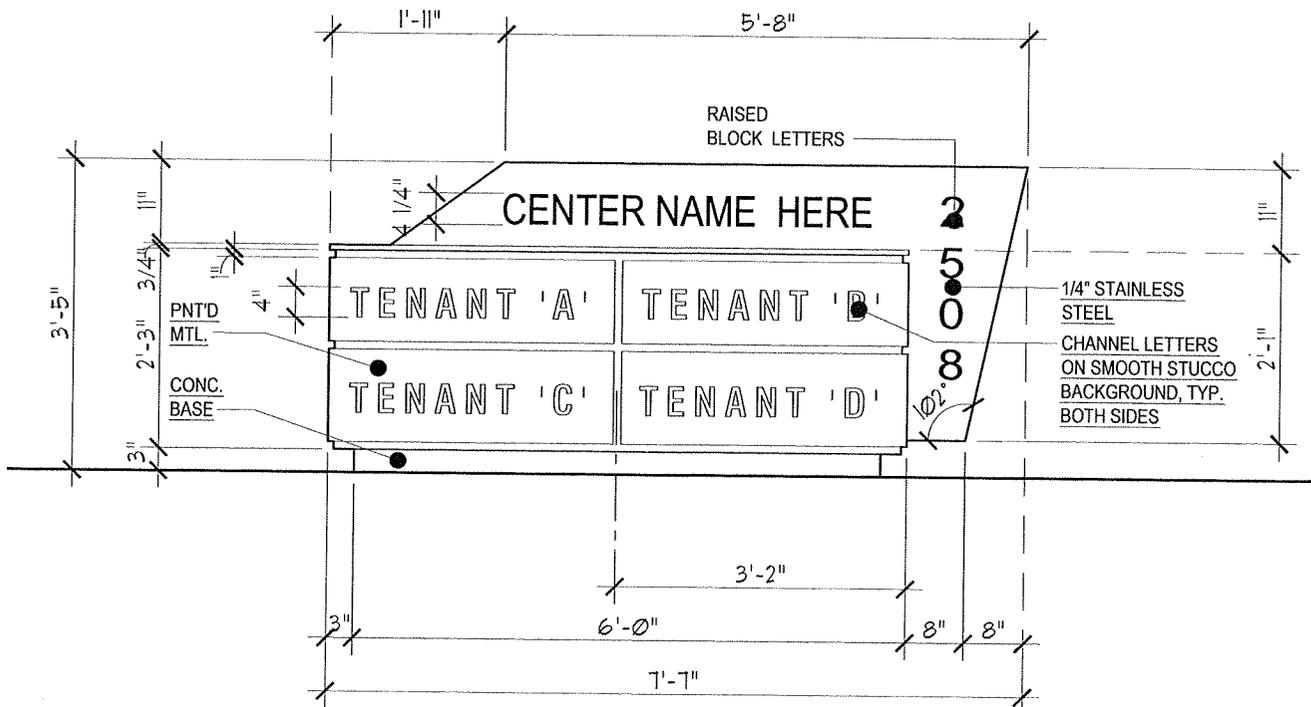
ATTACHED BUILDING SIGN



AREA : 20.0 SF

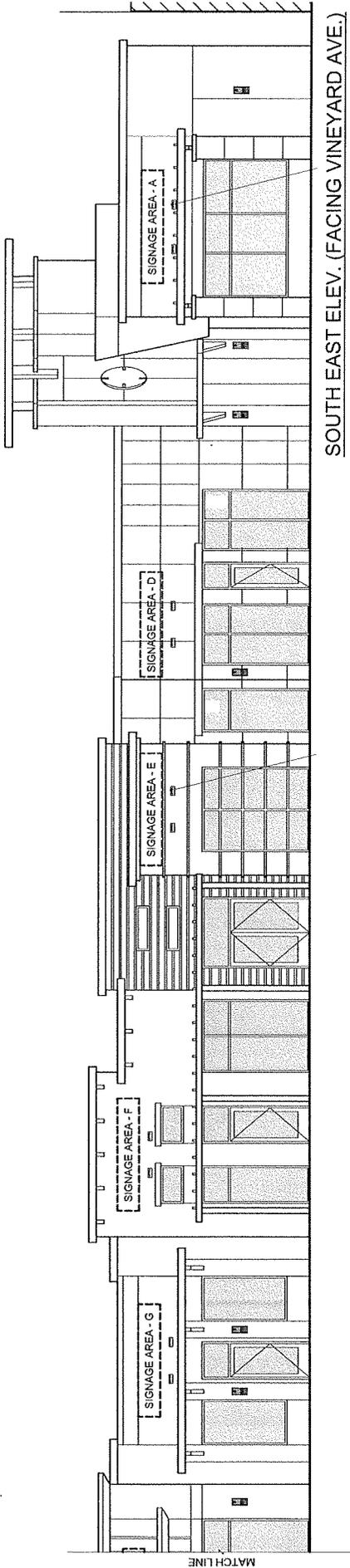
SCALE : $1/2'' = 1'-0''$

MONUMENT SIGN



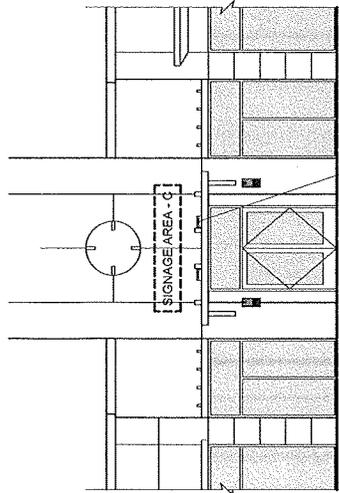
AREA : 22.0 SF - PER SIDE

SCALE : $1/2'' = 1'-0''$



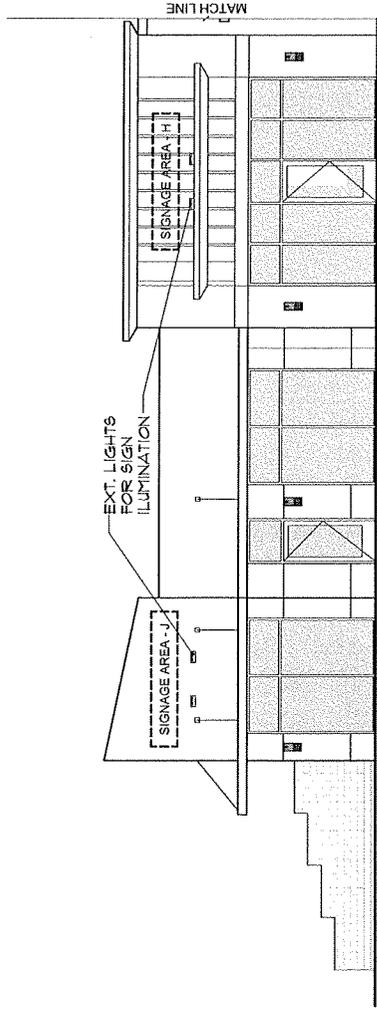
SOUTH EAST ELEV. (FACING VINEYARD AVE.)

SCALE: N.T.S.



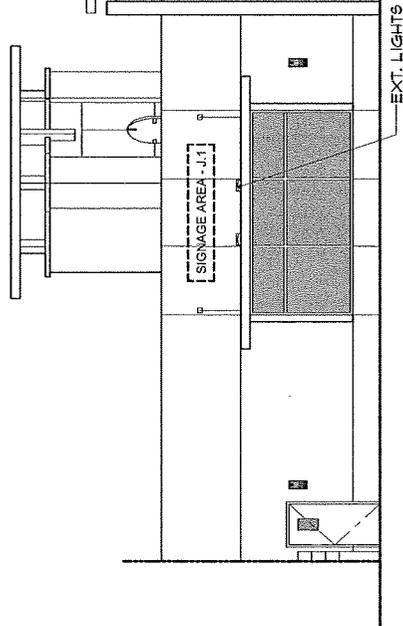
SOUTH ELEVATION AT TOWER

SCALE: N.T.S.



SOUTH EAST ELEV. (CONT.)

SCALE: N.T.S.



SOUTH WEST ELEVATION (FACING STROUBE ST.)

SCALE: N.T.S.

ATTACHED SIGN LOCATION

Vineyard Shopping Center Attachments

**ATTACHMENT E
RESOLUTION**

RESOLUTION NO. 2008 – [PZ 07-540-07]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OXNARD APPROVING PLANNING AND ZONING PERMIT NO.07-540-07 (PLANNED DEVELOPMENT PERMIT), TO ALLOW CONSTRUCTION OF A 9,035 SQUARE FOOT SHOPPING CENTER, LOCATED AT 2805 VINEYARD AVENUE AT STROUBE STREET (APN132-060-050), SUBJECT TO CERTAIN FINDINGS AND CONDITIONS. FILED BY KEVIN RAHBAR, 7450 RESEDA BOULEVARD, RESEDA, CA, 91335.

WHEREAS, the Planning Commission of the City of Oxnard has considered an application for Planning and Zoning Permit No.07-540-07, filed by Kevin Rahbar in accordance with Section 16-530 through 16-553 of the Oxnard City Code; and

WHEREAS, Title 14 of the California Code of Regulations and Section 15303 of the California Environmental Quality Act (CEQA) Guidelines, exempts projects involving “New Construction of Small Structures” from the requirements of CEQA. This proposal involves a building of less than 10,000 square feet in size that is located in an urban area 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 except as may be specifically excepted by the special findings and conditions of this resolution.
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.

**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 <i>Dev/Inspectors</i>	TR	Traffic Division
PD	Police Department	B	Building Plan Checker
SC	Source Control	FD	Fire Department
PK	Public Works, Landscape <i>Design</i>	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 18, 2008, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning and Environmental Services Manager ("Planning Manager") or a major modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. A major modification shall be required for substantial changes or increases in such items. (PL, *G-2*)
3. This permit shall automatically become null and void 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*)
4. All required off-site and on-site improvements for the project, including structures, paving, and landscaping, shall be completed prior to occupancy unless the Development Services Manager allows Developer to provide security or an executed agreement approved by the City Attorney to ensure completion of such improvements. (DS, *G-4*)

5. By commencing any activity related to the project or using any structure authorized by this permit, Developer accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein. (CA, G-5)
6. Any covenants, conditions, and restrictions (CC&Rs) applicable to the project property shall be consistent with the terms of this permit and the City Code. If there is a conflict between the CC&Rs and the City Code or this permit, the City Code or this permit shall prevail. (CA, G-7)
7. Developer shall complete the "Notice of Land Use Restrictions and Conditions" form, using the form provided by the City, for recording with the Ventura County Recorder. Before the City issues building permits, Developer shall submit the original completed, signed and notarized document, together with the required fees to the Planning Manager. (PL, G-8)
8. 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)
9. 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)
10. Developer shall obtain a building permit for any new construction or modifications to structures, including interior modifications, authorized by this permit. (B, G-11)
11. Developer shall not permit any combustible refuse or other flammable materials to be burned on the project property. (FD, G-12)
12. Developer shall not permit any materials classified as flammable, combustible, radioactive, carcinogenic or otherwise potentially hazardous to human health to be handled, stored or used on the project property, except as provided in a permit issued by the Fire Chief. (FD, G-13)
13. If Developer, owner or tenant fails to comply with any of the conditions of this permit, the Developer, owner or tenant shall be subject to a civil fine pursuant to the City Code. (CA, G-14)

LANDSCAPE STANDARD CONDITIONS

14. 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)

15. 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)
16. 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)
17. 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)
18. 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)
19. Developer shall install an irrigation system that includes a water sensor shut off device as a water conservation measure. (PK, PK-22)

LANDSCAPING SPECIAL CONDITIONS

20. 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. Meeting NPDES requirements shall not preclude meeting the City landscape requirements.
21. Staff accepts the Arborist's Report of \$3,865.07 as the economic appraisal value of the existing trees removed from the site. This value shall be put back into new tree sizes for the project and shall be in addition to meeting the City minimum tree size of 24" box. Upsize the street trees on Vineyard Ave and Stroube Street.
22. The Landscape Plan submittal shall include a Tree Tabulation Chart. The chart shall clearly show the individual appraisal value of the removed trees and how that value was put back into new increased tree sizes for the project.
23. A continuous solid 36" high visual screen is required, at the time of planting, to screen the front ends of cars in the parking lot adjacent to Vineyard Ave and adjacent to Stroube Street. The 36" continuous solid screen can be achieved by providing a 2' high berm and then a continuous solid row of 5 gallon plants. Alternatively, the continuous solid 36" high visual screen can be achieved by a continuous solid row of 15 gallon shrubs (without the 2' high berm).
24. Add one *Acacia baileyana* tree to the landscape finger planter south of Retail Space B.

FIRE DEPARTMENT STANDARD CONDITIONS

25. 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*)
26. 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*)
27. 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*)
28. 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*)
29. 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*)
30. The project shall meet the minimum requirements of the "Fire Protection Planning Guide" published by the Fire Department. (FD, *F-6*)
31. 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*)
32. Developer shall identify all hydrants, standpipes and other fire protection equipment on the project property as required by the Fire Chief. (FD, *F-8*)
33. Developer shall provide central station monitoring of the fire sprinkler system and all control valves. (FD, *F-10*)
34. 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*)
35. Developer shall provide automatic fire sprinklers as required by the City Code and shall contact the Fire Chief to ascertain the location of all connections. (FD, *F-12*)

36. Developer shall 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*)
37. 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 CONDITION

38. Before the City issues a Certificate of occupancy, the Developer shall install a Knox Box key vault at a location on the building to be determined by the Fire Department.

PLANNING DIVISION STANDARD CONDITIONS

39. The final building plans submitted by Developer with the building permit application shall depict on the building elevation sheets all building materials and colors 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. During construction, Developer shall control dust by the following activities:
 - a. All trucks hauling graded or excavated material offsite shall be required to cover their loads as required by California Vehicle Code section 23114, with special attention to sub sections 23114(b)(2)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads.
 - b. All graded and excavated material, exposed soils areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary and reclaimed water shall be used whenever possible. (B/DS, *PL-12*)
51. Developer shall provide for dust control at all times during project property preparation and construction activities. (B/DS, *PL-13*)
52. 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*)

53. 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*)
54. Prior to issuance of building permits, Developer shall pay a document imaging fee for the planning files in an amount calculated by planning staff at the time of building permit review based on fees then in effect. (PL/B, *PL-16*).
55. 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*)
56. 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*)
57. 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*)
58. Developer shall install toilets that have automatic flush sensors in all public restrooms. Such toilets shall be included on the plans submitted for a building permit and shall be maintained and in working order at all times. (PL, *PL-44*)
59. Developer shall install individual mirrors above each sink in a public restroom to the satisfaction of the Planning Division 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*)
60. Prior to issuance of a certificate of occupancy, Developer shall remove all construction materials and vehicles from the subject property. (PL/B, *PL-47*)
61. Developer shall limit outdoor storage of materials to the locations to be 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*)

62. Developer shall stripe and/or sign 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

63. Developer shall remove any and all graffiti from the project premises, including but not limited to graffiti within the building, such as in restrooms or fitting rooms, 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)
64. 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)
65. If archaeological deposits are encountered during grading, work shall be stopped and the City shall be contacted to develop an appropriate program to address the find. (PD)
66. Applicant shall contact the Post Office for final approval of mailbox types and locations. (PD)
67. No zone clearance or building permit shall be issued if 50% of the floor area of the project is occupied by restaurant or food serving uses unless (a) a shared parking analysis is conducted for the project site and approved by the City's traffic engineer, and (b) the project complies with the parking determination of the City's traffic Engineer. (PD, DS)
68. No alcohol sales are allowed through this permit. A separate permit must be applied for to allow alcohol sales.

ENVIRONMENTAL RESOURCES DIVISION

69. 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.
70. 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.

71. 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.
72. 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.
73. Developer shall dispose of sewage and solid waste from the project by City's wastewater and solid waste systems in a manner approved by the City Engineer.

DEVELOPMENT SERVICES DIVISION STANDARD CONDITIONS

74. 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)
75. 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)
76. 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)

77. 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)
78. Developer shall protect building pads from inundation during a 100-year storm. (DS-5)
79. Developer shall remove and replace all improvements that are damaged during construction. (DS-6)
80. 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)
81. 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)
82. 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)
83. 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)
84. Developer shall install on-site and off-site utility services underground in accordance with City ordinances in effect at the time City issues the building permit. Services shall be installed underground to the nearest suitable riser pole as determined by the appropriate utility service provider. (DS-12)
85. 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)
86. 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)

87. 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)
88. Developer shall process permanent master planned improvements that are eligible for reimbursement in accordance with City policies, resolutions, and ordinances in effect at the time of recordation of the final map or parcel map or if there is no such map, then at the time of public improvement plan approval. (DS-17)
89. 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)
90. 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)
91. 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)
92. Developer shall pay the cost of all inspections of on-site and off-site improvements. (DS-22)
93. Developer shall be responsible for all project-related actions of Developer's employees, contractors, subcontractors, and agents until City accepts the improvements. (DS-23)
94. 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)

95. "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)
96. 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)
97. 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)
98. Storm drain, sewer and water facilities shall conform to applicable City Master Plans. Developer shall prepare plans for these facilities in accordance with City's engineering design criteria in effect at the time of improvement plan submittal. Developer shall submit plans with pertinent engineering analyses and design calculations for review and approval by the City Engineer prior to issuance of a site improvement permit. (DS-34)
99. 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)
100. 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)
101. 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)
102. 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)
103. Developer shall install City approved backflow prevention devices for water connections if so ordered by the City Engineer. (DS-45)

104. Prior to designing the water system for the project, Developer shall have a certified fire flow test performed to determine existing water pressure and flow characteristics. The water system shall be designed to allow for a 10 psi drop in the static water pressure measured during the fire flow test. After construction and before City issues a certificate of occupancy, the City Engineer may require a second test. Before performing the tests, Developer shall obtain permits from the City Engineer. Developer shall have all tests certified by a mechanical, civil, or fire protection engineer and provide written results of all tests to the City Engineer. (DS-47)
105. Street and road improvements shall conform to City standards and policies. Improvements shall include upgrading of existing pavement along the project frontage to City standards by removing and replacing or overlaying, as directed by the City Engineer. (DS-51)
106. 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)
107. 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)
108. 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)
109. 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)
110. Developer shall provide adequate vehicle sight distance as specified by CalTrans specifications at all driveways and intersections. (TR-71)
111. Developer shall install bike racks in accordance with City standards at locations approved by City Traffic Engineer. (TR-73)
112. Prior to issuance of a building permit, all traffic signal, pavement marking and sign plans shall be prepared by a registered California traffic engineer and approved by the City Engineer prior to issuance of a grading, site improvement or a building permit. (TR-74)
113. Prior to issuance of an encroachment permit, Developer's shall obtain City's approval of a contractor qualified to install traffic signals, pavement markings and signs. (TR-76)

STORMWATER QUALITY CONDITIONS

114. 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)

115. 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)
116. 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)
117. 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)
118. 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)
119. 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)
120. 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

121. 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)
122. Prior to issuance of a site improvement permit, Developer shall provide proof of a Caltrans encroachment permit for all work within or affecting Caltrans right-of-way. (DS)
123. Developer shall repair and/or replace any existing broken or damaged sidewalk, curb, gutter, or asphalt paving adjacent to property as directed by the Construction Services Inspector. (DS)
124. Developer shall design the grass swale filter in accordance with the Technical Guidance Manual for Stormwater Quality Control Measures. Design calculations shall be included in the project drainage report. (DS)
125. Developer's engineer shall provide City with written confirmation that they have reviewed the landscape construction drawings within the NPDES grass swale filter areas and that the proposed landscaping conforms to SQUIMP standards for grass swale filters. (DS)
126. Developer shall provide a minimum 1' wide level area between the back of sidewalk and top of filter swale along the Vineyard Avenue frontage. (DS)
127. Developer shall provide a 6" minimum vertical drop between the flow line of the parking lot concrete gutter and the flow line of the filter swale at each location where stormwater enters the filter swale. The transition between gutter flow line and filter swale flow line shall be constructed similar to a concrete ribbon gutter. (DS)
128. Developer shall install a perforated underdrain below all grass-filter swales 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)
129. If a food preparation tenant occupies a space within this project, tenant shall provide and maintain an area within the building for the washing/steam cleaning of equipment, floor mats,

and accessories. This area shall be self-contained and connected to the project grease interceptor (if one is required). (DS)

130. If a food preparation tenant occupies a space within this project, Developer shall provide a traffic rated area drain within the trash enclosure to catch all wash water from the trash enclosure. This drain shall be located to avoid trash bin wheel loading and shall connect to the sanitary sewer system via a grease interceptor. (DS)
131. Developer shall construct a minimum 7' wide sidewalk at all locations where the sidewalk is constructed adjacent to the front of parking spaces. (DS)
132. Developer shall provide an 8' wide (minimum) curb ramp (not including flared side wings) at trash enclosure to facilitate maneuvering of refuse bins. This ramp is for loading/unloading and refuse bin access and is not intended as a pedestrian facility. No truncated domes shall be installed. (DS)
133. Prior to issuance of a site improvement permit, Developer shall dedicate to the appropriate authority an additional, approximate 13' of right-of-way along Vineyard Avenue to place the property line at the back of proposed sidewalk. (DS)
134. Developer shall construct new curb cuts to provide a disabled compliant pedestrian path along the public sidewalk. Developer shall dedicate to the City a sidewalk easement for any portion of the path not within existing or proposed public right-of-way. (DS)
135. Developer shall install offsite storm drain improvements at Stroube Street and Vineyard Avenue as required to provide a safe point of discharge for stormwater from this site. Storm drain improvements shall be designed and constructed in accordance with City standards and shown on site improvement plans. This line is not a master planned storm drain. (DS)
136. Prior to issuance of a site improvement permit, Developer shall have traffic signal modification along with signing and striping plans prepared by a Registered California Traffic Engineer for modifications to the intersection of Stroube Street and Vineyard Avenue. Striping plan shall include a southbound right turn lane along Vineyard Avenue. Plans shall be reviewed and approved by the City Traffic Engineer and Caltrans. Developer shall obtain a Caltrans encroachment permit. (TR)
137. Developer shall remove existing utility pole that serves the traffic signal power service. Power service conductors shall be placed underground. All work pertaining to power service change shall be coordinated with Edison Company. (TR)

POLICE DEPARTMENT SPECIAL CONDITIONS

138. 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.

139. The space between the buildings on the north side of the complex (between the proposed development and the existing commercial) shall be secured at each end to the satisfaction of the Police Department and shall, except for maintenance purposes, be kept in a locked, secured condition at all times.
140. 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.
141. If a video surveillance system is being installed at this property, comply with "Oxnard Police Department Proposed Standards, Guidelines & Recommendations Closed-Circuit Television (CCTV) Surveillance Systems," available online at <http://www.oxnardpd.org/documents/opdcctv.pdf>.
142. Businesses will contact The Oxnard Police Crime Prevention Officer at (805) 385-8349 to discuss enrollment in and compliance with the Oxnard Police Department "Crime Free Business Program."
143. If any On-Sale or Off-Sale alcohol establishments are part of this development, contact the Senior Alcohol Compliance Officer at (805) 385-7490 to discuss alcohol-related conditions. Alcohol permits will only be considered on an individual basis and shall not be a part of any "cluster" permits for multiple outlets within the development.
144. Developer shall submit and the Police Chief or designee shall approve a lighting plan prior to the issuance of a building permit. The lighting plan shall include a photometric study that integrates the site's approved landscaping plan (if any). The integrated photometric/landscaping plan will indicate the specific location and canopy size of fully mature trees thereby highlighting potential landscape/lighting conflicts in the future.
145. Metal halide lamps or those that provide quality color rendition are required.
146. Exterior lighting shall be on photocells and shall be on during all hours of darkness.
147. 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 in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected.

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.

PASSED AND ADOPTED by the Planning Commission of the City of Oxnard on this 4th day of September, 2008, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT: Commissioners

Michael Sanchez, Chairman

ATTEST: _____
Susan L. Martin, Secretary